United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 117th CONGRESS, FIRST SESSION

Vol. 167 WASHINGTON, THURSDAY, OCTOBER 21, 2021 No. 185

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Ms. DELBENE).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
October 21, 2021.

I hereby appoint the Honorable SUZAN K. DELBENE to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2021, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with time equally allocated between the parties and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

REMEMBERING GENERAL COLIN POWELL

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Michigan (Mrs. DINGELL) for 5 minutes.

Mrs. DINGELL. Madam Speaker, this week, our country lost a great American, and I stand here today to remember a giant: General Colin Powell.

He was a statesman who loved his country fiercely. He was a trailblazer who served with love, integrity, and pride. He helped shape American foreign and military policy for years. He believed public service was the most important job in the world.

His leadership, full of honesty and listening, inspired generations. He treated every person with dignity and respect. Until his dying day, he opposed the fear and the hatred dividing this country. He believed in America's promise, and he left that as his legacy. He stood on principle and believed in the good of life.

Today, we remember his steadfast leadership, his commitment to family, and his strong enduring presence.

Please join me in sending love and prayers to Alma and the Powell family in the difficult times ahead.

I close with some of the General's own wisdom: ''The ties that bind us together are far stronger than the occasional stresses that separate us.''

HONORING NATIONAL SPINA BIFIDA AWARENESS MONTH

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oklahoma (Mr. HERN) for 5 minutes.

Mr. HERN. Madam Speaker, today, I rise in honor of National Spina Bifida Awareness Month.

Spina bifida is a rare condition that develops in the womb. It stems from a hole in the spinal cord, a condition known as a neural tube defect. As the spinal column fails to close properly, nearly every major organ system is impacted.

Children born with spina bifida typically undergo dozens of surgeries at a young age. For those who survive to adulthood, they live with complex physical, mental, and other health challenges.

There are precious few resources available for the 166,000 individuals living with spina bifida in the United States, including my sister and my niece. I have another sister who was born with spina bifida as well and passed away shortly after birth.

I am very familiar with the challenges faced by those who suffer from spina bifida. It has been a part of my life since childhood.

The medical community has taken many steps forward since my sisters were diagnosed with spina bifida several decades ago. Whereas spina bifida used to be a childhood death sentence, many individuals with spina bifida are living well into adulthood, a tremendous milestone. But there is more we can do.

Funding for spina bifida is low. There is only one entity in the Federal Government studying spina bifida. It is the Spina Bifida Program at the National Center on Birth Defects and Developmental Disabilities at the CDC.

Americans living with spina bifida deserve the same respect and dignity in life as everyone else. Spina bifida research needs dedicated funding to ensure a better future for Americans with spina bifida.

REMEMBERING PAT CAMPBELL

Mr. HERN. Madam Speaker, I rise to honor the life of Pat Campbell, a friend not only to me but to many Oklahomans who listened to him on the radio every morning.

Pat passed away yesterday morning after a long fight with brain cancer. Everyone who knew Pat knows he was a fighter.

Pat got his start on radio largely on accident, because he would call in and debate a liberal radio host. The station was so impressed with his calls that they gave him his own show.

After that, he became a regular guest of Tucker Carlson's on MSNBC and would go on to be a guest commentator on shows like ''The O'Reilly Factor'' and ''Fox and Friends.''

Pat had an extraordinary impact on radio, not only in Tulsa but around the Nation. He was a passionate voice for conservative values and a truly great friend.

Printed on recycled paper.

I will greatly miss Pat, and I offer my heartfelt condolences to his family and all those who loved him.

RECOGNIZING HISPANIC HERITAGE MONTH AND LATINA EQUAL PAY DAY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Georgia (Ms. BOURDEAUX) for 5 minutes.

Ms. BOURDEAUX. Madam Speaker, I rise today, October 21, to recognize Latina Equal Pay Day, the day when the pay for Latina women catches up to that of White men from the previous year. Latinas typically earn only 57 cents for every dollar earned by White men.

This disparity harms women, their families, and the communities that depend on their wages for survival. This inequity is why I am a proud cosponsor of H.R. 7, the Paycheck Fairness Act, which would close loopholes in the Equal Pay Act in an effort to break the patterns of pay discrimination and strengthen workforce protections for women, especially women of color.

I would also like to take this time on Latina Equal Pay Day to acknowledge the recent conclusion of Hispanic Heritage Month and to recognize and celebrate the many contributions, diverse cultures, and extensive histories of the American Hispanic community and the over 60 million Americans who identify as Hispanic or Latino.

I am proud to represent one of the most diverse districts in the United States and the more than 170,000 Hispanic Americans who call Georgia's Seventh District home.

One of my most significant legislative accomplishments was borne out of conversations with Tony Rodriguez, CEO and president of the Aurora Theater in Lawrenceville. My conversations with him encouraged me to introduce the Paycheck Protection Program Extension Act, which extended the deadline to apply for forgivable PPP loans from March 31 to May 31 and gave small businesses more time to access this critical assistance.

I would also like to recognize Antonio Molina, chair of the board of Georgia's Hispanic Chamber of Commerce, for his hard work ensuring Hispanic small business owners have the resources they need to be successful.

I also recognize Santiago Marquez, the executive director of the Latin American Association, which provides a critical safety net service for so many in the Seventh District.

I would also like to thank two Hispanic members of the Cabinet: Secretary of Health and Human Services Xavier Becerra and SBA Administrator Isabel Guzman, who visited Georgia's Seventh District this year. It was an honor to host each of them and introduce them to the wonderful place we call home.

Finally, I would like to acknowledge my chief of staff, Estefania ''Stefy'' Rodriguez, for her work leading my staff to serve the great people of the Seventh District.

As I host and attend events across my district, I am struck by the vibrancy of the Hispanic communities.

Recently, I visited with the Latino Lions Club of Norcross, the Latin American Association, the Hispanic Health Coalition of Georgia, and Latino Community Services to discuss how we can work together to address the issues that matter most to our community.

We all benefit from the contributions Hispanic Americans have made and will continue to make. The inclusion of their voices and values in our community make my district and the United States so much stronger.

They are the scientists, doctors, nurses, and essential workers who have helped us get through the COVID–19 pandemic; the teachers who educate the next generation of Americans; the artists who grace our television screens and our stages; the small business owners who drive our economy; and the many Hispanic elected officials, some who walk these very halls, who work every day to make a positive difference for our community.

I am a proud cosponsor of critical legislation, such as H.R. 6, the American Dream and Promise Act, and H.R. 1603, the Farm Workforce Modernization Act, which extends the American Dream to millions of people who already call this great Nation home.

Today, on Latina Equal Pay Day, and following the conclusion of Hispanic Heritage Month, I reaffirm my commitment to always work to support and strengthen our vibrant Hispanic communities.

HORRIFIC EVENT ON SEPTA TRAIN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. PERRY) for 5 minutes.

Mr. PERRY. Madam Speaker, I am here today to talk about something that apparently the person whose representative serves in this Congress refuses to talk about, and that is the horrific events that occurred last Wednesday on a SEPTA train.

''SEPTA'' stands for Southeast Public Transit Authority. It is the transit system that runs around Philadelphia.

Now, I don't know whether folks in the House know it, but for nearly 40 minutes, a woman on the train was harassed and groped before an illegal alien forcibly ripped off her clothes and raped her right there on the train, while up to 10 riders watched without intervening. They didn't even bother to call the police.

Imagine this. It actually gets worse. This hellacious experience continued as the train passed 20 train stations. Instead of taking action, other passengers watched and some actually are reported to have filmed the attack.

It actually gets worse. The perpetrator of this horrific crime is here in our country illegally. Despite previous convictions of sexual abuse and drug crimes, he is another one that was released from immigration detention rather than being deported.

Now, the severe emotional and physical trauma experienced by the victim could and should have been prevented by our elected officials, who often advocate for open borders and defunding the police. They have failed her, they have failed us, and they have created an environment where she was victimized in front of others by a man who should have been deported years ago.

While the man should have been deported years ago, the man should not have been in our country in the first place. We have laws for these things, and we should enforce those laws so that this lady could live safely in her American city.

This horrific crime raises questions and concerns about where we are as a Nation and how we got here.

When my colleagues on the other side of the aisle decide they want to speak on this floor and attack law enforcement and denigrate our immigration officials, like the ones that were down at the border on horseback trying to enforce the laws that are passed in this very Chamber, and they actively seek to release dangerous criminals into society, I wish they would realize that there are real human victims of their reckless, irresponsible, and absolutely dangerous policies and rhetoric.

I hope the majority keeps this in mind as they continue to work on their $3.5 trillion spending bill that promises amnesty to dangerous criminals and puts Americans citizens in danger. That is what it does; Amnesty, letting criminals stay here without consequence, without accountability.

But there is accountability for this poor lady, I guarantee you that.

Open borders, abolish ICE, no bail, and defund the police are not merely harmless catchphrases that Big-Government, socialist politicians can spew without consequence. That rhetoric results in horrific crimes against citizens that are someone's constituent, someone who took an oath to the Constitution to defend this country and the citizens of this country. They are someone's family member. This was someone's daughter, someone's little girl.

I want to commend the off-duty SEPTA employee for having the courage to step up and do the right thing, calling the police and ending the most horrific event of this young woman's life.

I also want to thank the SEPTA police officer—law enforcement. Yes, I want to thank law enforcement who intervened and brought this nightmare to an end.

But I do want to take a moment and ask my colleagues: How much more must we endure?

There are so many others, so many other victims, from this side of the country to the other side: Kate Stienle

in California, killed by an illegal alien; Derek Kichline in Pennsylvania, far from the border, killed by the head of the Latin Kings in town; Mollie Tibbetts, in the heartland of the country, killed by an illegal alien. Read the story about Nilsa Padilla, whose three little girls watched an illegal alien beat her to death, chop up her body, dispose of it, and then went on to kill their youngest sister, a little toddler. Then he left the country and was never brought to justice, as far as we know.

How much longer? How many more? We have seen record numbers this year alone at the border of illegal aliens coming into our country and imperiling and endangering our citizens. It is our job. We take an oath to defend them. I think you get the point, Madam Speaker.

□ 1015

HONORING THE SACRIFICES OF JOHN EADE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Ohio (Ms. KAPTUR) for 5 minutes.

Ms. KAPTUR. Madam Speaker, I rise today to honor a great American soldier, Staff Sergeant John Eade, a native son of Toledo, Ohio, of whom our citizenry is very proud and eternally grateful.

As our Nation approaches Veterans Day 2021, I enter into the CONGRESSIONAL RECORD the poignant story to honor John and his treasured colleagues for their superhuman valor. They are all heroes.

John, as a highly wounded Vietnam veteran, persevered and led a distinguished life as an architect and chief of the city of Boston's inspection division.

Our Nation must revere his lifelong valor in the face of overwhelming odds, terrible slaughter, and wounds endured from the deadliest single-day battle in the Vietnam war.

Sergeant Eade is held in the highest esteem by everyone who knows him. He is a trusted confidant, a faithful friend, a true patriot, and a very humble Purple Heart recipient. He would not seek that recognition for himself but would be thinking only of his comrades.

In November 1965, John was deployed to Vietnam as a fire team leader in the ill-fated 2nd Platoon, Alpha Company, 2nd Battalion, 7th Cavalry, 1st Cavalry Division.

On November 14, he and his team were sent as reinforcements to the Battle at Landing Zone X-Ray in the la Drang Valley made famous by the movie ''We Were Soldiers.''

On the morning of November 17, Sergeant Eade and his small team were marching to Landing Zone Albany. Only minutes after arriving, two much larger North Vietnamese regiments ambushed his unit.

As the North Vietnamese swarmed them through the trees, John's platoon was pinned down in ferocious hand-to-hand combat.

Sergeant Eade quickly rallied three of the only remaining soldiers able to fight: Wilbert Johnson, Barry Burnite, and Oscar Barker, Jr. Together, they fought valiantly to hold their position against the attacking Vietnamese.

Their plight was unfortunately short-lived. Burnite was struck in the chest by shrapnel, and Johnson pulled him to a position of cover to save him. The two men fought until Burnite died and Johnson was killed.

As the fighting continued, John was shot multiple times and sprayed with shrapnel. Barker tended to John's wounds. The rest of the platoon had already been killed. John urged Barker to leave him and retreat, but Barker refused. Moments later, Barker was killed.

Soon after, a napalm strike was dropped on John's position, leaving him severely burned. Weak, but still alive, John managed to roll in the dirt and extinguish the flames that had engulfed him, yet he continued his efforts to hold his position.

That afternoon, John was surprised by enemy soldiers, shot in the face, and knocked unconscious.

Despite the overwhelming odds and the horrific life-threatening wounds he had received, John refused to withdraw and continued exposing himself to the onslaught through the night, including throwing grenades with his remaining good arm. When dawn came, he was grievously wounded but remained alive.

Three days later, he was discovered by a recovery unit and awarded the Purple Heart for his massive sacrifice for our Nation. I believe to my core John and several of the men in his platoon have not been appropriately recognized for their valor.

It is for this reason I and my colleagues have nominated him for the Distinguished Service Cross.

John is now 78. He has lived with severe injuries sustained in battle that impacted him throughout his life and are impacting him now.

His reflections on life as a soldier and an American hero remain largely personal, but his valor endures. He is a soldier still, as he is now scaling another battle related to his wartime service.

He is handling this with such dignity, resolve, and even good humor. One can observe the raw courage that those of us who know him have witnessed through his life.

John, what a truly great soldier you are in the military and in life. America salutes you for your unyielding valor and for your deep patriotism.

No matter the challenge, you and your life are the very definition of courage. May God bless you and your fallen comrades, for surely you have blessed America.

RECOGNIZING FLETC PEACE OFFICERS MEMORIAL DAY CEREMONY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. CARTER) for 5 minutes.

Mr. CARTER of Georgia. Madam Speaker, I rise today to recognize the Federal Law Enforcement Training Centers' Peace Officers Memorial Day Ceremony.

Each year, the Federal Law Enforcement Training Centers engrave the names of graduates who made the ultimate sacrifice in the line of duty during the previous year.

This ceremony commemorates another year that has been distinguished by extraordinary law enforcement achievements but, unfortunately, has been marred by tragedy and personal loss.

We must always remember those who have made the ultimate sacrifice while protecting and serving our community.

Sadly, a total of 263 FLETC graduates have paid the ultimate sacrifice since 1970. Tragically, we have had to add another 22 names for last year alone.

Behind each and every one of these names there is a son, a daughter, a husband, a mother, or a relative who misses their loved one.

To all of our police officers and Federal law enforcement officials, thank you for your service to our communities and God bless you.

I hope that my colleagues will take some time to thank these courageous individuals who work to keep us all safe.

REMEMBERING AND HONORING ANN ERNST

Mr. CARTER of Georgia. Madam Speaker, I rise today with a heavy heart to remember and honor Ann Ernst of Savannah, Georgia, who sadly passed away on October 5 at the age of 93.

Ann attended Chatham County public schools and Armstrong Junior College and graduated from Valdosta State University with a degree in biology. Following graduation, she worked at a research lab studying malaria transmission and control.

Throughout her life, she was involved in teaching and inspiring the Savannah community. She served as curriculum director at Hancock Day School and taught children with learning disabilities at the Royce Learning Center.

Cherished by the Savannah community for her contagious laughter and love of life, Ann's immense impact was felt by everyone she knew.

I am thankful for Ann's lifetime of service, and I know her legacy will be forever treasured.

My thoughts and prayers are with her family, friends, and all who knew her during this most difficult time.

RECOGNIZING NATIONAL PHARMACY WEEK

Mr. CARTER of Georgia. Madam Speaker, I rise today to recognize this week as National Pharmacy Week.

Today we honor pharmacists and technicians across the Nation. During

this week, I would like to recognize all pharmacists across the United States who ensure that Americans have access to important and often lifesaving medications.

Every day pharmacists are directly involved in patient care, and pharmacists are the most accessible healthcare professionals in the country. Ninety-five percent of Americans live within five miles of a pharmacy.

From administering flu shots to COVID–19 vaccines, pharmacists are a vital resource in our communities, and they will continue to play an active role in combating the virus. Because of their hard work, lives will be saved.

Madam Speaker, I encourage everyone to get to know their pharmacists and to thank them for the work that they do.

As a pharmacist currently serving in Congress, I thank all pharmacists around the world. We can look forward to a brighter future because of them.

REMEMBERING AND HONORING DR. JAMES POLK ''JAY'' BRINSON, III

Mr. CARTER of Georgia. Madam Speaker, I rise today to remember and honor former Wayne County superintendent, principal, and coach, Dr. Jay Brinson, who sadly passed away at the age of 51.

Jay was proud to be a graduate of the Wayne County School System and was a devoted Yellow Jacket throughout his life.

After graduating from Wayne County High School in 1988, he would return to the school for a 29-year career. During this time, he was a coach, a teacher, and an administrator with a personal mission to give back to a community that he believed invested so much in him.

He retired as superintendent of Wayne County schools in March, leaving a lasting impact on his students.

Above all, Jay was a man of dignity who led by example.

I am thankful for Jay's service to Georgia's First Congressional District, and I know his legacy will remain.

My thoughts and prayers are with his family, friends, and all who knew him during this most difficult time.

CONGRATULATING CHIEF BRYAN REYES ON HIS RETIREMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. RUIZ) for 5 minutes.

Mr. RUIZ. Madam Speaker, I rise today to celebrate the career of Palm Springs Police Chief Bryan Reyes, who retired after nearly 30 years of service to our communities.

A veteran of the United States Marine Corps, Chief Reyes began his career in law enforcement as a reserve police officer for the Compton Police Department in 1991.

After transferring to the Palm Springs Police Department in 1993, he rose through the ranks, serving as an officer, detective, sergeant, lieutenant, and captain before ultimately becoming police chief.

Chief Reyes has had a lasting impact on the Palm Springs community and has led the department through difficult times.

On October 8, 2016, during the first year of his tenure as chief of police, Palm Springs Police Officers Lesley Zerebny and Gilbert Vega were tragically killed in the line of duty.

Chief Reyes recognized the devastating impact this would have on the department, community, and the officers' families. In this difficult time, he prioritized the mental health needs of those affected, and his guidance brought us all closer together.

I am honored to have collaborated with Chief Reyes in authoring legislation to commemorate the tremendous sacrifice made by Officers Zerebny and Vega that day. Named in their honor and inspired by our local police officers at the Palm Springs Police Department, the Heroes Lesley Zerebny and Gilbert Vega First Responders Survivors Support Act would get families of our fallen heroes the support they need and ensure they have every opportunity to succeed in life.

During his more than 6 years of leadership, Chief Reyes strengthened the department's community policing in neighborhoods and expanded engagement with residents and community organizations.

Further, he has received numerous accolades for his incredible leadership, including lifesaving medals, the officer of the year award, and the community heroes award.

Chief Reyes' 28 years of tireless and dedicated work for the Palm Springs community is a testament to his outstanding leadership, character, and commitment to the well-being of Palm Springs residents.

I have no doubt that changes brought about under his leadership will continue to improve the lives of Palm Springs police officers and the entire Palm Springs community.

On behalf of the great people of California's 36th Congressional District, thank you, Chief Bryan Reyes, for all you have done for our community. Congratulations on your well-deserved retirement.

EXTRADITION OF ALEX SAAB

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. SALAZAR) for 5 minutes.

Ms. SALAZAR. Madam Speaker, for those who enable murderous dictators, the United States system will find you in this life or the next, and this is the perfect example.

For Alex Saab, the plunderer of Venezuela, justice for his crimes against humanity will be swift and without mercy.

Why? Because over the weekend we learned that Saab will finally be extradited to the United States.

He tried to claim diplomatic immunity, but he is not a diplomat. He is not a politician. He is just another thug for the Venezuelan regime.

Saab was Maduro's leading front man and his number one money launderer. He is a drug trafficker who is responsible for flooding American streets with cocaine. He helped finance the worst crimes and the most appalling human rights abuses committed by the Maduro regime in Venezuela in the last 15 years.

So it is no surprise that Maduro, the dictator, has pulled out all the stops to try to prevent his extradition to the United States, but he could not.

In the meantime, earlier this week, six American executives, American executives in Venezuela, known as the Citgo 6, were sent back to a cruel political prison for no reason.

The regime arrested these men on bogus charges in 2020 with no justification. Now, with no explanation, Maduro has condemned these innocent American executives to rot in a Venezuelan prison.

Why? Just one reason: retaliation because Maduro doesn't like this picture.

This is a classic tactic of tyrants. If Maduro thinks that he can make a prisoner exchange, he needs to wake up and realize that the United States does not deal with dictators. So the Citgo 6, six American executives, need to be released now, unconditionally.

Unfortunately, Maduro right now is panicking because his top confidant will soon be facing trial in an American court of law, and he will say many things that Maduro doesn't want us to hear.

Today, the victims of the Maduro regime in Venezuela will finally have some justice, but we, as a Nation, cannot stop until Venezuela is free of this satanic nightmare called the Maduro regime.

□ 1030

RECOGNIZING LIBERTY UNIVERSITY'S 50TH ANNIVERSARY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia (Mr. CLINE) for 5 minutes.

Mr. CLINE. Madam Speaker, I rise today to recognize the 50th anniversary of Liberty University in Lynchburg, Virginia.

Originally founded by Dr. Jerry Falwell, Sr. as Lynchburg Baptist College in 1971, its first classes were held that September for its 154 students.

Over the years, the college has grown and transformed in many ways, but has always remained a Christian academic community practicing the traditions of evangelical institutions of higher education.

The school was renamed Liberty Baptist College in 1975 and became Liberty University in 1985.

Now, Liberty University is one of the largest private nonprofit universities in the Nation and the largest university in Virginia, boasting more than 95,000 total undergraduate and postgraduate students, both in person and online.

As of 2021, Liberty has more than 250,000 alumni making an impact in their respective fields and in their communities.

I congratulate Liberty University and president Jerry Prevo on this milestone and wish the institution another 50 years of success in fulfilling its mission to develop Christ-centered men and women and instill in them the values, knowledge, and skills needed to impact the world.

PROTECTING CONSTITUTIONAL RIGHTS OF VETERANS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. BOST) for 5 minutes.

Mr. BOST. Madam Speaker, as ranking member of the House Committee on Veterans' Affairs, one of my top priorities is protecting the constitutional rights of our veterans.

Today, I want to raise awareness of a policy that strips law-abiding veterans of their Second Amendment rights; specifically, the policy that requires VA to report veterans who need help managing their VA benefits to the NICS program, thereby making it illegal for them to possess firearms.

To illustrate this practice, I would like to tell you a story about a hypothetical veteran named Joe.

Joe likes to go on hunting trips with his fellow veterans.

These trips are therapeutic for Joe. They give him stress relief and a fun hobby and an opportunity to connect with other veterans.

Unfortunately, Joe begins to suffer from headaches and memory loss, which he believes is linked to an in-service blast injury.

He files a claim for VA disability compensation benefits.

During the claims process, the VA learns that Joe struggles to pay his bills on time because of this traumatic brain injury.

This triggers the VA's requirement to determine if Joe is capable of managing his own VA benefits.

Ultimately, VA decides that Joe requires assistance handling his VA compensation payments.

The VA appoints a fiduciary to receive and manage Joe's VA benefits on his behalf.

As a result of the VA's appointment of a fiduciary, VA must—not by law, but by administrative rule—report Joe to the FBI NICS list.

And just like that, without evidence that Joe is a danger to himself or others, without involving a judge to ensure that Joe's legal rights are protected, without the opportunity for Joe to present his case in court on why he should be able to possess a firearm, Joe loses his Second Amendment rights.

That means that Joe can no longer go on hunting trips with his friends or family.

He can no longer own the hunting rifle his grandfather gave him.

And when Joe's friends learn about it and have learned what happened to him, they decide that they would rather go without their VA benefits and services, instead of risking the same thing happening to them.

That story may be fictional, but some version of it happens across this United States all the time.

The truth is that some veterans forego seeking VA services out of concern that they would lose their constitutional rights; not because there are laws in place, but there is an administrative rule in place.

According to the VA's regulations, the purpose of the fiduciary program is to protect certain VA beneficiaries who cannot manage their VA benefits.

Clearly, the program was never intended to review someone's right to own a firearm.

A decision on a constitutional right should be left to a judicial authority, plain and simple.

Now, my bill, H.R. 1217, the Veterans 2nd Amendment Protection Act, would make sure that it is.

H.R. 1217 would prevent VA from reporting veterans to the NICS list, unless there is an order from a judge or magistrate that says the veteran may be a harm to himself or herself or others.

This bill allows VA to focus on its mission of caring for veterans, and leaves decisions about whether to strip a veteran of their constitutional rights to the judicial branch as it is supposed to be and it is for any other person who is not a veteran.

If a court finds that that veteran is a danger to themselves or others, then they should not be allowed to own a firearm.

However, it is time we end this policy that the VA has put in place, and we should make sure that we change this, we correct this problem for veterans that are discouraged from seeking help from the VA because of this rule.

We must make this change. If you want to ensure that veterans who need VA are willing to walk through VA's doors, that is how we do it. We make sure that they know their rights are protected.

I urge swift passage of H.R. 1217.

WASTEFUL SPENDING IS NOT WHAT THE UNITED STATES ECONOMY NEEDS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Tennessee (Mr. ROSE) for 5 minutes.

Mr. ROSE. Madam Speaker, Democrats are determined to pass their massive socialist tax and spending bill that will turn the American Dream into a socialist nightmare.

Democrats are proposing the largest tax increase in most of our lifetimes. Their $5.5 trillion plan—Senator BERNIE SANDERS' socialist spending plan—is the largest spending bill in our history and will take Americans out of the frying pan and into the fire.

We need targeted infrastructure improvements, but instead, this style of cradle-to-grave Big Government gives Washington bureaucrats control over our personal and family decisions.

This spending bill promises to stretch the social safety net to every American household regardless of need. It promises extreme climate change proposals like $3 billion for tree equity and $12 billion for electric cars.

It promises subsidized government daycare, taxpayer-funded free college classes for illegal immigrants, universal pre-K, and new funding for gender identity issues and bias training.

The Biden administration is actively trying to gaslight the American people by claiming that this spending package will cost nothing.

Just this morning I heard the President emphasizing a single statement three times that the cost of this plan would be zero. This is an outright lie.

It will be America's middle-class families that foot the bill for Democrats' multitrillion-dollar giveaway through crippling tax increases. This massive package will not deliver opportunity or economic relief, instead it leaves rural America behind and will accelerate inflation, discourage work, and empower Washington bureaucrats.

More wasteful spending is not what our economy needs. It has already contributed to the harmful inflation that Americans across the board are experiencing. Today, inflation is more than 5 percent, the highest it has been in 30 years, more than half of my lifetime and more than the lifetimes of many Americans. Wholesale prices have risen at the fastest pace on record.

Americans do not want a government that defines them. Rather, Americans want to be able to define their own government.

We can meet our country's funding needs without jeopardizing our economic recovery and saddling future generations with more debt.

I ran for Congress because I am worried about the country that we are going to leave to my sons, Guy and Sam, and to the children and grandchildren and great-grandchildren of every American. I cannot in good conscience support a proposal that will mortgage their future, that will imperil their freedom and liberty.

But Democrats are bent on spending massively to enact their radical far-left socialist policies that will change our economy, change our Nation, and change our fiscal future for the worse.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President.

THE UNITED STATES ECONOMY IS IN TROUBLE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. BILIRAKIS) for 5 minutes.

Mr. BILIRAKIS. Madam Speaker, I rise today because our economy is in trouble. We are headed in the wrong direction. We must reverse course.

My constituents are paying more today than they were a year ago for basic goods like milk, gas, and bread.

In fact, the national average price for a gallon of gas recently reached $3.36, more than $1 higher than it was a year ago and the highest price since October of 2014.

It was also recently announced that core inflation is at a 30-year high.

Inflation has gone up every month since President Biden has been in office.

Inflation is an invisible tax on all Americans, and it especially hurts seniors living on a fixed income.

Out-of-control government spending fuels inflation.

Some of my colleagues seem to believe more spending is the answer.

They have proposed a $4.3 trillion spending plan coupled with a $1.5 trillion infrastructure package, both of which are filled with pork, unfortunately.

For example, the spending bill contains billions for job training in climate careers to create a Civilian Climate Corps to promote the Green New Deal; to develop environmental justice initiatives; for housing grants to felons convicted of domestic violence or hate crimes; to benefit, again, 10 million illegal immigrants; and $200 million for a park in San Francisco.

While I do believe we need to invest in traditional infrastructures such as roads, bridges, internet connectivity, and cybersecurity, only a very small percentage of the proposed infrastructure package funds these types of essential projects, which is wrong. We must spend more on traditional infrastructure and get rid of the perks.

These spending packages would raise taxes on every American, not just the rich.

They will kill American jobs and make us less competitive in the global marketplace.

In the end, it is more frivolous Washington spending, which is the absolute wrong approach, in my opinion, to fixing our economic woes.

It will only make matters worse, Madam Speaker.

Small business owners, who are the backbone of our economy, are having a very difficult time recovering from the pandemic, as you know. Not only are they dealing with the same inflationary pressures that all Americans are experiencing, but they are also facing labor and material shortages.

As we head into the holiday season, consumer demand will only continue to rise.

The supply chain bottlenecks must be resolved immediately to prevent further damage to our economy.

Instead of working together to find common ground and areas about which we can build consensus—that is how we govern—my colleagues on the left, though, seem determined to go it alone. That is the wrong approach, Madam Speaker.

They have spent weeks publicly arguing amongst themselves about how many trillions of American taxpayer dollars they should spend without any concern to what this out-of-control spending will do to our already struggling economy.

Simply put, this is not how we grow the economy. This is how we grow inflation.

In order to restore our way of life and renew the American Dream, we must implement Trump-era economic policies that yielded unprecedented economic growth, the lowest unemployment levels for minorities in the history of the United States, energy independence—that is what we need—and the highest rise in middle-class wages in decades.

The destructive economic policies of those on the left must be defeated.

□ 1045

HONORING COACH DOUG SMITH

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia (Mr. GOOD) for 5 minutes.

Mr. GOOD of Virginia. Madam Speaker, I rise to honor the leadership and perseverance of Appomattox County High School coach, Doug Smith.

Doug Smith has led the Appomattox Raiders football team since 2012. Under his leadership, the team has boasted a 32-game winning streak, and won State championship titles in 2015, 2016, and 2017. While Coach Smith's record is amazing, his leadership extends well beyond the field.

Coach Smith has truly united the community behind their team, as evidenced by the large groups on Friday nights. One cannot visit Appomattox County without seeing the impact Coach Smith has made on his students, his coworkers, and the community at large.

Modeling by example, he has taught his student athletes to be productive citizens, such as when the team famously came out in full force to help those affected by the devastating tornado that hit Appomattox in 2016.

However, Coach Smith is best known for his relationship with Jesus Christ, his eternal perspective, and his focus on those things that matter more than football. This has been most clearly displayed since the fall of 2020, as Coach Smith has faced a great personal challenge of his own with a diagnosis of multiple myeloma, a cancer of the plasma cells.

He has been a tremendous testimony through this journey. Thankfully, it appears that the Lord has him on the road to recovery. My continued prayers are with Coach Smith as he continues to fight this terrible disease.

I thank Coach Smith for his commitment to service and leadership. Coach Smith is an inspiration to us all about the importance of serving others, even through personal challenges.

COMMEMORATING SAILORS AND MARINES ABOARD USS ''FORRESTAL'' ON JULY 29, 1967

Mr. GOOD of Virginia. Madam Speaker, I rise to remember and express gratitude to the brave sailors and marines who were wounded or lost their lives fighting the catastrophic fire aboard the ship, the USS *Forrestal*.

July 29, 2021, marked the 54th anniversary of one of the most tragic fires in U.S. naval history. On July 29, 1967, the USS *Forrestal*, which was supporting combat operations off the coast of Vietnam, was impacted by an accidental rocket that ignited a fire and triggered several bomb explosions on the flight deck.

Sailors and marines on board, including several Virginians, bravely fought the fire for 18 hours. Despite the courageous efforts of the crew, 134 men died, 161 were wounded, and 21 aircraft were destroyed. Sadly, veterans wounded that day are still fighting their claims with the VA, such as my constituent, Mr. David Cephas Smith, of Vinton, Virginia. These heroes were not awarded the Purple Heart because their wounds did not occur during enemy combat, but their bravery still merits recognition.

We are forever grateful for the service of veterans, like Mr. Smith, who were wounded or sacrificed their lives battling this fire aboard the USS *Forrestal*.

PROTECTING THE AMERICAN PEOPLE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. JOYCE) for 5 minutes.

Mr. JOYCE of Pennsylvania. Madam Speaker, in my home State of Pennsylvania, a woman was brutally raped by an illegal immigrant.

In Congress, one of our primary duties is to protect the American people. By allowing illegal immigrants who have committed crimes to remain within our borders signifies that we are failing. Allowing an illegal immigrant who has committed acts of sexual violence to remain in our country shows that we are failing.

Congress must move immediately to pass legislation ensuring that any immigrant who commits acts of violence is deported. What happened in Philadelphia this week was a failure of American leadership. It showed clearly that the Biden crime crisis is escalating.

Now, as apprehensions at our southern border hit record highs, President Biden is taking away the vital resources that our Border Patrol agents need to do their job. The answer to stopping our border crisis and our crime crisis is not to defund the police. The answer is not to be more lenient on illegal immigrants who have committed violent crimes against Americans.

We must put the safety of the American citizens first, and we must put the security of the American citizens first.

CELEBRATING CLARKE COMMUNITY HIGH SCHOOL INDIANS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Iowa (Mrs. MILLER-MEEKS) for 5 minutes.

Mrs. MILLER-MEEKS. Madam Speaker, I rise today to celebrate the recent success of a high school football team in Iowa's Second District. For the first time in 31 years, the Clarke Community High School Indians are headed to the playoffs. The team finished the regular season with a 5-and-3 record, which is also a first in 31 years.

Although their season had plenty of ups and downs, the team persevered and worked hard to make their community proud. They will be traveling up to Williamsburg, Iowa, tomorrow, October 22, to take on the Raiders in the first round of the playoffs. I am confident that Clarke will make the Second District proud.

Congratulations to Coach Quinlan and his staff, and all the players, and the entire Clarke County community on their success, and good luck tomorrow night.

SAVE OUR SERVICEMEMBERS

Mrs. MILLER-MEEKS. Madam Speaker, I rise today to discuss an issue that has become a national crisis and that must be immediately addressed. Serving in the Army for 24 years as both a nurse and a physician, from the Vietnam era to the first Gulf War, I have seen many of my fellow veterans suffer from anxiety, depression, survivor's guilt, and PTSD. Many veterans are still living with those scars, and without proper care and treatment, mental health crises can make everyday life a struggle or even life-threatening for them or their families.

Yesterday, I partnered with my fellow veterans, Congressman RUBEN GALLEGO, a corporal in the Marine Corps, Senator JONI ERNST, a fellow veteran and a fellow Army lieutenant colonel, and Senator MARK KELLY, a captain in the Navy, to introduce the Save Our Servicemembers Act.

This bipartisan and bicameral legislation would direct the Pentagon to evaluate the effectiveness of their suicide prevention efforts and to improve its data collection, reduce bureaucratic duplication, and strengthen collaboration between its offices.

I am heartbroken at the continued rise in suicides in the veteran community and our military communities. It is no secret that our servicemembers often face invisible challenges when they return to civilian life, and we need to do a better job addressing their needs and the needs of their families.

We need to look into all of our mental health and suicide prevention programs to better service our heroes, and I am proud to partner with an incredible group of veterans in Congress on this legislation.

To our servicemembers and our veterans, I want you to know that you are not alone and there are people who care and are trained to help you in any mental health crisis you might face.

I encourage everyone to check in on your family and your friends because sometimes the deepest wounds are the ones that we cannot see.

MOURNING THE LOSS OF STATE TROOPER TED BENDA

Mrs. MILLER-MEEKS. Madam Speaker, I rise today to recognize the tragic loss of one of Iowa's heroes.

Yesterday, October 20, Iowa State Trooper Ted Benda passed away from injuries sustained during a crash while responding to a call for help to detain a wanted suspect in Clayton County.

Over his 16-year public safety career, Trooper Benda served with honor and courage each and every day. Trooper Benda began his public safety career with the Iowa Division of Criminal Investigation in 2005. He later moved to the Special Enforcement Operations Bureau, and finally, to the Iowa State Patrol, admirably serving communities in Northeast Iowa.

It is days like this when we are reminded of the sacrifices so many of our law enforcement officers make every day. I am proud to say that I was always ready to support them and do whatever I could in Congress to ensure that they are properly funded, trained, and equipped. Trooper Benda was a hero, not just in his community, but to all of Iowa. His years of dedication and service will never be forgotten.

My thoughts and prayers are with Trooper Benda's wife, Holly, their four young children, all of his loved ones, and the entire Iowa State Patrol family.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 54 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COURTNEY) at noon.

PRAYER

The Chaplain, the Reverend Margaret Grun Kibben, offered the following prayer:

Lord, our God, bless this day. Give favor to our labor and consecrate our whole selves to Your gracious plan. Be pleased to use us as instruments of Your will.

Use our hands, that they would reach out at the impulse of Your love; our feet that they would be swift and sure to follow Your direction.

Use our voices that we would magnify Your message of mercy and our words that they would bear the fruit of love, joy, peace, forbearance, kindness, goodness, and faithfulness.

Take our wills and our hearts and make them Yours. May we not hold back the spiritual gifts with which You have graced us that You would reveal Yourself through our efforts.

All that we are, all that we aim to do, all that we hope to be, we owe to You. We give You our moments, our days, our very lives, in gratitude and in faithfulness to You. And may we prove worthy of Your faith in us.

In Your gracious name we pray.

Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 11(a) of House Resolution 188, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from California (Ms. BROWNLEY) come forward and lead the House in the Pledge of Allegiance.

Ms. BROWNLEY 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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

HONORING THE LIFE AND LEGACY OF DICK GRIFFIN

(Mr. HIGGINS of New York asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS of New York. Mr. Speaker, I rise to honor the life and legacy of Dick Griffin, a towering figure in Buffalo's legal community and one of our leading citizens.

Dick worked to make Buffalo a more just place as a champion of the civil rights movement in the courtroom and as a trusted adviser to national and local civil rights leaders.

An attorney for 64 years, he was admired and respected widely for his talent, capability, and legal mind, so much so that later in his career, he was called upon to arbitrate some of the toughest regional legal issues, including that of compensation for the victims of the tragedy of Flight 3407.

He cared deeply about his community and played an active role in civic and philanthropic efforts to improve parks, public spaces, and whole neighborhoods.

We mourn the loss of Dick Griffin today and extend our condolences to his wife and my friend, Dr. Jane Griffin, and their children Mary, Anne, Thomas, and Richard.

HOLDING PRESIDENT BIDEN ACCOUNTABLE FOR RISING PRICES

(Mr. EMMER asked and was given permission to address the House for 1 minute.)

Mr. EMMER. Mr. Speaker, I rise today to address a crisis hurting every household in America: skyrocketing prices.

If you listen to the Biden administration, they will tell you that this is a ''high-class problem.'' This is a lie propagated by those who have never had to do the mental math at the grocery store to make sure the amount in their cart does not exceed the cash in their wallet.

For Democrat leaders, paying 42 percent more at the pump isn't a problem. I suppose the price of gas isn't a concern if you are riding government-funded high-speed rail in Silicon Valley.

More than 90 percent of my constituents reported that rising prices are impacting their household budgets. Inflation is destroying Americans' ability to save for retirement, buy a home, or build wealth. This isn't a tax on the rich. It is an enormous burden for working Americans.

It is not too late to change course. I have introduced legislation to increase the transparency in government spending so that lawmakers will be forced to answer for reckless spending sprees. Moreover, my Retirement Inflation Protection Act will protect Americans from inflation-driven tax burdens right when they enter retirement.

This crisis is already hitting home for millions of Americans. We must act before it financially cripples generations of Americans to come.

WHEN WOMEN SUCCEED, AMERICA SUCCEEDS

(Ms. BROWNLEY asked and was given permission to address the House for 1 minute.)

Ms. BROWNLEY. Mr. Speaker, we all know that we do not have economic policies that set women up for success.

The pandemic has put a cruel spotlight on these challenges. In fact, one out of four women has been pushed out of the workforce because the care economy collapsed.

We have a once-in-a-generation opportunity to change this paradigm, while supporting a tenuous economic recovery, by making transformative investments in America's working women.

The Build Back Better agenda invests in childcare, paid family leave, home-based care, universal pre-K, and the child tax credit.

There is no doubt that the Build Back Better agenda sets up women and their families for short-term and long-term success.

And we all know that when women and their families succeed, America succeeds.

STAND UP FOR SCIENCE

(Mr. VALADAO asked and was given permission to address the House for 1 minute.)

Mr. VALADAO. Mr. Speaker, this month the current administration made the reckless and undeniably partisan decision to begin reconsultation of the 2019 biological opinions.

In its place, the proposed interim operations plan represents a huge step backward in California's effort to protect, restore, and enhance the delta ecosystem and provide reliable water supplies.

The 2019 BiOps were built on years of research, comprehensive peer reviews, and the best available science. They advise the most efficient use of water resources while continuing to protect at-risk species.

These BiOps also allow for greater water availability for the Central Valley farmers that feed the world. Questioning these expert findings is antiscience.

I led the entire Republican California delegation in expressing our grave concern to the Secretaries of the Interior and Commerce.

As the California drought worsens, communities in my district face water shortages and farmers are unable to maintain their crops.

I implore my colleagues and this administration to stand up for these suffering families and farmers, stand up for science, and reject this outrageous decision.

RECOGNIZING NATIONAL DOMESTIC VIOLENCE AWARENESS MONTH

(Mr. COSTA asked and was given permission to address the House for 1 minute.)

Mr. COSTA. Mr. Speaker, today I rise to recognize National Domestic Violence Awareness Month.

Sadly, domestic violence has plagued our families and communities in the Nation for far too long.

Each year, one in three women and one in four men in the United States experience domestic violence.

My hometown of Fresno has, sadly, one of the highest rates in California of verified domestic violence calls to the police department.

We cannot ignore these staggering statistics, and we must do more to address this crisis. This year, Congress passed the Violence Against Women Act and the Victims of Crime Act, or VOCA, fix, to prevent violence and expand victim services to our communities.

These bills would help organizations working tirelessly to uplift survivors, including the Marjaree Mason Center, the Centro La Familia, and the Valley Crisis Center in my district.

This week, the House also will be voting on the Family Violence Prevention and Services Improvement Act of 2021, of which I am a cosponsor. This bill aims to improve services for victims of domestic, dating, and family violence, and we need to invest more.

I urge my colleagues to join me in advancing these efforts to end domestic violence. As chair and cofounder of the Congressional Crime Survivors and Justice Caucus, it ought to be our priority to benefit those survivors and provide them the resources they deserve.

HONORING THE LIFE OF TOM CAVANAGH

(Mr. LAHOOD asked and was given permission to address the House for 1 minute.)

Mr. LAHOOD. Mr. Speaker, I rise today to honor the life of Tom Cavanagh of Springfield, Illinois, who passed away this past weekend.

Tom had decades-long service to Springfield and to Sangamon County. Tom was known as a loyal friend and a consistent advocate for taxpayers. Tom spent three decades in public service, serving four terms as Sangamon County treasurer and also county auditor, as Capital Township supervisor of assessments, and on the Springfield Park District board of trustees.

Tom's years of dedicated service in support of Springfield and Sangamon County culminated in his recognition as the Illinois County Official of the Year in 2018, when he was serving as treasurer.

Everyone who had the pleasure of knowing Tom knew him for his great sense of humor and commitment to the community he served. Tom always had a knack for finding a way to provide better services at a lower cost for Sangamon and Springfield residents.

Tom will be missed by our Springfield community, but his legacy will carry on through the work he did to better Sangamon County.

As central Illinois continues to mourn Tom's loss, my thoughts and prayers remain with his family and loved ones.

FORD IS COMING TO WEST TENNESSEE

(Mr. COHEN asked and was given permission to address the House for 1 minute.)

Mr. COHEN. Mr. Speaker, Ford Motor Company recently announced it is going to place a facility to construct electric trucks at the Memphis megasite in west Tennessee. This site is 50 miles from Memphis and has been developed for the purpose of industrial opportunities for people in west Tennessee who need it well, and it affects Memphis.

We are happy and proud that Ford picked this site for these jobs and for this important environmental effort to have electric batteries for vehicles and electric trucks. We think Ford will be a great representative in Memphis. They have been a good representative in Louisville.

As the Speaker well knows, Louisville shouldn't get everything. Memphis deserves something, too. I appreciate Ford coming to Memphis.

RACE TO GREEN IS TAX ON WORKING FAMILIES

(Mr. JOHNSON of Ohio asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOHNSON of Ohio. Mr. Speaker, the cost of everything is spiking, from gas to groceries.

One of the main reasons for these spikes is that energy costs are soaring. Affordable, reliable energy fuels our economy and our daily lives.

But some of my colleagues don't like the affordable, reliable energy that has built our economy and lifted billions of men, women, and children around the world out of poverty. Why? Because this energy has been provided by fossil fuels and nuclear power, energy sources vilified by many wealthy elites and the activist class, those least impacted by these high prices.

Make no mistake, when pipelines are blocked, new leasing on Federal lands is stopped, and mines are forced to close, working families pay the price.

This rush to green is a tax on working families, the middle class, because a larger part of their paychecks is consumed by these increasing prices on items necessary for daily life.

The American people should know, this race to green is not really about carbon. It is about control.

GOD BLESS U.S. BORDER PATROL

(Ms. HERRELL asked and was given permission to address the House for 1 minute.)

Ms. HERRELL. Mr. Speaker, today I am proud to rise in support of the brave men and women of the U.S. Border Patrol. I believe our agents need to know how grateful we are for their service to the United States of America.

No doubt they have rewarding careers, but these days it has become a thankless job. Sadly, the media often ignores the role our agents play in humanitarian efforts along our borders. They save lives and rescue women and children who are being trafficked and abused.

U.S. Border Patrol agents are some of the most amazing people I have ever met. Every day they risk their lives during confrontations with cartels, coyotes, drug runners, and criminal gangs, all to keep you and me and the sovereignty of our Nation safe.

It is time we stand in support of these fine men and women, encourage them with prayer, and support them with policies and procedures they need to keep America safe.

God bless each one of our U.S. Customs and Border Patrol agents.

□ 1215

RECOGNIZING LEVI LINDEMUTH

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to recognize a very special individual from Brockway, Pennsylvania, Levi Lindemuth.

Earlier this year, Levi was watching ''Home Alone 2'' when he was inspired to do something to help children who are in the hospital. Combining his love of gardening and passion to help others, Levi started Levi's Hope Blossoms.

Levi started selling flowers in his hand-painted pots and cans for a $5 donation. All the proceeds from Hope Blossoms go to St. Jude hospitals, and so far Levi has made over 100 hope blossoms, raising nearly $1,000.

Levi's efforts to help St. Jude's stem from a serious complication that required surgery when he was 5 days old. Now a happy and healthy 7-year-old boy, Levi is committed to giving back to children who were once in his position.

Levi sells these colorful planters and can take personal design requests via his Facebook page, Levi's Hope Blossoms.

When asked why he started Hope Blossoms, Levi's answer was simple: ''I don't think kids should have to pay to be healthy.''

Mr. Speaker, Levi is an inspiration to all of us.

AMERICANS SHOULD NOT EXPECT LESS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, James Freeman of the Wall Street Journal on October 19 wrote an editorial on how Americans should not be complacent living with less, as jobs are destroyed while inflation accelerates:

''Selling the Joe Biden-Bernie Sanders era of scarcity won't be easy. And it's going to get much harder if the President and his legislative coauthor enact their massive new plan to discourage productive labor.

Examining the House version of the plan, economist Casey Mulligan estimates that by reducing the incentives to work, the bill's planned expansions of Federal benefits will cost nine million jobs.

Already, the COVID-era combination of astronomical government spending and money creation has resulted in too many dollars chasing too few goods.

Generations of them, American consumers, built the largest economy in the world and various online commenters have suggested a slogan for Democrats running in 2022: Expect Less.

In conclusion, God bless our troops, who successfully protected America for 20 years, as the global war on terrorism continues moving from Afghanistan to America.

RECOGNIZING THE CENTENNIAL OF THE TOMB OF THE UNKNOWN SOLDIER

(Mr. PALAZZO asked and was given permission to address the House for 1 minute and to revise and extend remarks.)

Mr. PALAZZO. Mr. Speaker, today I will introduce legislation, along with 100 other Members, to recognize the centennial anniversary of the Tomb of the Unknown Soldier in Arlington Cemetery.

This Sunday, October 24, 2021, marks the 100-year anniversary since the body of one unidentified member of the Armed Forces who died during World War I was selected as the first Unknown Soldier.

Since that date, an unidentified member of the Armed Forces from World War II, the Korean war, and the Vietnam war have been interred into the tomb.

This resolution recognizes the ultimate sacrifice of the unknown soldiers interred at Arlington Cemetery and shows our gratitude and appreciation for all the members of the Armed Forces.

Since the creation of the Tomb of the Unknown Soldier, members of the 3rd U.S. Infantry Regiment, known as ''The Old Guard,'' have protected this sacred site 24 hours a day, 365 days a year.

100 years after the burial of the Unknown Soldier from World War I, the Tomb of the Unknown Soldier continues to be a powerful symbol of service and sacrifice, mourning, and memory.

I am proud to introduce a resolution that pays respect to our Armed Forces and honors the 100-year anniversary of the Tomb of the Unknown Soldier.

HONORING DONALD SNYDER

(Ms. TENNEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. TENNEY. Mr. Speaker, in the words of Saint Teresa, ''Death is nothing else but going home to God, the bond of love will be unbroken for all eternity.''

I rise today with great honor to recognize the extraordinary life of Attorney Donald Snyder of West Winfield, New York, who passed away last month.

Don was a gem of a man and a wonderful servant to our community. Don was also admired by his peers.

I remember Don being a very close friend of my father, the late Honorable Justice John R. Tenney, who always spoke so highly of Don as a person to model your career and your gift of service on.

Don served our Nation in the Army, and he returned home to start a country law practice in little West Winfield, New York, in Herkimer County.

Don was a wonderful servant who served on the board of Herkimer College for over 22 years and the chair for 12.

Don was involved with so many organizations and schools and church organizations, but he was also a very dedicated husband to his wife, Mary Theresa Higgins, and a dedicated father of four and grandfather of 12.

Nine people in Don's family are attorneys. They were all sworn in on the very same day by the U.S. Supreme Court, which made the front page news in our little town. Don was very proud of this.

Don was a man who devoted his life to service, to happiness, and he couldn't have been a kinder person to me and a better friend and mentor for me as an attorney when I first started out many years ago.

I can't express enough my deepest condolences to his family, his friends, and our community. This is truly the loss of a great man. I wish them all the best, and it was an honor to call Don Snyder my friend.

RECOGNIZING THE ASSISTANCE TO FIREFIGHTERS GRANTS PROGRAM ON ITS 20TH ANNIVERSARY

(Mr. MCHENRY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCHENRY. Mr. Speaker, it is often said that there are inefficiencies and waste in the Federal Government. Well, I am here to recognize the most efficient grant writing program in the Federal Government: The Assistance to Firefighters Grant Program, marking its 20th anniversary.

The AFG program, along with its sister programs SAFER and Fire Prevention Grants, help deliver training, manpower, and desperately needed equipment straight to where they are most needed. Communities across America have benefited from these programs over the past 20 years; all of this with hardly any overhead costs.

It is a well-run program. Why? Well, because it is largely run by the fire service.

Throughout my time in Congress, it has been a true honor to have visited well over 100 fire departments in my district. These are some of my favorite visits. And you see the best of America in these everyday heroes.

On a final note, I thank Chief Jeff Cash, Jason Wofford, and Ryan Cole for teaching my AFG grant classes throughout the years.

I would encourage my colleagues to do likewise to ensure their fire services are well taken care of with the best training and equipment they deserve.

Thank you to the AFG program and to the fire service.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 21, 2021.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 21, 2021, at 11:36 a.m.:

That the Senate passed S. 2899.

With best wishes, I am,

Sincerely,

CHERYL L. JOHNSON,
Clerk.

RELATING TO THE CONSIDERATION OF HOUSE REPORT 117–152 AND AN ACCOMPANYING RESOLUTION

Mr. MCGOVERN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 727 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 727

Resolved, That if House Report 117–152 is called up by direction of the Select Committee to Investigate the January 6th Attack on the United States Capitol: (a) all points of order against the report are waived and the report shall be considered as read; and (b)(1) an accompanying resolution offered by direction of the Select Committee to Investigate the January 6th Attack on the United States Capitol shall be considered as read and shall not be subject to a point of order; and (2) the previous question shall be considered as ordered on such resolution to adoption without intervening motion or demand for division of the question except one hour of debate equally divided among and controlled by Representative Thompson of Mississippi, Representative Cheney of Wyoming, and an opponent, or their respective designees.

The SPEAKER pro tempore. The gentleman from Massachusetts is recognized for 1 hour.

Mr. MCGOVERN. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from Minnesota (Mrs. FISCHBACH), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. MCGOVERN. Mr. Speaker, I ask unanimous consent that all Members be given 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. Mr. Speaker, yesterday the Rules Committee met and reported a rule, House Resolution 727. The rule provides for consideration of the resolution accompanying House Report 117–152 under a closed rule if the report is called up by direction of the Select Committee to Investigate the January 6th Attack on the United States Capitol. It provides 1 hour of debate equally divided among and controlled by Chair THOMPSON, Vice Chair CHENEY, and an opponent.

Mr. Speaker, today, we face a fundamental choice: Whether we are going to get to the truth about the violent January 6 attack, the worst assault on the Capitol since the War of 1812 and the worst domestic assault on American democracy since the Civil War, or whether we are going to allow lawful subpoenas to be ignored and the investigation being conducted by the select committee to be obstructed to puff up the ego of the former President, who has launched another frivolous lawsuit, this time against the select committee.

I have to tell you, Mr. Speaker, I still remember January 6 like it was yesterday. I was standing right where you are now, Mr. Speaker. Our democracy was in peril; the lives of Members of Congress, our staffs, and all the workers here were endangered. And Capitol Police officers were beaten or worse.

Getting to the truth of what happened or placating the ego of a former President, that shouldn't be a tough call. In any ordinary time, it wouldn't be. This measure would probably have passed on suspension.

Because as a Member of Congress, we have fewer more important and solemn duties than what is at the heart of the measure before us today, and that is protecting our democracy and preventing future attempts to overturn the results of an election.

This is about country, not about party.

Now, many witnesses are already doing their patriotic duty and cooperating voluntarily with the select committee.

In fact, 10 of the 11 witnesses required to produce records to the select committee by the required deadline are engaging with the committee.

Only one person, Mr. Speaker, is refusing. One. Stephen K. Bannon.

Instead of doing the right thing, the legal thing, the patriotic thing, Mr. Bannon is hiding behind the former President's false claims of executive privilege to try to run out the clock on this investigation.

Now, maybe he has something to hide. I don't know. But the law isn't on his side. It is not on Donald Trump's side either.

Executive privilege is not absolute, and President Biden has declined to invoke that privilege.

There is a long history of the White House making accommodations to investigative requests from Congress. That is especially true when the public interest outweighs other interests, as it does here.

But apparently facts and the law don't matter to some. Apparently, Steve Bannon thinks he is above the law. Maybe it is because he was pardoned by the former occupant of the White House.

But ultimately, in the United States of America, no one should be above the law.

That shouldn't be a controversial idea. But we live in an age where apparently some put fidelity to Donald Trump over fidelity to the Constitution. And I find that disgusting.

I get it. The former President is in Mar-a-Lago somewhere seething about our efforts to get to the truth about January 6.

But is he so feared, Mr. Speaker, that my Republican colleagues are going to keep denying what happened that day? And keep trying to sweep it under the rug as if it never happened? Oh, it was no big deal.

This is our democracy that we are talking about here. This is about the oath we took and the freedoms we cherish, freedoms that Americans have fought and died for, Mr. Speaker.

And some on the other side, are they really willing to throw away all of that to placate the whims of one man? Really?

This has to stop.

The legal scholar James Landis once said: ''To deny Congress power to acquaint itself with facts is equivalent to requiring it to prescribe remedies in darkness.''

We need to see the facts in the cold light of day and follow them wherever they lead.

That means not only holding those who attack this building itself accountable, as the legal system is currently doing, it also means holding people accountable when they attack what this building stands for: Democracy and rule of law.

□ 1230

We will not tolerate being left in the dark, and certainly not when something so fundamental is at stake.

Now, this doesn't have to be a partisan fight. And just yesterday in the Committee on Rules, we debated the underlying measure at length. And, yes, we heard from the usual Members who rushed to the former President's defense, who deflected and wanted to talk about anything other than the events of January 6. But we also saw something more remarkable.

Chairman THOMPSON, a Democrat, sat side-by-side with Vice Chair CHENEY, a Republican, two people who probably have never voted for the same Presidential candidates in their lives; two people who disagree on virtually every issue. But they agreed on this: On defending the Constitution and rule of law. Let's follow their example.

Mr. Speaker, I sat across the dais from Congresswoman CHENEY for years on the Committee on Rules when the Republicans were in charge. We were polar opposites. But yesterday, I couldn't have agreed with her more, not as a Democrat but as an American.

Now I don't give a damn if you are a Democrat or a Republican, and I don't care if you like Donald Trump or not. Matters like this are about something more than petty partisanship.

So I urge my colleagues, let's put our country before our party. Let's put defending our democracy before defending Donald Trump. Let's support this rule and the underlying measure, not as Democrats or Republicans, but as public servants, as Members of Congress dedicated to preserving American democracy and the rule of law. That is what is at stake here and nothing less.

Mr. Speaker, I reserve the balance of my time.

Mrs. FISCHBACH. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentleman from Massachusetts (Mr. MCGOVERN) for yielding me the customary 30 minutes.

Mr. Speaker, it is hard to ignore the feeling that this is one more example of my colleagues on the other side of the aisle trying to distract from the real issues that concern Americans. We have an administration that can't stop the flood of illegal immigrants at our southern border, can't unlock the supply bottlenecks at our ports.

What are the Democrats doing about inflation?

What are the Democrats doing about the border issues?

What are the Democrats doing about supply chain issues?

And what are the Democrats doing about the worker shortage?

And I could go on. Instead, we are here going back and forth arguing if we should continue down a path of yet another partisan investigation of questionable motives and purpose. No wonder the public thinks we can't do our job.

That said, there are several questions that need to be resolved before we can continue with this vote. The Supreme Court has found that the power rests with Congress for subpoenas if they serve a legitimate legislative purpose, and be ''related to, and in furtherance of, a legitimate task of the Congress.''

A legitimate legislative purpose would be issuing subpoenas to the leaders of the D.C. National Guard and Sergeant at Arms so that we can find out what gaps in communications and authorities that need to be filled and find solutions to ensure that this doesn't happen again. But have those been issued? No.

Instead, House Democrats are continuing their witch hunt into President Trump and their political opponents that voted against the certification of the election in some States, something that they, themselves, did just 4 years ago.

What information is intended to be gathered that would be useful for a legitimate legislative purpose? Much of the discussion in the Rules Committee centered around criminal action, not around legislation. These concerns would have been raised by Republicans if Speaker PELOSI had not rejected the minority leader's nominees. But instead, she hand-picked Members that would fit her and the Democrats' narrative.

It seems the story line has already been decided. We need to ensure that it is, as stated, intended to investigate and report upon the facts, circumstances, and causes relating to January 6. Unfortunately, Speaker PELOSI and the Democrats made it clear early on that this committee and its investigation outcome was predetermined when it tilted representation in favor of Democrats and, again, rejected the two Republican Members selected to serve on the Commission by the minority leader.

Mr. Speaker, I am deeply concerned about the precedent being set here today as the majority, yet again, embarks on another investigation in search of a crime.

Mr. Speaker, I urge my colleagues to oppose the rule and the underlying resolution, and I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, my good friend from Minnesota said we wouldn't be in this position if we had done what the Republicans had asked us to do. We did.

And I include in the RECORD the letter that the minority leader, KEVIN MCCARTHY, sent to Speaker PELOSI requesting a number of items.

HOUSE OF REPRESENTATIVES,
Washington, DC, February 22, 2021.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

DEAR SPEAKER PELOSI: We are in agreement that the best path forward for bipartisan legislation is to create an impartial and bipartisan Commission.

In keeping with the suggestions from the Co-Chairs of the 9/11 Commission, the legislation the House puts forward should mirror the precedents that fairly and successfully governed that Commission. Simply put, House Republicans are asking for no more and no less than what Congress came together and agreed upon in the past. Specifically, those precedents include:

An equal 5–5 ratio in appointments by Democrats and Republicans

Co-Equal Subpoena Power for the Chair and Vice Chair of the Commission

No inclusion of findings or other predetermined conclusions which ultimately should be rendered by the Commission itself

As the Co-Chairs of the Commission stated, a ''bipartisan independent investigation will earn credibility with the American public.'' I am confident that following their procedures and precedents can do just that, in a way that an overtly partisan commission will not be able to.

Thank you and I look forward to hearing your response.

Sincerely,

KEVIN MCCARTHY,
House Republican Leader.

Mr. MCGOVERN. Mr. Speaker, those items include: an equal 5:5 ratio on a committee; coequal subpoena power; no inclusion of findings of other predetermined conclusions which ultimately should be rendered by the Commission itself.

Mr. Speaker, the Committee on Homeland Security agreed to every one of them—every single one of them. And what did the Republicans do? They said, Well, we didn't think you would agree to everything, but we still don't want the Commission. So they voted

against it. And then they blocked it in the United States Senate.

So don't talk to me about partisanship or bipartisanship when it was very clear early on that my friends on the other side had no intention of wanting to work with us to get to the truth, because they couldn't take yes for an answer.

Mr. Speaker, let me also point out that today, President Trump issued a statement—he had to issue a statement because he can't tweet anymore because of mistruths and embrace of violence. Anyway, he issued a statement today. This is what he said:

The statement says, ''The insurrection took place on November 3, election day. January 6 was the protest!''

Let me just say that one more time.

Trump said today in a statement, ''The insurrection took place on November 3, election day. January 6 was a protest!''

And by the way, he didn't mention that it was a violent protest on January 6.

Mr. Speaker, are any of my Republican colleagues, aside from Congresswoman CHENEY and Representative KINZINGER, who have shown courage and patriotism, are any of them willing to come to the floor and say unequivocally that the election on November 3 was not an insurrection, as the former President has now said?

It was a free and fair election held by one of the oldest democracies in the world. And that used to mean something to my Republican friends. Please, please. The former occupant of the White House is trying to tear this country apart. And unfortunately, too many on the other side are going along with him. Enough.

Mr. Speaker, I reserve the balance of my time.

Mrs. FISCHBACH. Mr. Speaker, with all respect to my colleague from Massachusetts, the fact still remains that when the minority leader did try to participate in this Commission, the Speaker rejected the two nominees that the minority leader had offered.

Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. RESCHENTHALER).

Mr. RESCHENTHALER. Mr. Speaker, I thank my good friend and fellow Rules Committee member, Representative FISCHBACH, for allowing me the time.

Mr. Speaker, I really believe that the issue before us today comes down to a very simple question, and that is, what is the legislative purpose of the Select Committee subpoena on a private citizen. This is a very narrow legal issue.

And what the courts have held is that Congress has the power to secure information ''in order to legislate.'' So in other words, Congress's subpoena authority is valid only if it relates to the furtherance of a legitimate task of Congress.

Now, according to the Select Committee's own press release, the committee is attempting to tell a story and to find out what happened that day. But the courts have already determined that that is not a valid legislative purpose.

In the 1957 decision, Watkins v. The United States, the Court held that Congress has ''no general authority to expose the private affairs of individuals without justification in terms of the functions of Congress.'' Additionally, the quote went on in that case to say Congress cannot investigate private citizens for ''the sake of exposure.''

So then what is the legislative purpose before us today? What is the legislative purpose of a subpoena on a private citizen, including 11 individuals who merely filed and were granted permits to exercise their First Amendment rights to assemble and to petition the government? This cannot be perceived as an investigation and still fit within the framework of case law.

Again, let's be clear, the law is crystal clear here. If Congress does not have a legitimate legislative function, they simply cannot subpoena a private individual.

Now, the Constitution gives those powers to the executive and the judiciary branch. They don't give that power to Congress. So I can, therefore, only conclude that the purpose of the resolution before us today is to fulfill a partisan agenda.

If the Select Committee was actually serious about conducting a legitimate oversight, they would subpoena the former House Sergeant at Arms and the former head of the D.C. National Guard. That would be an investigation within the clear purpose of Congress and within the delegated power that we have in the Constitution.

Instead, we are here voting on a resolution with absolutely no legislative purpose. We are also setting a dangerous precedent that will have a chilling effect on the rights of private citizens in the future.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I was hoping that someone on the other side would respond to former President Trump's statement today, which I find stunning and shocking, but apparently they don't want to talk about that. They want to talk about legislative purpose. When we get to the bill, I will let the committee members respond to that.

I do want to say one thing again; that Speaker PELOSI was committed to a truly bipartisan commission, and we did a bipartisan commission—a truly bipartisan commission. My friends on the other side of the aisle tried to undercut it and get their friends over in the Senate to tank it. That is what happened. They basically destroyed what could have been a bipartisan commission that, quite frankly, was the way we all wanted to go.

But then they said, well, she wouldn't let us put who we wanted on this current commission. Well, the minority leader suggested Mr. JORDAN to be the lead Republican, and he very well may be a material witness in this investigation. You would put him on to oversee an investigation of, what, himself and others?

Give me a break. What is going on here? At least be honest enough with the American people to say what is going on here; and that is, you don't want to get to the truth about what happened on January 6. You never did; notwithstanding the violence that occurred right here in this Chamber, in this sacred building.

So, please, let's not get into this, Oh, we wanted to cooperate but somehow you wouldn't let us. We gave you everything you wanted, and you could not take yes for an answer.

Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Speaker, I thank the chairman for yielding.

Mr. Speaker, I rise for truth and accountability. That is why we are here. We are dealing with common criminals. You see a guy running down the street in this city with a television on his back strapped to it, you start to wonder. We have had enough of those incidents to indicate to us that is what we are dealing with.

The gravest attack ever on the U.S. democracy came 288 days ago. It was born of lies. Steve Bannon spread those poisonous lies, and Bannon was guided by the dictator. We must pursue the truth. We go only where the facts take us. Refusing a subpoena is obstructing justice. We don't allow the plaintiff to prosecute or to decide. We decide it through the courts. If you can't take the Constitution, go to Russia. It shows you have something to hide. What are you hiding?

This is a vote of conscience.

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair.

The time of the gentleman has expired.

Mr. MCGOVERN. Mr. Speaker, I yield an additional 15 seconds to the gentleman.

Mr. PASCRELL. Mr. Speaker, refusing a subpoena is obstructing justice. This is a vote of conscience.

Do you agree with the rioting terrorists or our democracy? Are we a country of laws or a country of men?

We must hold all involved accountable; this includes those who attacked the police and those organizers who spread the lies, and the President who organized it.

This is America, not Russia.

□ 1245

Mrs. FISCHBACH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, if we defeat the previous question, Republicans will offer an amendment to the rule to provide for the additional consideration of H.R. 5586, the Prohibiting IRS Financial Surveillance Act, authored by Representative FERGUSON.

Mr. Speaker, I ask unanimous consent to include the text of the amendment in the RECORD, along with the extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Minnesota?

There was no objection.

Mrs. FISCHBACH. Mr. Speaker, requiring banks and Federal credit unions to disclose personal details about their customers' accounts is an extreme invasion of privacy, and it would have terrible implications for community banks and credit unions in my district and across the country.

I suppose I really shouldn't be surprised about this egregious attempt on behalf of the Democrats. They clearly want as much government involvement as possible in every possible part of American citizens' lives. I may not be surprised anymore, but I continue to be disappointed that they refuse to listen to the American citizens who time and time again say they want Big Government out of their lives and their wallets.

Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. FERGUSON).

Mr. FERGUSON. Mr. Speaker, I rise in opposition to the previous question. There is absolutely no denying that the Democrats want to control every part of your life by allowing the IRS to snoop into your bank accounts.

This is wrong. And for what? It is really truly all about control. This unlawful surveillance is their latest gambit.

The Democrats' snooping scheme would include hiring 87,000 new IRS agents at a cost of almost $80 billion. That is almost enough IRS agents to fill up Sanford Stadium at the University of Georgia for a Saturday football game. Now, I will take a college football stadium full of SEC fans cheering on the Dawgs, but not one full of IRS agents.

The proposal that the Democrats have put out claims to only go after wealthy tax cheats, but at its core, this is going to target every single farmer, every single family, every single gig worker, every single small business owner, and just about anyone who pays rent or pays a mortgage.

Their bogus attempts to scale it back are meaningless. At any number, this is wrong. Think about how long it would take, paying $200 a month out of your bank account, or $200 a week out of your bank account, to get to the $10,000 number that they have proposed.

Mr. Speaker, simply put, the Democrats' IRS surveillance plan is flat out wrong. It is an outright violation of the Fourth Amendment of every American. Government has no business sifting through our personal information. This is a foundational principle that this country was built on.

I will say it again. Whether the amount is $1, $600, $10,000, or $1 million, giving the IRS this kind of unfettered and unchecked power is wrong. The threshold is irrelevant. Americans know that this is wrong. We know it is wrong, and our colleagues on the other side of the aisle know that it is wrong.

Our colleagues on the other side of the aisle are so desperate to find revenue to fund their Big Government socialist programs that they are willing to violate the constitutional rights of our fellow Americans. This is wrong. It is egregious on every front. Once again, we know it; they know it; the American people know it; and that is why we are pushing back.

Mr. Speaker, I urge my colleagues to defeat the previous question so that we can restore some reason and sanity and put an end to this absurd proposal for the IRS to snoop on Americans' bank accounts.

Defeat the previous question so we can vote to prohibit IRS financial surveillance of Americans' bank accounts.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am not going to waste my time debating this information. What my friend is talking about is a false government takeover. What about the people who tried to take over our democracy on January 6? What about what happened here on January 6?

Why is there no interest in getting to the truth? They come with this instead. Again, I am still waiting for somebody to respond to President Trump's statement that insurrection day took place on November 3. Do you really believe that? Is that what we have come to, that my friends on the other side would embrace such a shocking and such an offensive statement?

We had a free and fair election, and this is what the former President—who my friends are all so afraid of—says.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Pennsylvania (Ms. SCANLON), a distinguished member of the Rules Committee.

Ms. SCANLON. Mr. Speaker, I rise in strong support of this rule and the underlying resolution.

Mr. Speaker, there are moments in our country's history when we are presented with stark choices, choices between right and wrong. And the violence of January 6 has made it clear that we are at such a moment. January 6 was a shocking assault on our government.

On the orders of the former President, thousands of rioters destroyed public property, gravely injured police officers, terrorized lawmakers, and invaded the Capitol to halt the certification of the electoral college required by the Constitution. That day cannot be minimized or swept under the carpet because the forces that inspired that attack are still stoking the fires of chaos and conspiracy.

Congress has tasked a bipartisan select committee with investigating the January 6 attack, and that committee has outlined why it needs Steve Bannon's testimony to fully understand the events leading up to that attack.

However, when subpoenaed to testify, Mr. Bannon told the select committee to pound sand. Mr. Bannon is a private citizen; he is not above the law and cannot refuse to obey a subpoena any more than you or I or any American can. Neither Mr. Bannon nor the former President has made any credible legal arguments to shield his testimony.

Patriotism demands that anyone with knowledge of that dark day come forward, and the rule of law and our Constitution demand that everyone in this Congress support this investigation.

I am incredibly disappointed that Republican leadership and so many of their colleagues continue to oppose any attempt to investigate the January 6 attack. They opposed legislation to create a bipartisan commission. They opposed the creation of the select committee. And they are now trying to prevent the committee from carrying out its work.

This is not a time for games or delays, all of which have allowed the former President and his allies, like Mr. Bannon, to escape accountability thus far. This is a time for courage, the courage to protect our Constitution and our national integrity.

I am grateful to the members of the select committee for having the courage to put loyalty to country over partisan politics.

Mr. Speaker, I strongly urge all of my colleagues to support this rule.

Mrs. FISCHBACH. Mr. Speaker, I yield 3 minutes to the gentlewoman from Iowa (Mrs. HINSON).

Mrs. HINSON. Mr. Speaker, I thank the gentlewoman from Minnesota for yielding to me today.

Mr. Speaker, President Biden and Speaker PELOSI are moving full steam ahead with their Big Government, big spending vision for this country. One of the most egregious proposals in their multitrillion-dollar reconciliation package would give the IRS access to nearly every single American's bank account by requiring financial institutions, like your local bank or your credit union, to report every account with more than $10,000 of transactions annually to the IRS.

This proposal would give the IRS unprecedented access to sensitive personal information and unprecedented power to target working families across Iowa and across America. This government snooping is a complete invasion of privacy and a massive overreach into our lives and our livelihoods.

This spying scheme is a lose, lose, lose. It will increase the existing backlog at the IRS exponentially. It will jeopardize the privacy of millions of Americans. It will destroy our community financial institutions. And it will hurt rural communities and working families hardest of all.

Democrats claim this is about tax evasion. Everyone should pay the taxes

that they owe. That is not the argument here. But this misguided proposal isn't about tracking down missing revenue; it is about expanded government control, plain and simple.

This proposal, by design, will hit normal working families' bank accounts. A total of $10,000 in transactions in a year, that is a year's rent or a series of farm equipment bills, for example. The IRS should be focused on being more efficient at its current job, not emboldened and certainly not unleashed on hardworking Americans.

We do not need to be throwing more money at the IRS to put Americans' daily transactions under a microscope. Iowans have been very clear with me. They do not want the IRS snooping around in their bank accounts at that granular level.

I have also heard very serious concerns from our community financial institutions. These are the folks that are helping our farmers, our families, and our small businesses access credit. They told me this proposal could force them to shut down for good, leaving Iowans without access to credit and capital that they need to help keep our rural economy going to fuel and feed the world.

Mr. Speaker, I urge my colleagues to put a stop to this madness and stand up for our constituents by voting ''no'' on the previous question, keeping the government out of Americans' bank accounts.

Mr. MCGOVERN. Mr. Speaker, let me just remind everybody that democracy doesn't defend itself; people have to defend democracy. It would be nice to see a little courage on the other side of the aisle.

Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New York (Mr. JEFFRIES), the chairman of the Democratic Caucus.

Mr. JEFFRIES. Mr. Speaker, I thank the distinguished gentleman and chair of the Rules Committee for yielding and for his leadership.

Mr. Speaker, the House is a separate and coequal branch of government. We are the institution that is closest to the people. The House has a sacred obligation under the Constitution to defend our democracy, and we should be doing that in a bipartisan way, but something has happened to the modern-day Republican Party.

The party of Abraham Lincoln is gone. The party of Ronald Reagan is gone. The party of John McCain is gone. A cult of personality has risen up to take its place.

Is that why my colleagues refuse to denounce the former President's lie uttered today, that the real insurrection was on November 3?

Take back your party. You can start today. You can start right here. You can start by holding Steve Bannon accountable for his blanket defiance of a congressional subpoena.

What is wrong with Steve Bannon? There is no cult exception to the United States Constitution. There is a legitimate, bipartisan congressional investigation that is underway into the violent insurrection and attack on the Capitol on January 6. It was an assault on the Congress, the Constitution, and the country.

A lawful subpoena has been issued that Steve Bannon should comply with. We must hold Steve Bannon accountable for his blanket defiance of a congressional subpoena, for undermining the rule of law, and for obstructing a congressional investigation because, in America, no one, no one, no one is above the law.

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair.

Mrs. FISCHBACH. Mr. Speaker, I yield 1 minute to the gentleman from Minnesota (Mr. EMMER).

Mr. EMMER. Mr. Speaker, I thank my colleague from Minnesota for the time.

Mr. Speaker, I rise in opposition to the previous question so that we can immediately consider H.R. 5586.

This bill would kill a Biden administration proposal that would allow IRS agents to comb through the bank accounts of any American who spends more than $10,000 a year.

To put that in perspective, $10,000 a year equates to just $28 a day, $850 a month, or half of the average Minnesota mortgage payment. In other words, the Biden administration wants the IRS to be able to spy on tens of millions of Americans.

Don't be mistaken. This proposal does not just target the 1 percent, as the President sometimes likes to claim. Instead, it is pointed directly at working American families.

Today, I led a letter, with more than 200 of my colleagues, urging Treasury Secretary Janet Yellen to scrap this proposal to spy on American citizens.

This is not China. We must protect Americans' right to privacy and stop this proposed intrusive, unnecessary Biden financial reporting requirement.

Mr. MCGOVERN. Mr. Speaker, let me just say, not only will my Republican friends not condemn the President's outrageous and unacceptable and unconscionable statement today, but they won't even talk about what we are here for.

That is what fear looks like, and it is really unbelievably sad.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Pennsylvania (Ms. DEAN).

Ms. DEAN. Mr. Speaker, I rise in support of the rule and the underlying resolution.

Mr. Speaker, I want to start by saying that this is not just about Mr. Bannon. This is about our rule of law, our democracy, and protecting it for future generations.

On January 6, a mob, incited by the lies of a political leader, descended on the Capitol. Nooses, vandalism, death threats to elected officials, Americans remember the violence that took place here.

□ 1300

Beltway chatter often focuses on the winners and losers of that day. But on that day, we all lost. Americans lost their lives, and we nearly lost our democracy. That is why we created a bipartisan January 6 commission. We know that unless we do our jobs, the ultimate losers will be future generations who will wonder what happened to our Nation.

The commission's work is serious and has no time for the games of Mr. Bannon or anyone else who would disregard the rule of law. Our Constitution and our courts have made it clear that Congress has the power to investigate. This power is vital to the protection of our democracy, and it must be respected.

I think a lot about our late, dear colleague, Elijah Cummings, and his words still sit with me. He said that when we are dancing with the angels, the question will be asked: What did we do to ensure we kept our democracy intact?

I stand before you, Mr. Speaker, with that quote on my heart, thinking of my own four grandchildren and when they learn of January 6, they will see a time when America descended into violence, destruction, and desecration; when Americans attacked Americans and threatened our democracy.

And what did I do?

What did we all do to protect our democracy?

So I lend my voice to hold Mr. Bannon in contempt and support the bipartisan select committee for their work in keeping our democracy and our future intact.

Mrs. FISCHBACH. Mr. Speaker, I yield 3 minutes to the gentleman from Oklahoma (Mr. COLE), who is the ranking member of the Rules Committee.

Mr. COLE. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, as my good friend from Georgia explained, if we defeat the previous question, we will immediately move to bring up H.R. 5586. This bill is critically important to ensure there will be no expansion of Internal Revenue Service requirements for financial institutions to report the ins and outs of bank accounts.

Members may remember this issue during the debate on ObamaCare when the Democrats tried to require anyone who received a payment of more than $600 to be given a 1099. People were rightly outraged by this provision, and it was repealed before it ever went into effect. Now, with their new reconciliation bill, the Democratic majority is again looking for payfors and are willing to sacrifice the privacy of all Americans in that quest. Every threshold being discussed for inclusion will give the IRS full access to what is in the bank account of every American.

And what is the justification for that, Mr. Speaker?

It is to help the IRS to identify tax cheats. Well, I can tell you, Mr. Speaker, the Democratic proposal will make

everyone who pays rent or a mortgage a target and won't do anything to help the IRS close the tax gap.

Mr. Speaker, the Democratic plan is an astonishing breach of privacy. Giving the IRS the power to snoop around financial accounts, even with no accusation of wrongdoing, violates every protection against government overreach. Americans have a reasonable expectation of privacy in their homes and in their personal lives, including their financial lives. Yet, if the majority has their way, the IRS will be empowered to go digging around in the bank accounts of everyday Americans in search of wrongdoing. That is simply beyond the pale.

We have seen what can happen when the IRS abuses its power. It was only a few short years ago that the IRS was targeting political and religious organizations for their beliefs, an astonishing violation of their First Amendment rights.

What the IRS needs, Mr. Speaker, is oversight and accountability, and that is why we need to bring up and pass H.R. 5586 today. Only this will ensure that the IRS is not granted unprecedented power to intervene in the lives of and invade the privacy of ordinary Americans.

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. HOYER), who is the distinguished majority leader.

Mr. HOYER. Mr. Speaker, I thank the chairman of the Rules Committee for yielding.

Mr. Speaker, this resolution ought to be supported, and the underlying action that the rule provides for ought to be supported by every Member of this House who believes that this House has a constitutional responsibility of oversight, of protecting the Constitution and the democracy in which we all are privileged to live, and the integrity of this House.

Oversight is not possible for this House if, in fact, it cannot request and, indeed, demand the testimony of those who have information which this House, the people's House and the protector of our democracy and our Constitution, needs to protect our democracy. This rule and the underlying action for which it provides is essential.

Mr. Speaker, if I were trying a case, I would offer as Exhibit A a statement by the man who would be dictator, Donald Trump, who absurdly and, of course, incorrectly says the insurrection took place on November 3, election day. January 6 was the protest.

My view is that man, Donald J. Trump, protests too much, because I believe that he recruited, incited, and deployed an insurrectionist mob to threaten this institution, its Members, its constitutional responsibility in the electoral process of the Presidency of the United States, and democracy itself.

Mr. Speaker, the events of January 6 exposed threats to our democracy that must be fully understood and addressed. It is a weighty responsibility that falls to the House Select Committee to Investigate the January 6th Attack on the United States Capitol, a bipartisan committee.

I want to thank Chairman THOMPSON, Vice Chair CHENEY, and all of those serving on this committee for their commitment to seeking the truth, defending our democracy, and to giving sufficient information to our public and our constituents, our people, that they know this to be a stark and dangerous lie.

The committee is doing a diligent job at finding the truth. This task should not have fallen to the members of a select committee, this subpoena for contempt. We should have been able to come together, Democrats and Republicans, to create a bipartisan commission in the style of the 9/11 Commission, recognizing that such consequential and transformative attacks require us to come together as one nation indivisible to seek answers and identify solutions to make our country safer.

Sadly, however, we have come to a place where one party is so focused on defending the indefensible that this institution cannot act as Americans but, rather, are relegated to acting simply as partisans.

Nevertheless, Mr. Speaker, I am heartened to see Democrats and some courageous Republicans working together to uncover the truth of what happened that day. These Republican Members are exhibiting what President Kennedy would call profiles in courage.

In order for this committee to perform its work in full—indeed any committee of the Congress to perform its work in full—ultimately it has to be able to get the information that it needs from those who know the information it needs. It must hear testimony from all those who may have information regarding the events of January 6 in this particular case. That is why we provided the committee with subpoena authority.

Steve Bannon's refusal to appear, even when subpoenaed is, A, a demonstration of his contempt, not only for Congress but his contempt of the Constitution and his contempt for the law. It is unacceptable and obstructive to this process of uncovering the full story of that day's attack on the Capitol. He must be found in contempt, not as a Democrat and not as a Republican, but on behalf of this institution and the people whom we represent.

Withholding information on the events of that day from the committee is no less than an act of betrayal of the American people and of our constitutional democracy.

The American people need to understand what led to the violent insurrection that sought to overturn our election and led to the deaths of multiple police officers and others; although, as I said, Exhibit A, the former President's comments, should be the proof in and of itself the American people need to understand what led to the deaths of those police officers and the placing at risk the democratic process of electing a President of the United States.

We need to understand, Mr. Speaker, how this could have happened, why it happened, and what ought to be done to hold the perpetrators accountable and prevent the events of the day from being repeated.

That appears to be the fear on the floor of this House today: accountability, responsibility, and consequences.

In refusing to appear before the commission, Mr. Bannon has made it clear where his loyalties lie. He has chosen Trump first and America last, not America first. Trump first, America last. Trump first, our Constitution last. Trump first, our democracy last. Trump first, the House of the people, this House of Representatives last. And he will have to answer for that to us.

This is a moment of reckoning for our country, reckoning with hard truths and painful memories, a reckoning that, above all, requires truth and understanding.

Can't we, Mr. Speaker, in a bipartisan way summon the courage to look the truth in the eye and vote the truth?

We cannot allow anyone to shirk their responsibility to share that truth and help the American people understand.

Therefore, Mr. Speaker, I urge the House to vote ''yes'' on this resolution and to vote ''yes'' on the citation for contempt so that Chairman THOMPSON, Vice Chairwoman CHENEY, and the members of the select committee can make it clear to Mr. Bannon and to all others summoned to testify they will seek the truth, the whole truth, and nothing but the truth as they determine what we must do to protect our beloved country, our beloved Constitution, and our beloved democracy.

□ 1315

Mrs. FISCHBACH. Mr. Speaker, I yield 2 minutes to the gentlewoman from Oklahoma (Mrs. BICE).

Mrs. BICE of Oklahoma. Mr. Speaker, as explained prior, if we defeat the previous question, we will immediately move to bring up H.R. 5586. This bill prohibits the expansion of the Internal Revenue Service's requirements for financial institutions to report bank account transactions.

The Biden administration is searching for ways to pay for their partisan $5.5 trillion social policy bill, and one of the Democrats' proposed solutions is to spy on taxpayers' bank accounts.

Their proposal would require financial institutions and service providers to report data on accounts that deposit or withdraw more than $600 or maybe $10,000 to the Internal Revenue Service to help ensure that Americans are paying their fair share in taxes.

Democrats claim that this regulatory expansion would only impact wealthy Americans and businesses. But in reality, it targets virtually all working-class people in our Nation.

This government overreach would be an enormous violation of privacy, jeopardize the financial security of all Americans, and impose significant compliance costs on financial institutions.

Through this proposal, the Democrats are looking to weaponize the IRS by creating a new surveillance program, which would allow them to monitor every single bank account without permission or limit. In order to conduct this surveillance on Americans, the provision includes $80 billion to double the number of IRS agents, which would be six times the size of the IRS' annual budget.

This plan was initially included in the massive budget reconciliation bill and has now since been removed after pushback from financial institutions and customers. But it is still being considered for passage.

Regardless, my House Republican colleagues and I are doing what we can to protect the financial security and privacy of the American people.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mrs. FISCHBACH. Mr. Speaker, I yield an additional 1 minute to the gentlewoman from Oklahoma.

Mrs. BICE of Oklahoma. I have recently written a letter to Speaker PELOSI, Chairman NEAL, Secretary Yellen, and Commissioner Rettig to express my concerns of overburdening the data collection system, exposing millions of Americans to potential cyberattacks, and how distrust in banks negatively impacts our economy.

Additionally, I signed on to a letter and cosponsored two bills that directly address this pressing issue. The letter to Secretary Yellen expressed the concern of more Americans unbanking due to privacy concerns and distrust in banks and how applying extra reporting requirements for financial institutions would be incredibly burdensome.

The U.S. Government should not have the authority to spy on bank accounts of American taxpayers. The Biden administration's proposal would significantly impact the working class, invade privacy, pose financial security threats for Americans and businesses, and further burden institutions. House Republicans are working tirelessly to put a stop to this government overreach and protect the American people's security, privacy, and trust in this great Nation.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I appreciate the gentlewoman updating us on the bills that she has cosponsored and her opinions about the IRS, which have nothing to do with the underlying bill that we are debating here today. But it is stunning to me that neither she nor any of my friends on the other side of the aisle will respond to what the former occupant of the White House said today in a statement, that the insurrection took place on November 3; that our election, our lawful election in one of the oldest democracies in the world, was somehow an insurrection; and that January 6 was merely a protest.

I am stunned by this. I challenge the next speaker, please, can you say that you disassociate yourself with this statement? Can you make it clear to the American people that you want no part of this? I get it. You endorsed this man. He campaigned for you. You are afraid of his base. You are afraid every time he says anything. But the bottom line is, this statement needs to be condemned, and the unwillingness of anybody on the other side to condemn this statement is unconscionable.

Mr. Speaker, I yield 1 minute to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. Mr. Speaker, they won't question Trump's statement that the insurrection was November 3 because that is the day each and every one of them and each and every one of us was elected. It was a free and fair election when it came to electing Congresspeople, but for President, they think it was an insurrection. Horse manure.

Bannon, who was thumbing his nose at the Constitution and this Congress by not responding to his subpoena, said that it would be different than on election day, on January 6. It wouldn't go as expected, because he was part of plotting what was an overthrow of our government.

He was pardoned by President Trump for ripping off Trump supporters. He got them to give money to an effort to build the wall, and he took over $1 million for his own personal expenses. Fraud. But Trump didn't care that he ripped off Trump people for a Trump wall. He pardoned him. The whole thing is a con game, and we need to end it before democracy goes out the window.

I urge you to support the rule and the underlying resolution. Protect America and protect democracy.

Mrs. FISCHBACH. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. LAHOOD).

Mr. LAHOOD. Mr. Speaker, I want to thank my colleague from Minnesota for yielding and Mr. FERGUSON for leading this effort.

If the previous question is defeated, we will amend the rule and immediately consider H.R. 5586, the Prohibiting IRS Financial Surveillance Act.

This legislation would prohibit the Treasury Department and the IRS from implementing any new financial account surveillance regimes. This is a direct response to this administration's invasive proposal that would require financial institutions to report transaction data on every American's bank account that meets their proposed threshold.

I am deeply skeptical of the need for this dangerous expansion of IRS oversight and believe it to be a significant risk to individual privacy. The Democrats are leading the American people to believe that this is needed to target wealthy tax cheats and to help close the tax gap. Unfortunately, this proposal, even with a $10,000 threshold, would subject Americans at every rung of the economic ladder to these onerous reporting requirements. This includes middle-class families, small business owners, and farmers.

Even with proposed carve-outs, this proposal would turn local banks into IRS reporting units, which is not only incredibly burdensome but also costly. I have already been hearing from local bankers in Morton and Liberty, Illinois, and throughout my district who are deeply concerned about how this proposal will encourage their customers to empty out their bank accounts, further exacerbating the unbanked-banked divide.

In a letter dated September 29, 2021, the Department of the Treasury cited that the IRS experiences 1.4 billion cyberattacks a year. I don't know a single American who would like to have their personal data reported to a system that is highly targeted by hackers and foreign adversaries. In addition, the IRS' track record for leaking personal information raises serious questions about their ability to implement a program of this scale.

I am proud to join my friend, Congressman FERGUSON, in his effort to protect Americans' privacy, and I urge my colleagues to defeat the previous question.

Mr. MCGOVERN. Mr. Speaker, when the gentlewoman from Minnesota yielded the gentleman from Illinois an additional minute, I was kind of hopeful that maybe he would be the one to say that he disassociates himself from the statement of Donald Trump today in which he said that the insurrection took place on November 3, election day.

I would be happy to yield 30 seconds to him if he wants to say that this was a statement that is not only unconscionable but that every American should condemn.

Mr. Speaker, I yield 3 minutes to the gentleman from South Carolina (Mr. CLYBURN), the majority whip.

Mr. CLYBURN. Mr. Speaker, I thank Chairman MCGOVERN for yielding me the time.

Mr. Speaker, I often quote George Santayana, who warned: ''Those who cannot remember the past are condemned to repeat it.''

The insurrection on January 6 was the worst attack on our Constitution since the Civil War. While the secessionists were defeated in 1865, our Nation's experiment with multiracial democracy during Reconstruction did not last.

It was extinguished by the Lost Cause mythology that minimized the evils of the secessionists and raised monuments to the leaders of the Confederacy that they established. These willful circumventions and misrepresentations were used as justification

for avoiding accountability and violently stripping African Americans of constitutional rights.

We are at risk of repeating that history today. Just as the Lost Cause laid the ideological groundwork for Jim Crow and all its inhumanities, the big lie seeks to justify nullification laws that seek to suppress votes and establish autocratic rule.

The former President and his enablers are using the big lie to deny the horror of January 6. They are attempting to obstruct and subvert the select committee's work and to prevent a full accounting of their efforts to undermine our democracy.

We know from our history that when our government is attacked, failing to hold the perpetrators accountable emboldens them. Allowing their myths to gain currency incentivizes them. And underestimating their disregard for their fellow citizens enables them to deny those citizens their constitutional rights.

I urge adoption of this resolution so that we avoid repeating the past, at least that part of our past that dehumanizes our fellow citizens. We must act to strengthen our democracy and build a better future for our country so that it can once again be the envy of the world.

Mrs. FISCHBACH. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. VAN DUYNE).

Ms. VAN DUYNE. Mr. Speaker, while my colleagues on the other side of the aisle are singularly focused on the happenings only within the walls of Capitol Hill, the rest of us, working families, are struggling with the consequences of this failed administration, including rising inflation; pending unemployment; border threats; increased drugs and violence in our neighborhoods; and an out-of-control, power-hungry administration.

I cannot explain the chairman's and majority leader's absolute and unhealthy obsession with a former President, but I sincerely urge them to seek treatment so that they can focus on the insurmountable harms that are being caused by the current administration and how they are currently forcing them on all of the American people.

I rise in opposition to the previous question so that the House can immediately consider H.R. 5586, legislation critical to stopping the Democrats' unending attempts to control every aspect of American lives.

Now the left is in an unrelenting pursuit of tracking every penny you and your family personally earn and spend. If the price tag for their socialist policies weren't alarming enough, what is hidden inside the bill should truly horrify all Americans.

If you pay rent, if you buy groceries, or pay a mortgage, you are going to be subject to surveillance. From the lowest income earners on up, every American will be checked.

Thousands more IRS bureaucrats will be hired for their new surveillance program, with authority to monitor every transaction you make. Every account transaction would be traced and reported to the Federal Government, edging us closer and closer to a communist-controlled police state.

Republicans are unified in our fight against this new surveillance program. My friend and ranking member, KEVIN BRADY, led the charge to stop this early on, but not a single Democrat stood up for Americans' financial privacy.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mrs. FISCHBACH. Mr. Speaker, I yield an additional 15 seconds to the gentlewoman from Texas.

Ms. VAN DUYNE. First, things are reported and monitored, and then they are controlled. We cannot let Democrats push us down this dangerous and slippery slope.

□ 1330

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, oh, my God, can somebody, please—I beg of you on the other side—can somebody, please, disassociate yourself or condemn the statement by the former President who said today that the insurrection took place on November 3?

All my colleagues were elected on November 3 as well. If you believe that election day was an insurrection, then your election results are illegitimate.

Can somebody, please, for the sake of our democracy, say that what was said by the former President is wrong? Please.

Mr. Speaker, I reserve the balance of my time.

Mrs. FISCHBACH. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. HOLLINGSWORTH).

Mr. HOLLINGSWORTH. Mr. Speaker, like my colleagues today, I rise in opposition to the previous question so that we can immediately consider H.R. 5586, Prohibiting IRS Financial Surveillance Act.

Mr. Speaker, Hoosiers are outraged. My friends across the aisle would have you believe that it is just the Hoosier financial institutions that are outraged at having to hand over the personal account information of their customers. It is, in fact, those account owners that are outraged at the notion that my friends across the aisle would build an apparatus to surveil and snoop in their personal bank accounts.

Now, their horror only grows as I answer questions for them. First, they ask, surely this must apply only to the super rich and not to me. But I reply, no, it applies to you if you spend just over $200 a week.

Then they will ask, surely this must only apply to those that are suspected of a crime. And I say, no, it is collection on every account, irrespective of whether there is a suspected crime or tax evasion afoot.

Then, of course, they will ask me, surely the IRS has a very good track record of keeping this data safe. And I have to reply, no, the track record, in fact, indicates the opposite. The IRS has a terrible track record of keeping this data safe against the intrusion of actors from around the world and right here at home.

And then they say, well, surely the IRS has a good track record of not mobilizing this data for political purposes. And yet, again, I have to say, no, in fact, the evidence indicates the IRS has mobilized this data for their own political purposes and for the political purposes across the aisle.

My friends, this is horrifying, this surveillance state that is trying to be built. Hoosiers understand what is being asked of them. Trillions of dollars are being proposed to be spent, and now they are being asked to give up their personal information from their personal bank accounts to foot that bill for my colleagues across the aisle. I hope this stops here.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I don't know if this microphone is working, because I am not sure my colleagues can hear me when I have asked them over and over again, can you please disassociate yourself from the former President's statement today? It is important. It is on topic.

By the way, what the gentleman just talked about has nothing to do with what we are talking about today. It is amazing that nobody wants to talk about what is on the floor today.

But my constituents, when they talk to me, you know what they are fearful about? They are fearful about losing our democracy in their lifetime. And the inability or the unwillingness of my friends on the other side to be able to disassociate themselves with a statement by the former President, which today he said the election on November 3 was somehow the insurrection. It is stunning to me. He is tearing this country apart, and the silence and the indifference on the other side is aiding him in his quest to do that.

Mr. Speaker, I reserve the balance of my time.

Mrs. FISCHBACH. Mr. Speaker, I yield 2 minutes to the gentlewoman from Indiana (Mrs. WALORSKI), my good friend.

Mrs. WALORSKI. Mr. Speaker, I rise to oppose the previous question. If we defeat the previous question, Republicans will amend the rule to include H.R. 5586, the Prohibiting IRS Financial Surveillance Act, legislation to prevent the IRS from snooping into Americans' personal financial accounts.

Under President Biden and Congressional Democrats' policies, American families continue to be squeezed by inflation at the gas pump, at the grocery store, and in their monthly energy bills. But this inflation squeeze isn't enough for them. Now, they want to monitor the average American's bank account. As part of Democrats' misguided tax-and-spending spree, they

have proposed new reporting requirements, from financial institutions to the IRS, regarding private account information.

This vast government overreach would turn financial institutions in my district into local outposts of the IRS, all with the sole purpose of reporting Hoosiers' personal financial account information back to the Government. Make no mistake, this will capture virtually every American, who will be subject to increased levels of IRS intrusion in their daily lives.

The IRS already has been challenged by the leak of thousands of documents, including sensitive taxpayer information. The collection of additional data would only exacerbate this problem and subject many Americans to the potential exposure of their personal information. Let's not forget, under the Obama administration, the IRS systematically targeted certain groups applying for tax-exempt status simply because of their political affiliation.

I hope that we can defeat the previous question to protect the privacy of all Americans and to ensure that the IRS won't be surveilling every financial transaction.

Mr. Speaker, I urge my colleagues to oppose the previous question.

Mr. McGOVERN. Mr. Speaker, I reserve the balance of my time.

Mrs. FISCHBACH. Mr. Speaker, I yield myself the balance of my time for closing.

Mr. Speaker, the majority has chosen to turn the committee into a vehicle to push their own narrative, and it is clearly more interested in pursuing a partisan agenda to politicize January 6 rather than conducting a legitimate, good-faith investigation into the security failures leading up to that day.

As my colleague from Pennsylvania pointed out, where is the legitimate legislative purpose? The Members across the aisle have yet to address what kind of legitimate legislative purposes could, might, or even possibly come out of the commission investigation.

A lawful subpoena, according to the Supreme Court, needs to serve a legitimate legislative purpose. The majority leader used words like ''oversight,'' ''the American people need to understand,'' and ''hold perpetrators accountable.'' These statements do not qualify as a legitimate legislative purpose.

This is nothing more than an attempt by the Democrats to distract from the very real issues facing Americans every day. I look forward to getting back to the real work of solving the supply chain issues, reclaiming American energy production, and empowering U.S. citizens to live their lives without government interference or surveillance.

Mr. Speaker, I oppose the previous question, the rule, and the underlying legislation, and I urge my colleagues to do the same.

Mr. Speaker, I yield back the balance of my time.

Mr. McGOVERN. Mr. Speaker, may I inquire as to how much time I have remaining?

The SPEAKER pro tempore. The gentleman from Massachusetts has 2½ minutes remaining.

Mr. McGOVERN. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I can't adequately express the outrage I feel about what happened in this institution on January 6. It was not only an attack on this building; it was an attack on our democracy.

I will tell you, if we don't have our democracy intact, you are not going to fix the supply chain issues or the energy issues or any other issues.

Our democracy is in peril. It was attacked on January 6.

Mr. Speaker, I am the chairman of the Rules Committee, so I understand what the rules of the House are, so I cannot say what I really feel about what went on in this Chamber today with this debate. I am disgusted, to be quite honest with you.

We are trying to get to the bottom of what happened on January 6, and many on the other side have done everything they could to frustrate that effort. Now, we have somebody who doesn't want to comply with a subpoena, and we are saying we are going to put some force behind that. We need to be able to do our oversight. We need to get to the truth, and my friends are trying to frustrate that.

Then today, former President Trump issues a statement saying insurrection day took place on November 3. That was election day, when we were all elected. That is what he thought? That is what he thinks was an insurrection? And January 6 was just a protest.

We were all here that day. We saw the violence. People lost their lives that day. People were wounded that day. People were traumatized by that day. Again, it was not just an attack on this building and the people who work here; it was an attack on our democracy.

And my friends on the other side of the aisle can't even muster the courage to say that the former President was wrong in his statement. That is what fear looks like. That is what fear of Donald Trump looks like. It is so sad that a once great party has come to this.

I said it earlier. Members come and go. I know people are all worried about the latest polls and where our base is and what political implications will come from this or that. But at the end of the day, you ought to be worried about your legacy, about what your children and grandchildren think.

Mr. Speaker, I urge my colleagues to vote ''yes'' on the rule and ''yes'' on the previous question.

The material previously referred to by Mrs. FISCHBACH is as follows:

AMENDMENT TO HOUSE RESOLUTION 727

At the end of the resolution, add the following:

SEC. 2. Immediately upon adoption of this resolution, the House shall proceed to the consideration in the House of the bill (H.R. 5586) to prohibit the implementation of new requirements to report bank account deposits and withdrawals. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services; and (2) one motion to recommit.

SEC. 3: Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 5586.

Mr. McGOVERN. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mrs. FISCHBACH. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 221, nays 206, not voting 4, as follows:

[Roll No. 327]

YEAS—221

Adams
Aguilar
Allred
Auchincloss
Axne
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bourdeaux
Bowman
Boyle, Brendan F.
Brown
Brownley
Bush
Bustos
Butterfield
Carbajal
Cárdenas
Carson
Carter (LA)
Cartwright
Case
Casten
Castor (FL)
Castro (TX)
Cheney
Chu
Cicilline
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Craig
Crist
Crow
Cuellar
Davids (KS)
Davis, Danny K.
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Escobar
Eshoo
Espaillat
Evans
Fletcher
Foster
Frankel, Lois
Gallego
Garamendi
García (IL)
Garcia (TX)
Golden
Gomez
Gonzalez, Vicente
Gottheimer
Green, Al (TX)
Grijalva
Harder (CA)
Hayes
Higgins (NY)
Himes
Horsford
Houlahan
Hoyer
Huffman
Jackson Lee
Jacobs (CA)
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Jones
Kahele
Kaptur
Keating
Kelly (IL)
Khanna
Kildee
Kilmer
Kim (NJ)
Kind
Kinzinger
Kirkpatrick
Krishnamoorthi
Kuster
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Leger Fernandez
Levin (CA)
Levin (MI)
Lieu
Lofgren
Lowenthal
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Manning
Matsui
McBath
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Mfume
Moore (WI)
Morelle
Moulton
Mrvan
Murphy (FL)
Nadler
Napolitano
Neal
Neguse
Newman
Norcross
O'Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Payne

Perlmutter
Peters
Phillips
Pingree
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Ross
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Sewell
Sherman
Sherrill
Sires
Slotkin
Smith (WA)
Soto
Spanberger
Speier
Stansbury
Stanton
Stevens
Strickland
Suozzi
Swalwell
Takano
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Underwood
Vargas
Veasey
Vela
Velázquez
Wasserman Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Williams (GA)
Wilson (FL)
Yarmuth

NAYS—206

Aderholt
Allen
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bentz
Bergman
Bice (OK)
Biggs
Bilirakis
Bishop (NC)
Boebert
Bost
Brady
Brooks
Buchanan
Bucshon
Budd
Burchett
Burgess
Calvert
Cammack
Carl
Carter (GA)
Carter (TX)
Cawthorn
Chabot
Cline
Cloud
Clyde
Cole
Comer
Crawford
Crenshaw
Curtis
Davidson
Davis, Rodney
DesJarlais
Diaz-Balart
Donalds
Duncan
Dunn
Ellzey
Emmer
Estes
Fallon
Feenstra
Ferguson
Fischbach
Fitzgerald
Fitzpatrick
Fleischmann
Fortenberry
Foxx
Franklin, C. Scott
Fulcher
Gaetz
Gallagher
Garbarino
Garcia (CA)
Gibbs
Gimenez
Gohmert
Gonzales, Tony
Gonzalez (OH)
Good (VA)
Gooden (TX)
Gosar
Granger
Graves (LA)
Graves (MO)
Green (TN)
Greene (GA)
Griffith
Grothman
Guest
Guthrie
Hagedorn
Harris
Harshbarger
Hartzler
Hern
Herrell
Herrera Beutler
Hice (GA)
Higgins (LA)
Hill
Hinson
Hollingsworth
Hudson
Huizenga
Issa
Jackson
Jacobs (NY)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Katko
Keller
Kelly (MS)
Kelly (PA)
Kim (CA)
Kustoff
LaHood
LaMalfa
Latta
LaTurner
Lesko
Letlow
Long
Loudermilk
Lucas
Luetkemeyer
Mace
Malliotakis
Mann
Massie
Mast
McCarthy
McCaul
McClain
McClintock
McHenry
McKinley
Meijer
Meuser
Miller (IL)
Miller (WV)
Miller-Meeks
Moolenaar
Mooney
Moore (AL)
Moore (UT)
Mullin
Murphy (NC)
Nehls
Newhouse
Norman
Nunes
Obernolte
Owens
Palazzo
Palmer
Perry
Pfluger
Posey
Reed
Reschenthaler
Rice (SC)
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rose
Rosendale
Rouzer
Roy
Rutherford
Salazar
Schweikert
Scott, Austin
Sessions
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spartz
Stauber
Steel
Stefanik
Steil
Steube
Stewart
Taylor
Tenney
Thompson (PA)
Tiffany
Timmons
Turner
Upton
Valadao
Van Drew
Van Duyne
Wagner
Walberg
Walorski
Waltz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams (TX)
Wilson (SC)
Wittman
Womack
Young
Zeldin

NOT VOTING—4

Buck
Lamborn
Pence
Scalise

□ 1411

Ms. FOXX and Mrs. BICE of Oklahoma changed their vote from ''yea'' to ''nay.''

Ms. SPANBERGER changed her vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Adams (Brown)
Burgess (Lucas)
Cooper (Clark (MA))
DeFazio (Brown)
Frankel, Lois (Clark (MA))
Garcia (TX) (Escobar)
Hice (GA) (Greene (GA))
Huffman (Stanton)
Khanna (Bowman)
Kirkpatrick (Stanton)
Lawson (FL) (Evans)
Lynch (Trahan)
Meng (Jeffries)
Moore (WI) (Beyer)
Napolitano (Correa)
Ocasio-Cortez (Escobar)
Payne (Pallone)
Rodgers (WA) (Joyce (PA))
Rush (Underwood)
Salazar (Cammack)
Sires (Pallone)
Tlaib (Omar)
Wasserman Schultz (Soto)
Wilson (FL) (Hayes)

The SPEAKER pro tempore (Ms. DEGETTE). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mrs. FISCHBACH. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 221, nays 205, not voting 5, as follows:

[Roll No. 328]

YEAS—221

Adams
Aguilar
Allred
Auchincloss
Axne
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bourdeaux
Bowman
Boyle, Brendan F.
Brown
Brownley
Bush
Bustos
Butterfield
Carbajal
Cárdenas
Carson
Carter (LA)
Cartwright
Case
Casten
Castor (FL)
Castro (TX)
Cheney
Chu
Cicilline
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Craig
Crist
Crow
Cuellar
Davids (KS)
Davis, Danny K.
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Escobar
Eshoo
Espaillat
Evans
Fletcher
Foster
Frankel, Lois
Gallego
Garamendi
García (IL)
Garcia (TX)
Golden
Gomez
Gonzalez, Vicente
Gottheimer
Green, Al (TX)
Grijalva
Harder (CA)
Hayes
Higgins (NY)
Himes
Horsford
Houlahan
Hoyer
Huffman
Jackson Lee
Jacobs (CA)
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Jones
Kahele
Kaptur
Keating
Kelly (IL)
Khanna
Kildee
Kilmer
Kim (NJ)
Kind
Kinzinger
Kirkpatrick
Krishnamoorthi
Kuster
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Leger Fernandez
Levin (CA)
Levin (MI)
Lieu
Lofgren
Lowenthal
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Manning
Matsui
McBath
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Mfume
Moore (WI)
Morelle
Moulton
Mrvan
Murphy (FL)
Nadler
Napolitano
Neal
Neguse
Newman
Norcross
O'Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Payne
Perlmutter
Peters
Phillips
Pingree
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Ross
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Sewell
Sherman
Sherrill
Sires
Slotkin
Smith (WA)
Soto
Spanberger
Speier
Stansbury
Stanton
Stevens
Strickland
Suozzi
Swalwell
Takano
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Underwood
Vargas
Veasey
Vela
Velázquez
Wasserman Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Williams (GA)
Wilson (FL)
Yarmuth

NAYS—205

Aderholt
Allen
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bentz
Bergman
Bice (OK)
Biggs
Bilirakis
Bishop (NC)
Boebert
Bost
Brady
Brooks
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Calvert
Cammack
Carl
Carter (GA)
Carter (TX)
Cawthorn
Chabot
Cline
Cloud
Clyde
Cole
Comer
Crawford
Crenshaw
Curtis
Davidson
Davis, Rodney
DesJarlais
Diaz-Balart
Donalds
Duncan
Dunn
Ellzey
Emmer
Estes
Fallon
Feenstra
Ferguson
Fischbach
Fitzgerald
Fitzpatrick
Fleischmann
Fortenberry
Foxx
Franklin, C. Scott
Fulcher
Gaetz
Gallagher
Garbarino
Garcia (CA)
Gibbs
Gimenez
Gohmert
Gonzales, Tony
Gonzalez (OH)
Good (VA)
Gooden (TX)
Gosar
Granger
Graves (LA)
Graves (MO)
Green (TN)
Greene (GA)
Griffith
Grothman
Guest
Guthrie
Hagedorn
Harris
Harshbarger
Hartzler
Hern
Herrell
Herrera Beutler
Hice (GA)
Higgins (LA)
Hill
Hinson
Hollingsworth
Hudson
Huizenga
Issa
Jackson
Jacobs (NY)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Katko
Keller
Kelly (MS)
Kelly (PA)
Kim (CA)
Kustoff
LaHood
LaMalfa
Latta
LaTurner
Lesko
Letlow
Long
Loudermilk
Lucas
Luetkemeyer
Mace
Malliotakis
Mann
Massie
Mast
McCarthy
McCaul
McClain
McClintock
McHenry
McKinley
Meijer
Meuser
Miller (IL)
Miller (WV)
Miller-Meeks
Moolenaar
Mooney
Moore (AL)
Moore (UT)
Mullin
Murphy (NC)
Nehls
Newhouse
Norman
Nunes
Obernolte
Owens
Palazzo
Palmer
Perry
Pfluger
Posey
Reschenthaler
Rice (SC)
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rose
Rosendale
Rouzer
Roy
Rutherford
Salazar
Schweikert
Scott, Austin
Sessions
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spartz
Stauber
Steel
Stefanik
Steil
Steube
Stewart
Taylor
Tenney
Thompson (PA)
Tiffany
Timmons
Turner
Upton
Valadao
Van Drew
Van Duyne
Wagner
Walberg
Walorski
Waltz
Weber (TX)
Webster (FL)
Wenstrup
Williams (TX)
Wilson (SC)
Wittman
Womack
Young
Zeldin

NOT VOTING—5

Lamborn Reed Westerman
Pence Scalise

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1430

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. WESTERMAN. Madam Speaker, had I been present, I would have voted "nay" on rollcall No. 328.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Adams (Brown)
Burgess (Lucas)
Cooper (Clark (MA))
DeFazio (Brown)
Frankel, Lois (Clark (MA))
Garcia (TX) (Escobar)
Hice (GA) (Greene (GA))
Huffman (Stanton)
Khanna (Bowman)
Kirkpatrick (Stanton)
Lawson (FL) (Evans)
Lynch (Trahan)
Meng (Jeffries)
Moore (WI) (Beyer)
Napolitano (Correa)
Ocasio-Cortez (Escobar)
Payne (Pallone)
Rodgers (WA) (Joyce (PA))
Rush (Underwood)
Salazar (Cammack)
Sires (Pallone)
Tlaib (Omar)
Wasserman Schultz (Soto)
Wilson (FL) (Hayes)

RECOMMENDING THAT THE HOUSE FIND STEPHEN K. BANNON IN CONTEMPT OF CONGRESS

Mr. THOMPSON of Mississippi. Madam Speaker, by the direction of the Select Committee to Investigate the January 6th Attack on the United States Capitol, I call up the report (H. Rept. 117–152) and accompanying resolution recommending that the House of Representatives find Stephen K. Bannon in contempt of Congress for refusal to comply with a subpoena duly issued by the Select Committee to Investigate the January 6th Attack on the United States Capitol.

The Clerk read the title of the report.

The SPEAKER pro tempore. Pursuant to House Resolution 727, the report is considered read.

The text of the report is as follows:

The Select Committee to Investigate the January 6th Attack on the United States Capitol, having considered this Report, reports favorably thereon and recommends that the Report be approved.

The form of the Resolution that the Select Committee to Investigate the January 6th Attack on the United States Capitol would recommend to the House of Representatives for citing Stephen K. Bannon for contempt of Congress pursuant to this Report is as follows:

Resolved, That Stephen K. Bannon shall be found to be in contempt of Congress for failure to comply with a congressional subpoena.

Resolved, That pursuant to 2 U.S.C. §§192 and 194, the Speaker of the House of Representatives shall certify the report of the Select Committee to Investigate the January 6th Attack on the United States Capitol, detailing the refusal of Stephen K. Bannon to produce documents or appear for a deposition before the Select Committee to Investigate the January 6th Attack on the United States Capitol as directed by subpoena, to the United States Attorney for the District of Columbia, to the end that Mr. Bannon be proceeded against in the manner and form provided by law.

Resolved, That the Speaker of the House shall otherwise take all appropriate action to enforce the subpoena.

PURPOSE AND SUMMARY

On January 6, 2021, a violent mob breached the security perimeter of the United States Capitol, assaulted and injured scores of police officers, engaged in hand-to-hand violence with those officers over an extended period, and invaded and occupied the Capitol building, all in an effort to halt the lawful counting of electoral votes and reverse the results of the 2020 election. In the words of many of those who participated in the violence, the attack was a direct response to false statements by then-President Donald J. Trump—beginning on election night 2020 and continuing through January 6, 2021—that the 2020 election had been stolen by corrupted voting machines, widespread fraud, and otherwise.

In response, the House adopted House Resolution 503 on June 30, 2021, establishing the Select Committee to Investigate the January 6th Attack on the United States Capitol (hereinafter referred to as the "Select Committee").

The Select Committee is investigating the facts, circumstances, and causes of the January 6th attack and issues relating to the peaceful transfer of power, in order to identify how the events of January 6th were planned, what actions and statements motivated and contributed to the attack on the Capitol, how the violent riot that day was coordinated with a political and public relations strategy to reverse the election outcome, and why Capitol security was insufficient to address what occurred. The Select Committee will evaluate all facets of these issues, create a public record of what occurred, and recommend to the House, and its relevant committees, corrective laws, policies, procedures, rules, or regulations.

According to many published reports, and his own public statements, Stephen K. Bannon had specific knowledge about the events planned for January 6th before they occurred. He said on his January 5th podcasts, for example:

It's not going to happen like you think it's going to happen. OK, it's going to be quite extraordinarily different. All I can say is, strap in. [. . .] You made this happen and tomorrow it's game day. So strap in. Let's get ready.

All hell is going to break loose tomorrow. [. . .] So many people said, 'Man, if I was in a revolution, I would be in Washington.' Well, this is your time in history.

Mr. Bannon appears to have had multiple roles relevant to this investigation, including his role in constructing and participating in the "stop the steal" public relations effort that motivated the attack, his efforts to plan political and other activity in advance of January 6th, and his participation in the events of that day from a "war room" organized at the Willard InterContinental Washington D.C. Hotel (the "Willard Hotel"). Although he was a private citizen not employed by the White House at the time, he reportedly spoke with Mr. Trump directly regarding the plans for January 6th on at least one occasion. In short, Mr. Bannon appears to have played a multi-faceted role in the events of January 6th, and the American people are entitled to hear his first-hand testimony regarding his actions. The Select Committee expects that such testimony will be directly relevant to its report and recommendations for legislative and other action.

On September 23, 2021, Chairman BENNIE G. THOMPSON signed a subpoena for documents and testimony and transmitted it along with a cover letter and schedule to counsel for Mr. Bannon, who accepted service on Mr. Bannon's behalf on September 24, 2021. The subpoena required that Mr. Bannon produce responsive documents not later than October 7, 2021, and that Mr. Bannon appear for a deposition on October 14, 2021. Subsequent communications between counsel for Mr. Bannon and Chairman THOMPSON, however, failed to reach any accommodation for Mr. Bannon's appearance for testimony or production of documents. Indeed, counsel for Mr. Bannon on October 7, 2021, flatly stated that Mr. Bannon would not produce any documents or appear at the scheduled deposition, as ordered by the lawful subpoena. Although Mr. Bannon's counsel referenced vague claims of executive privilege purportedly relayed by the former President, no such claims have been presented by the former President to the Select Committee. And although the Select Committee is confident that such claims could not bar any of its requests, there is no conceivable executive privilege claim that could bar *all* of the Select Committee's requests or justify Mr. Bannon's flat refusal to appear for the required deposition. The Chairman's October 8, 2021, response addressed the legal arguments raised by Mr. Bannon's counsel and made clear that the Select Committee expected—as the law demands—that Mr. Bannon appear before the Select Committee at his deposition and raise any privilege or other concerns regarding specific questions on the record of that proceeding.

The contempt of Congress statute, 2 U.S.C. §192, makes clear that a witness summoned before Congress must appear or be "deemed guilty of a misdemeanor" punishable by a fine of up to $100,000 and imprisonment for up to 1 year. Further, the Supreme Court in *United States v. Bryan* (1950) emphasized that the subpoena power is a "public duty, which every person within the jurisdiction of the Government is bound to perform when properly summoned." The Supreme Court recently reinforced this clear obligation by stating that "[w]hen Congress seeks information needed for intelligent legislative action, it unquestionably remains the duty of *all* citizens to cooperate."

Mr. Bannon did not produce documents by the subpoena's October 7, 2021, deadline nor did he appear for a deposition scheduled for October 14, 2021, as ordered by the subpoena and in contravention of the clear instructions by the Select Committee Chairman on October 8, 2021, to appear at the deposition and raise any privilege concerns in response to specific questions on the record. Mr. Bannon's refusal to comply with the Select Committee's subpoena *in any way* represents willful default under the law and warrants contempt of Congress and referral to the United States Attorney for the District of Columbia for prosecution as prescribed by law. The denial of the information sought by the subpoena impairs Congress's central powers under the United States Constitution.

BACKGROUND ON THE SELECT COMMITTEE'S INVESTIGATION

House Resolution 503 sets out the specific purposes of the Select Committee, including:

to investigate and report upon the facts, circumstances, and causes "relating to the January 6, 2021, domestic terrorist attack upon the United States Capitol Complex";

to investigate and report upon the facts, circumstances, and causes "relating to the interference with the peaceful transfer of power"; and

to investigate and report upon the facts, circumstances, and causes relating to "the

influencing factors that fomented such an attack on American representative democracy while engaged in a constitutional process.''

The Supreme Court has long recognized Congress's oversight role. ''The power of the Congress to conduct investigations is inherent in the legislative process.'' Indeed, Congress's ability to enforce its investigatory power ''is an essential and appropriate auxiliary to the legislative function.'' ''Absent such a power, a legislative body could not 'wisely or effectively' evaluate those conditions 'which the legislation is intended to affect or change.' ''

The oversight powers of House and Senate committees are also codified in legislation. For example, the Legislative Reorganization Act of 1946 directed committees to ''exercise continuous watchfulness'' over the executive branch's implementation of programs within its jurisdictions, and the Legislative Reorganization Act of 1970 authorized committees to ''review and study, on a continuing basis, the application, administration, and execution'' of laws.

Pursuant to House rule XI and House Resolution 503, the Select Committee is authorized ''to require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of books, records, correspondence, memoranda, papers, and documents as it considers necessary.'' Further, section 5(c)(4) of House Resolution 503 provides that the Chairman of the Select Committee may ''authorize and issue subpoenas pursuant to clause 2(m) of rule XI in the investigation and study'' conducted pursuant to the enumerated purposes and functions of the Select Committee. The Select Committee's authorizing resolution further states that the Chairman ''may order the taking of depositions, including pursuant to subpoena, by a Member or counsel of the Select Committee, in the same manner as a standing committee pursuant to section 3(b)(1) of House Resolution 8, One Hundred Seventeenth Congress.''

A. The Select Committee seeks information from Mr. Bannon central to its investigative purposes

Mr. Bannon's testimony and document production are critical to the Select Committee's investigation. Among other topics, the Select Committee seeks facts that explain why the events of January 6th turned violent. Statements publicly made by Mr. Bannon on January 5, 2021, suggest that he had some foreknowledge about extreme events that would occur the next day. Mr. Bannon noted on January 5th that the country was facing a ''constitutional crisis'' and ''that crisis is about to go up about five orders of magnitude tomorrow.'' He also stated that, ''All hell is going to break loose tomorrow. [. . .] It's not going to happen like you think it's going to happen. OK, it's going to be quite extraordinarily different.'' Congress, through the Select Committee, is entitled to discover facts concerning the activities leading up to the violence on January 6th. Under House Resolution 503, the Select Committee is directed to investigate those facts, which include ''the influencing factors that fomented such an attack.'' And after making public statements on January 5th like those quoted above, Mr. Bannon is obliged by law to comply with the reasonable requests of the Select Committee through its subpoena. If any witness so close to the events leading up to the January 6th attack could decline to provide information to the Select Committee, Congress would be severely hamstrung in its ability to exercise its constitutional powers with highly relevant information informing its choices. Information in Mr. Bannon's possession is essential to putting other witnesses' testimony and productions into appropriate context and to ensuring the Select Committee can fully and expeditiously complete its work.

Mr. Bannon was the Chief Executive Officer of Mr. Trump's 2016 presidential campaign and served as then-President Trump's chief strategist, a White House position, for 8 months in 2017. Mr. Trump fired Mr. Bannon in August 2017, and Mr. Bannon did not thereafter hold a position in the executive branch.

After Mr. Bannon left government service, he remained actively involved in media and politics. In October 2019, Mr. Bannon began a radio show and podcast focused on rallying supporters of Mr. Trump in support of various causes and issues. According to one report, before the election even occurred in 2020, Mr. Bannon made public efforts to explain ''his belief that the Democrats are plotting to steal the 2020 election.'' One account of conversations involving Mr. Bannon (and Mr. Trump) prior to January 6th describes Mr. Bannon as encouraging Mr. Trump to ''focus on January 6th'' and articulating a plan to have millions of Americans consider Mr. Biden an illegitimate President. That same reporting suggests that Mr. Bannon was in frequent contact with the White House in late-December and early-January and spoke directly with the President several times. Mr. Bannon is reported to have urged then-President Trump to pressure then-Vice President Michael R. Pence to assist in overturning the results of the 2020 election.

Mr. Bannon was reportedly encouraging President Trump's supporters to take dramatic action. According to one report, immediately after the November 3rd election, Mr. Bannon began promoting false conspiracy claims that the election had been stolen and referred to the election as ''a mass fraud.''

The day before the January 6th attack on the Capitol, Mr. Bannon predicted that ''All hell is going to break loose tomorrow.'' He told the listeners of his radio show:

> It's not going to happen like you think it's going to happen. OK, it's going to be quite extraordinarily different. All I can say is, strap in. [. . .] You made this happen and tomorrow it's game day. So strap in. Let's get ready.

He added:

> So many people said, ''Man, if I was in a revolution, I would be in Washington.'' Well, this is your time in history.[26]

And:

> It's all converging, and now we're on the point of attack tomorrow.[27]

Public reporting also suggests that Mr. Bannon was among several prominent supporters of efforts to undermine the election results who gathered at the Willard Hotel, two blocks from the White House, on the days surrounding the January 6th attack.[28] The group that assembled at the Willard Hotel is reported to have included members of the Trump campaign's legal team (including Rudolph Giuliani and John Eastman), several prominent proponents of false election fraud claims that had been promoted by Mr. Trump (e.g., Russell Ramsland, Jr. and Boris Epshteyn), as well as Roger Stone, who left the hotel with Oath Keeper bodyguards, and campaign spokesman Jason Miller.[29] It has been reported that the participants in the meetings at the Willard Hotel discussed plans to stop or delay the January 6th counting of the election results and persuade Members of Congress to block the electoral count.[30]

Mr. Bannon's statements the day before the January 6th attack, and his association with both the Trump inner circle and outside groups involved in the ''Stop the Steal''[31] events, make his testimony about the Willard Hotel meetings essential to fully understanding and establishing responsibility for the events of January 6th. In addition to the indications noted above regarding Mr. Bannon's role in various activities leading up to January 6th, he also reportedly spoke directly to Mr. Trump on one or more occasions regarding what could or should happen on January 6th.[32]

B. Mr. Bannon's refusal to comply with the Select Committee's subpoena for testimony and documents

On September 23, 2021, Chairman THOMPSON signed and transmitted a subpoena, cover letter, and schedule to Mr. Bannon ordering the production of both documents and testimony relevant to the Select Committee's investigation into ''important activities that led to and informed the events at the Capitol on January 6, 2021.''[33] Chairman THOMPSON's letter identified public reports describing Mr. Bannon's activities and past statements, documenting some of the public information that gave the Select Committee reason to believe Mr. Bannon possesses information about matters within the scope of the Select Committee's inquiry.

The specific documents requested are found in the schedule in the Appendix, Exhibit 1, (pp. 4–5). The schedule included with the subpoena addressed topics including but not limited to Mr. Bannon's role in planning and promoting the January 6, 2021, rally and march in support of Mr. Trump; Mr. Trump's participation in the rally and march; Mr. Bannon's podcast and its use for promoting the rally and march; and Mr. Bannon's strategic communications with a host of individuals known to be involved with the former President's 2020 election campaign and subsequent efforts to undermine or cast doubt on the results of that election.

The subpoena required Mr. Bannon to produce the requested documents to the Select Committee on October 7, 2021, at 10 a.m. and required Mr. Bannon's presence for the taking of testimony on October 14, 2021, at 10 a.m.[34] Mr. Bannon had designated Robert J. Costello as his attorney for the purposes of the Select Committee's inquiry, and Mr. Costello accepted service of the subpoena on behalf of Mr. Bannon on September 24, 2021.[35]

On October 7, 2021, at 10 a.m., at the designated location identified in the subpoena, Mr. Bannon failed to appear and produce documents. Instead, over 7 hours later, Mr. Costello sent a letter to Chairman THOMPSON via email at 5:04 p.m. reinforcing Mr. Bannon's refusal to comply.

Mr. Costello's letter cited an October 6, 2021, letter from former President Trump's counsel Justin Clark to Mr. Costello that purportedly instructed Mr. Bannon to ''invoke any immunities and privileges he may have from compelled testimony,'' ''not produce any documents concerning privileged material,'' and ''not provide any testimony concerning privileged material[.]''[36] Mr. Costello's letter then asserted that Mr. Bannon was ''legally unable to comply,'' with the subpoena for ''documents or testimony,'' claiming to rely on the instructions of Mr. Trump to not disclose privileged information.[37] The two-page letter contained only conclusory statements, no legal analysis, and approximately half of it purported to quote from the letter of October 6, 2021, from the counsel to Mr. Trump.

On October 8, 2021, Chairman THOMPSON responded to Mr. Costello's October 7, 2021, letter.[38] He said that Mr. Trump had not communicated an invocation of privilege either formally or informally to the Select Committee. He further stated that, regardless,

the information the Select Committee seeks from Mr. Bannon concerns his actions as a private citizen and involves a range of subjects not even conceivably reached by any executive privilege assertion. Chairman THOMPSON also noted that—even assuming Mr. Bannon were correct that a privilege applied to his documents and testimony and Mr. Trump had formally invoked a privilege through the long-standing practice of consultation with the current President (which is not the case)—Mr. Bannon does not enjoy anything like the type of absolute immunity his attorney suggested would insulate Mr. Bannon from an obligation to comply with the Select Committee's subpoena. Again, there is no conceivable legal claim to support such an assertion.

The Chairman underscored that Mr. Bannon remained obligated to produce documents and testimony about all non-privileged material that was responsive to the subpoena, was expected to produce a privilege log identifying any documents being withheld based on any specific privilege claims, and that the Select Committee expected Mr. Bannon to appear at the deposition on October 14th and state on the record any privilege concerns raised by specific questions. As made clear by the deposition rules provided to Mr. Bannon by the Select Committee, under House deposition regulation 3, Mr. Bannon may be accompanied at the deposition by a personal, nongovernmental counsel to advise him of his rights.[39]

The Chairman concluded by saying that Mr. Bannon was therefore not in compliance with the Chairman's duly issued subpoena for documents, and that the Select Committee would view refusal to produce documents and refusal to appear at the October 14th deposition as willful non-compliance with the subpoena. The Chairman warned that this willful non-compliance would put Mr. Bannon in jeopardy of a vote to refer him to the House to consider a criminal contempt referral to a U.S. Attorney pursuant to 2 U.S.C. §§ 192 and 194.[40]

On October 13, 2021, at approximately 12:35 p.m., Select Committee staff emailed Mr. Costello to discuss logistics for the deposition at which Mr. Bannon was compelled to appear on October 14, 2021, at 10 a.m. Approximately an hour later, Select Committee staff and Mr. Costello spoke on the telephone, during which Mr. Costello informed the Select Committee that Mr. Bannon would not appear the next day, and that a letter to that effect was forthcoming. Mr. Costello indicated that he was in contact with Mr. Trump's attorney, and he had informed Mr. Trump's attorney of the Select Committee's explanation of the deficiencies in Mr. Bannon's and Mr. Trump's justifications for Mr. Bannon's defiance of the subpoena.

On that call, Mr. Costello represented to the Select Committee that he had asked Mr. Trump's counsel to identify, with specificity, communications for which executive privilege would apply. Later that day, Mr. Costello transmitted a response to Chairman THOMPSON's October 8, 2021, letter. In that letter, Mr. Costello reiterated his position that Mr. Bannon's refusal to comply with the Select Committee subpoena was based on the former President's ''executive and other privileges.''[41] Mr. Costello claimed that President Trump's counsel had ''exercis[ed] his executive privilege'' and ''directed Mr. Bannon not to produce documents or testify until the issue of executive privilege is resolved.''[42] He further stated that Mr. Bannon would refuse to produce any documents or appear for testimony until after a court had ruled on, or former President Trump and the Select Committee reached an agreement on, the matter of executive privilege that the former President had never actually communicated to the Select Committee. In defiance of the clear instructions by the Select Committee to appear at the deposition and state any privilege concerns as they applied to specific questions, Mr. Bannon refused to appear to make any objections in person. Further, he refused to engage at all with the specifics of the document demands, including failing to provide a privilege log identifying any privilege claims regarding specific documents.

On October 14, 2021, at 10 a.m., Mr. Bannon failed to appear at the designated location to provide testimony relevant to the Select Committee's inquiry in response to questions posed, as was required by the subpoena.[43]

At 2:05 p.m. on October 15, 2021, Chairman THOMPSON sent a letter to Mr. Costello noting that Mr. Bannon had not even attempted to provide the Select Committee any explanation for refusing to comply with the Select Committee's demand for documents and testimony on a range of subjects that do not involve communications with the former President. The Chairman also reiterated that Mr. Bannon does not enjoy absolute immunity from testifying before the Select Committee. The Chairman reminded Mr. Costello that the Select Committee views Mr. Bannon's conduct as willful non-compliance with the subpoena. He notified Mr. Costello that, accordingly, the Select Committee would meet on October 19, 2021, to consider a criminal contempt referral for Mr. Bannon, and invited Mr. Costello to submit any written materials he believed the Select Committee should consider in its deliberations on this referral.

On October 18, 2021, Mr. Costello wrote Chairman Thompson requesting a ''one-week adjournment of our response'' to the Chairman's October 15th letter, citing the need to ''assess'' litigation Mr. Trump filed on October 18, 2021, concerning the Select Committee's request for documents from the National Archives.[44] The Chairman replied on October 19, 2021, that Mr. Trump's lawsuit was immaterial to the Select Committee's subpoena to Mr. Bannon, and accordingly, no grounds existed for any further delay in Mr. Bannon's compliance with the subpoena.[45]

C. Mr. Bannon's purported basis for non-compliance is wholly without merit

Mr. Bannon has relied on no legal authority to support his refusal to comply in any fashion with the subpoena. Mr. Bannon's refusal to comply with the subpoena is ostensibly based on his decision to ''honor [former President Trump's] invocation of executive privilege'' and instruction that, ''to the fullest extent permitted by law,'' Mr. Bannon ''invoke any immunities and privileges he may have from compelled testimony,'' ''not produce any documents concerning privileged material,'' and ''not provide any testimony concerning privileged material.''[46] Far from being ''permitted by law,'' Mr. Bannon's conduct in response to the Select Committee's subpoena constitutes a violation of the contempt of Congress statutory provisions.

1. Executive privilege has not been invoked

Mr. Trump has had no communication with the Select Committee. In an October 7th letter to the Select Committee, Mr. Bannon's attorney referred to purported correspondence from Mr. Trump's attorney, Justin Clark, in which Mr. Clark asserted that the Select Committee subpoena seeks information that is ''potentially protected from disclosure by executive and other privileges, including among others the presidential communications, deliberative process, and attorney-client privileges.''[47] According to Mr. Bannon's attorney, Mr. Clark also stated that, ''President Trump is prepared to defend these fundamental privileges in court.''[48]

In *United States v. Reynolds*, 345 U.S. 1, 7–8 (1953), the Supreme Court held that executive privilege:

> [B]elongs to the Government and must be asserted by it; it can neither be claimed nor waived by a private party. It is not to be lightly invoked. There must be a formal claim of privilege, lodged by the head of the department which has control over the matter, after actual personal consideration by that officer.[49]

Here, the Select Committee has not been provided with any formal invocation of executive privilege by the President, the former President,[50] or any other employee of the executive branch.

In fact, in an October 18, 2021, letter to Mr. Bannon's attorney, the White House Counsel's Office specifically stated that ''at this point we are not aware of any basis for [Mr. Bannon's] refusal to appear for a deposition.'' The letter also informed Mr. Bannon's counsel that:

> [P]resident Biden determined that an assertion of executive privilege is not justified with respect to a set of documents shedding light on events within the White House on and about January 6, 2021, and with respect to documents and testimony concerning the former President's efforts to use the Department of Justice to advance a false narrative that the 2020 election was tainted by widespread fraud. President Biden's determination that an assertion of privilege is not justified with respect to these subjects applies to [Mr. Bannon's] deposition testimony and to any documents [Mr. Bannon] may possess concerning either subject.[51]

With respect to the former President, the Select Committee has not received a formal invocation of executive privilege. Mr. Costello's October 13th letter merely states that the attorney for former President Trump had informed him that ''President Trump is exercising his executive privilege.'' This third-hand, non-specific assertion of privilege, without any description of the documents or testimony over which privilege is claimed, is insufficient to activate a claim of executive privilege.

2. Even assuming an invocation of executive privilege (which is not justified here), assertion of privilege could not bar the Select Committee from lawfully obtaining the documents and testimony it seeks from Mr. Bannon

The Select Committee seeks information from Mr. Bannon on a wide range of subjects that it is inconceivable executive privilege would reach. Mr. Bannon was a private citizen during the relevant time period and the testimony and documents the Select Committee is demanding do not concern discussion of official government matters with the President and his immediate advisors. The law is clear that executive privilege does not extend to discussions between the President and private citizens relating to non-governmental business or among private citizens. In *United States v. Nixon*, 418 U.S. 683, 708 (1974), the Supreme Court recognized a qualified, presumptive privilege for presidential communications. The scope of the so-called ''presidential communications privilege'' was further defined by the Court to apply only to ''communications in performance of [a President's] responsibilities of his office and made in the process of shaping policies and making decisions.''[52]

In *In re Sealed Case (Espy)*, 121 F.3d 729, 752 (D.C. Cir. 1997), the DC Circuit extended the presidential communications privilege to ''communications authored or solicited and received by those members of an immediate

White House adviser's staff who have broad and significant responsibility for investigating and formulating the advice to be given the President on the particular matter to which the communications relate.'' The court stressed that the privilege only applies to communications intended to advise the President ''*on official government matters*.''[53] In *Judicial Watch, Inc. v. Department of Justice*, 365 F.3d 1108, 1123 (D.C. Cir. 2004), the court reaffirmed that the presidential communications privilege applies only to documents ''solicited and received by the President or his immediate advisers in the Office of the President.'' Relying on *In re Sealed Case* and the principle that ''the presidential communications privilege should be construed as narrowly as is consistent with ensuring that the confidentiality of the President's decision-making process is adequately protected,''[54] the court refused to extend the privilege even to executive branch employees whose sole function was to provide advice to the President in the performance of a ''quintessential and nondelegable Presidential power.''[55]

Here, neither Mr. Bannon nor former President Trump has asserted that Mr. Bannon's testimony would reveal communications involving the President or members of his immediate White House staff regarding the performance of the President's responsibilities of his office. At no point during the time period under investigation by the Select Committee was Mr. Bannon a government employee, much less a key White House adviser in the Office of the President. Moreover, the matters under review by the Select Committee concern efforts to overturn legitimate election results and an attack on our democratic institutions. Communications regarding these subjects (or any other matter related to the presidential campaign), by definition, would not constitute advice on ''official government matters'' that could be shielded by executive privilege. In any event, any confidentiality interest in such communications would be far outweighed by the oversight needs for this information that are at stake in the Select Committee's investigation.

In sum: In this instance, there is no reasonable argument that Mr. Bannon's communications with the President regarding January 6th are the type of matters on which privilege can be asserted. Also, the Select Committee is confident that no executive privilege assertion would bar Mr. Bannon's testimony regarding his communications directly with the President regarding January 6th—because the privilege is qualified and could be overcome by an appropriate showing of need. Again, there is no conceivable assertion that privilege could apply to other information sought that does not constitute communications with Mr. Trump during his presidency. Beyond communications between Mr. Bannon and Mr. Trump, the Select Committee seeks documents and testimony from Mr. Bannon regarding his own actions and interactions with other private citizens relating to the events of January 6th. For example, the subpoena to Mr. Bannon includes requests for documents related to many other matters, including:

His presence, purpose, statements, and activities at a meeting with Members of Congress at the Willard Hotel on January 5, 2021, or the presence, purpose, statements, or activities of others in attendance related to that meeting.

Anyone with whom he communicated by any means with respect to any aspect of the planning, objectives, conduct, or participation in the January 6, 2021, rally, including but not limited to Boris Epshteyn.

Anyone with whom he communicated with respect to efforts, plans, or proposals to contest the 2020 presidential election results or delay, influence, or impeded the electoral count, including but not limited to communications with Boris Epshteyn, Kashyap Patel, and Ezra Cohen-Watnick.

All public relations, advertising, or other communications efforts to persuade Americans that the election was stolen.

The January 6, 2021, rally on The Mall and Capitol grounds in Washington, DC, in support of President Donald J. Trump and opposition to the counting of the results of the 2020 presidential election, including its permitting, planning, objectives, financing, and conduct, as well as any communications to or from any person or group involved in organizing or planning for the January 6, 2021, rally.

The financing or fundraising to assist any individual's or organization's travel to or accommodation in Washington, DC, to attend or participate in the January 6, 2021, rally.

The ''War Room'' podcast, insofar as at any time he communicated through it statements referring or relating to the January 6, 2021, rally, including all statements concerning its planning, objectives, purpose, organization, message, or sponsorship.

The organization or group named ''March for Trump'' and its activities relating to the January 6, 2021, rally, including any communications Mr. Bannon had with any officer or member of ''March for Trump'' relating in any way to the planning, objectives, organization, message, sponsorship, and participation in the January 6, 2021, rally.

No colorable claim of executive privilege could possibly be made with respect to documents or testimony related to these and other matters sought by the subpoena, or any other topics that were not connected to official decisionmaking by the President.

3. Mr. Bannon is not entitled to absolute immunity

Mr. Bannon has refused to provide any responsive documents or appear for a deposition based on his asserted reliance on Mr. Trump's purported invocation of executive privilege. However, even if Mr. Trump had invoked executive privilege, and even if certain testimony or documents would fall within that privilege, Mr. Bannon would not be immune from compelled testimony before the Select Committee.

The law is clear that even senior White House aides who advise the President on official government business are not immune from compelled congressional process. To the extent there has been a formal invocation of executive privilege by the Office of the President, and in the unlikely event that testimony by Mr. Bannon relates to information covered by that privilege, Mr. Bannon was nonetheless required to appear before the Select Committee to provide testimony and invoke executive privilege where appropriate. If there are responsive documents that Mr. Bannon claims include privileged information, he was required to provide the Select Committee with a privilege log that ''identifies and describes the material in a manner 'sufficient to enable resolution of any privilege claims.' '' Mr. Bannon did neither. He should be held in contempt.

D. Precedent supports the Select Committee's position to proceed with holding Mr. Bannon in contempt

An individual who fails or refuses to comply with a House subpoena may be cited for contempt of Congress. Pursuant to 2 U.S.C. § 192, the willful refusal to comply with a congressional subpoena is punishable by a fine of up to $100,000 and imprisonment for up to 1 year. A committee may vote to seek a contempt citation against a recalcitrant witness. This action is then reported to the House. If a resolution to that end is adopted by the House, the matter is referred to a U.S. Attorney, who has a duty to refer the matter to a grand jury for an indictment.

In his October 8th letter to Mr. Bannon's counsel, the Chairman of the Select Committee advised Mr. Bannon that his claims of executive privilege were not well-founded and did not absolve him of his obligation to produce documents and testify in deposition. The Chairman made clear that the Select Committee expected Mr. Bannon to appear for his scheduled deposition on October 14th and produce the requested documents at that time. The Chairman warned Mr. Bannon that his continued non-compliance would put him in jeopardy of a vote to refer him to the House to consider a criminal contempt referral. Mr. Bannon's failure to appear for deposition or produce responsive documents in the face of this clear advisement and warning by the Chairman constitutes a willful failure to comply with the subpoena.

SELECT COMMITTEE CONSIDERATION

The Select Committee met on Tuesday, October 19, 2021, with a quorum being present, to consider this Report and ordered it and the Resolution contained herein to be favorably reported to the House, with an amendment, by a recorded vote of 9 ayes to 0 noes.

SELECT COMMITTEE VOTES

Clause 3(b) of rule XIII requires the Select Committee to list the recorded votes during consideration of this Report:

1. A motion by Vice Chair CHENEY to report the Select Committee Report for a Resolution Recommending that the House of Representatives find Stephen K. Bannon in Contempt of Congress for Refusal to Comply with a Subpoena Duly Issued by the Select Committee to Investigate the January 6th Attack on the United States Capitol favorably to the House, as amended, was agreed to by a recorded vote of 9 ayes to 0 noes (Rollcall No. 1).

Select Committee Rollcall No. 1

[Motion by Vice Chair Cheney to Favorably Report, as Amended]

[Agreed to: 9 ayes to 0 noes]

Members	Vote
Ms. Cheney, Vice Chair	Aye
Ms. Lofgren	Aye
Mr. Schiff	Aye
Mr. Aguilar	Aye
Mrs. Murphy (FL)	Aye
Mr. Raskin	Aye
Mrs. Luria	Aye
Mr. Kinzinger	Aye
Mr. Thompson (MS), Chairman	Aye

SELECT COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 3(c)(1) of rule XIII, the Select Committee advises that the oversight findings and recommendations of the Select Committee are incorporated in the descriptive portions of this Report.

CONGRESSIONAL BUDGET OFFICE ESTIMATE

The Select Committee finds the requirements of clause 3(c)(2) of rule XIII and section 308(a) of the Congressional Budget Act of 1974, and the requirements of clause 3(c)(3) of rule XIII and section 402 of the Congressional Budget Act of 1974, to be inapplicable to this Report. Accordingly, the Select Committee did not request or receive a cost estimate from the Congressional Budget Office and makes no findings as to the budgetary impacts of this Report or costs incurred to carry out the Report.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII, the objective of this Report is to enforce the Select Committee's authority to investigate the facts, circumstances, and causes of the

January 6th attack and issues relating to the peaceful transfer of power, in order to identify and evaluate problems and to recommend corrective laws, policies, procedures, rules, or regulations; and to enforce the Select Committee's subpoena authority found in section 5(c)(4) of House Resolution 503.

ENDNOTES

1. Steve Bannon, ''War Room: Pandemic, 'EP 634—Tuesday Special (with Maggie VandenBerghe, Ben Berquam, and Peter Navarro),' '' (Jan. 5, 2021), available at https://rumble.com/vch0pu-ep-634-tuesday-special-w-maggie-vandenberghe-ben-berquam-and-peter-navarro.html.

2. Aaron Blake, ''Who could have predicted the Capitol riot? Plenty of people—including Trump allies,'' *Washington Post*, (Jan. 28, 2021), available at https://www.washingtonpost.com/politics/2021/01/28/who-could-have-predicted-capitol-siege-plenty-people/.

3. *See* Appendix, Exs. 1, 2 (Subpoena from Chairman BENNIE G. THOMPSON to Stephen K. Bannon and attachments (Sept. 23, 2021)).

4. *See* Appendix, Ex. 3 (Letter from Robert J. Costello to Chairman BENNIE G. THOMPSON (Oct. 7, 2021)).

5. *See* Appendix, Ex. 4 (Letter from Chairman BENNIE G. THOMPSON to Robert J. Costello (Oct. 8, 2021)).

6. The prison term for this offense makes it a Class A misdemeanor. 18 U.S.C. § 3559(a)(6). By that classification, the penalty for contempt of Congress specified in 2 U.S.C. § 192 increased from $1,000 to $100,000. 18 U.S.C. § 3571(b)(5).

7. *United States v. Bryan*, 339 U.S. 323, 331 (1950).

8. *Trump v. Mazars USA LLP*, 140 S.Ct. 2019, 2036 (2020) (emphasis in original; internal quotation marks removed). See also *Watkins v. United States*, 354 U.S. 178, 187–88 (1957) (stating of citizens that ''It is their unremitting obligation to respond to subpoenas, to respect the dignity of the Congress and its committees, and to testify fully with respect to matters within the province of proper investigation.'').

9. *Mazars*, 140 S.Ct. at 2031 (2020) (citing *Watkins*, 354 U.S. at 187) (internal quotation marks removed).

10. *Mazars*, 140 S.Ct. at 2031 (2020) (citing *McGrain v. Daugherty*, 273 U.S. 135, 174 (1927)).

11. *Ashland Oil, Inc. v. FTC*, 409 F.Supp. 297, 305 (D.D.C. 1976), aff'd, 548 F.2d 977 (D.C.Cir. 1976) (quoting *McGrain*, 273 U.S. at 175).

12. Pub. L. 79–601, 79th Cong. § 136, (1946).

13. Pub. L. 91–510, 91st Cong. § 118, (1970).

14. Steve Bannon, ''War Room: Pandemic, 'EP 634—Tuesday Special (with Maggie VandenBerghe, Ben Berquam, and Peter Navarro),' '' (Jan. 5, 2021), available at https://rumble.com/vch0pu-ep-634-tuesday-special-w-maggie-vandenberghe-ben-berquam-and-peter-navarro.html.

15. *Id.*

16. Brian Bennett, '' 'You Got to Be the Last Guy He Talks To.' The Rise and Fall of Trump Adviser Steve Bannon,'' *Time*, (Aug. 21, 2020), available at https://time.com/5882072/rise-and-fall-of-steve-bannon/.

17. Jeff Mason and Steve Holland, ''Trump fired adviser Bannon,'' Reuters, (Aug. 18, 2017), available at https://www.reuters.com/article/us-usa-trump-bannon/trump-fires-adviser-bannon-idUSKCN1AY205.

18. Daniel Lippman, ''Steve Bannon launches radio show and podcast on impeachment,'' *Politico*, (Oct. 24, 2019), available at https://www.politico.com/news/2019/10/22/steve-bannon-radio-show-podcast-impeachment-055167.

19. E.g., KUSI Newsroom, ''Steve Bannon explains how the Democrats are plotting to steal the 2020 election,'' KUSI, (Oct. 1, 2020), available at https://www.kusi.com/steve-bannon-explains-how-the-democrats-are-plotting-to-steal-the-2020-election.

20. Bob Woodward and Robert Costa, *Peril*, (New York: Simon & Shuster, 2021), p. 207.

21. *Id.*, pp. 207, 233–234.

22. *Id.*, p. 207.

23. Rob Kuznia, et al., ''Stop the Steal's massive disinformation campaign connected to Roger Stone,'' CNN (Nov. 14, 2020), available at https://www.cnn.com/2020/11/13/business/stop-the-steal-disinformation-campaign-invs/index.html.

24. Aaron Blake, ''Who could have predicted the Capitol riot? Plenty of people—including Trump allies,'' *Washington Post*, (Jan. 28, 2021), available at https://www.washingtonpost.com/politics/2021/01/28/who-could-have-predicted-capitol-siege-plenty-people/.

25. Steve Bannon, ''War Room: Pandemic, 'EP 634—Tuesday Special (with Maggie VandenBerghe, Ben Berquam, and Peter Navarro),' '' (Jan. 5, 2021), available at https://rumble.com/vch0pu-ep-634-tuesday-special-w-maggie-vandenberghe-ben-berquam-and-peter-navarro.html.

26. Aaron Blake, ''Who could have predicted the Capitol riot? Plenty of people—including Trump allies,'' *Washington Post*, (Jan. 28, 2021), available at https://www.washingtonpost.com/politics/2021/01/28/who-could-have-predicted-capitol-siege-plenty-people/.

27. *Id.*

28. Woodward and Costa, pp. 233–234; Andre J. Ellington, ''Steve Bannon Confirms His Involvement in January 6 Insurrection on 'War Room' Podcast,'' *Newsweek*, (Sept. 22, 2021), available at https://www.newsweek.com/steve-bannon-confirms-his-involvement-january-6-insurrection-war-room-podcast-1631667.

29. Woodward and Costa, pp. 233–234; Michael Wolff, ''Donald Trump's January 6; The view from inside the Oval Office,'' *New York*, (June 28, 2021), available at https://nymag.com/intelligencer/article/michael-wolff-landslide-final-days-trump-presidency-excerpt.html; Seth Abramson (@SethAbramson), Twitter (June 12, 2021, 10:51 a.m.), https://twitter.com/SethAbramson/status/1403726643722547200/photo/3.

30. Woodward and Costa, p. 233.

31. There were a number of events organized to take place on January 5th and January 6th at which supporters of President Trump gathered, and made and heard speeches, in support of the position that Congress should not affirm that Joe Biden had won the 270 or more electoral college votes necessary to be elected President.

32. *See*, e.g., Woodward and Costa, p. 207.

33. *See* Appendix, Exs. 1, 2.

34. *See* Appendix, Ex. 1.

35. *See* Appendix, Ex. 2 (Emails between Select Committee staff and Robert J. Costello (Sept. 23–24, 2021)).

36. *See* Appendix, Ex. 3 (Letter from Robert J. Costello to Select Committee staff (Oct. 7, 2021)).

37. *Id.*

38. *See* Appendix, Ex. 4 (Letter from Chairman BENNIE G. THOMPSON to Robert J. Costello (Oct. 8, 2021)).

39. U.S. House of Representatives, ''117th Congress Regulations for Use of Deposition Authority,'' 167 Cong. Rec., (Jan. 4, 2021), p. H41.

40. *See* Appendix, Ex. 4 (Letter from Chairman BENNIE G. THOMPSON to Robert J. Costello (Oct. 8, 2021)).

41. *See* Appendix, Ex. 5 (Letter from Robert J. Costello to Chairman BENNIE G. THOMPSON (Oct. 13, 2021)).

42. *Id.*

43. *See* Appendix.

44. Letter from Robert J. Costello to Chairman THOMPSON, (Oct. 18, 2021).

45. Letter from Chairman THOMPSON to Robert J. Costello, (Oct. 19, 2021).

46. *See* Appendix, Ex. 3 (Letter from Robert J. Costello to Select Committee staff (Oct. 7, 2021)).

47. *Id.*

48. *Id.*

49. *See also United States v. Burr*, 25 F. Cas. 187, 192 (CCD Va. 1807) (ruling that President Jefferson had to personally identify the passages he deemed confidential and could not leave this determination to the U.S. Attorney). In *Reynolds*, the Court addressed the ''state secrets privilege,'' which can be viewed as a subset of executive privilege.

50. The Supreme Court has held that a former President may assert executive privilege on his own, but his claim should be given less weight than that of an incumbent President. *Nixon v. Administrator of General Services*, 433 U.S. 425, 451 (1977) (the ''expectation of the confidentiality of executive communications thus has always been limited and subject to erosion over time after an administration leaves office''). The Supreme Court in *Nixon v. GSA* made note of the fact that neither President Ford nor President Carter supported former President Nixon's assertion of privilege, which, the Court said, ''detracts from the weight of his contention [that the disclosure of the information at issue] impermissibly intrudes into the executive function and the needs of the Executive Branch.'' *Id.*, p. 449.

51. Letter to Robert J. Costello from Jonathan C. Su, Deputy Counsel to the President, (Oct. 18, 2021).

52. *Nixon v. Administrator of General Services*, 433 U.S. at 449 (internal citations and quotations omitted).

53. *Id.* (Italics added.)

54. *Id.*, p. 1116.

55. *Id.*, p. 1111. See also *Committee on the Judiciary v. Miers*, 558 F. Supp.2d 53, 100 (D.D.C. 2008) (privilege claimants acknowledged that executive privilege applies only to ''a very small cadre of senior advisors'').

56. *See* Appendix, Ex. 1.

57. *See also Committee on the Judiciary v. McGahn*, 415 F.Supp.3d 148, 214 (D.D.C. 2019) (and subsequent history) (''To make the point as plain as possible, it is clear to this Court for the reasons explained above that, with respect to senior-level presidential aides, absolute immunity from compelled congressional process simply does not exist.''); *Committee on the Judiciary v. Miers*, 558 F. Supp.2d 53, 101 (D.D.C. 2008) (holding that White House counsel may not refuse to testify based on direction from the President that testimony will implicate executive privilege).

58. *See Comm. on Oversight and Gov't Reform v. Holder*, 2014 U.S. Dist. LEXIS 200278 at *7 (D.D.C., Aug. 20, 2014) (quoting *Miers*, 558 F. Supp. 2d at 107).

59. *Eastland v. United States Servicemen's Fund*, 421 U.S. 491, 505, 515 (1975).

60. *See supra* note 6. The prison term for this offense makes it a Class A misdemeanor. 18 U.S.C. § 3559(a)(6). By that classification, the penalty for contempt of Congress specified in 2 U.S.C. § 192 increased from $1,000 to $100,000. 18 U.S.C. § 3571(b)(5).

61. *See* 2 U.S.C. § 192.

APPENDIX

The official transcript that memorialized Mr. Bannon's failure to appear at his deposition as ordered by subpoena, along with exhibits included in that record, is as follows:

SELECT COMMITTEE TO INVESTIGATE THE JANUARY 6TH ATTACK ON THE U.S. CAPITOL, U.S. HOUSE OF REPRESENTATIVES, WASHINGTON, DC
DEPOSITION OF: STEPHEN K. BANNON (NO-SHOW)
THURSDAY, OCTOBER 14, 2021
WASHINGTON, DC

The deposition in the above matter was held in * * * * commencing at 10:00 a.m.

PRESENT: Representative SCHIFF.
APPEARANCES:
FOR THE SELECT COMMITTEE TO INVESTIGATE THE JANUARY 6TH ATTACK ON THE U.S. CAPITOL:
* * * *, * * * *
Sean Tonolli, Senior Investigative Counsel
* * * *, * * * *
* * * *, * * * *
* * * *, * * * *
* * * *, * * * *

Mr. TONOLLI. So we are on the record. Today is October 14, 2021. The time is 10:00 a.m. We are convened in * * * * for the deposition of Stephen K. Bannon to be conducted by the House Select Committee to Investigate the January 6th Attack on the United States Capitol.

My name is Sean Tonolli. I am the designated Select Committee staff counsel for this proceeding. And I'd ask everyone else to please go around the room and introduce themselves.

* * * *. * * * *.
* * * *. * * * *.
* * * *. * * * *.
* * * *. * * * *.
* * * *. * * * *.

Mr. TONOLLI. For the record, it is 10:01 a.m., and Mr. Bannon is not present. The person transcribing this proceeding is the House stenographer and notary public authorized to administer oaths.

On September 23, 2021, Chairman BENNIE THOMPSON issued a subpoena to Mr. Bannon both to produce documents by October 7, 2021, and to testify at a deposition today, October 14, 2021, at 10:00 a.m.

The subpoena is in connection with the Select Committee's investigation into the facts, circumstances, and causes of the January 6th attack and issues relating to the peaceful transfer of power, in order to identify and evaluate lessons learned and to recommend to the House and its relevant committees corrective laws, policies, procedures, rules, or regulations.

This inquiry includes examination of how various individuals, to include Mr. Bannon, and entities coordinated their activities leading up to the events of January 6, 2021. Mr. Bannon has not produced any documents or appeared today to testify.

I will mark as exhibit 1 and enter into the record the Select Committee's subpoena to Mr. Bannon, included with which are the materials that accompanied the subpoena, namely, a letter from the chairman, a document scheduled with accompanying production instructions, and a copy of the deposition rules.

SUBPOENA

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES OF THE CONGRESS OF THE UNITED STATES OF AMERICA

Stephen K. Bannon
c/o Robert Costello, Esq., Davidson, Huthcher and Citron, LLP
To

You are hereby commanded to be and appear before the Select Committee to Investigate the January 6th Attack on the United States Capitol of the House of Representatives of the United States at the place, date, and time specified below.

☒ to produce the things identified on the attached schedule touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of production: * * *
Date: October 7, 2021 Time: 10:00 a.m.

☒ to testify at a deposition touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of testimony: * * *
Date: October 14, 2021 Time: 10:00 a.m.

☐ to testify at a hearing touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of testimony: _____
Date:_____ Time:_____

To any authorized staff member or the United States Marshals Service _____ to serve and make return.

Witness my hand and the seal of the House of Representatives of the United States, at the city of Washington, D.C. this 23rd day of September, 2021.

BENNIE G. THOMPSON
Chairman or Authorized Member.

Attest:

CHERYL L. JOHNSON
Clerk.

PROOF OF SERVICE

Subpoena for Stephen K. Bannon
c/o Robert Costello, Esq., Davidson, Huthcher and Citron, LLP
Address * * *
* * *
before the Select Committee to Investigate the January 6th Attack on the United States Capitol
U.S. House of Representatives
117th Congress

Served by (print name) * * *
Title * * *
Manner of service * * *
* * *
Date 7/23/21
Signature of Server * * *
Address * * *

SELECT COMMITTEE TO INVESTIGATE THE JANUARY 6TH ATTACK ON THE UNITED STATES CAPITOL,
September 23. 2021.

Mr. Stephen K. Bannon
c/o Mr. Robert J. Costello
* * *

DEAR MR. BANNON: Pursuant to the authorities set forth in House Resolution 503 and the rules of the House of Representatives, the Select Committee to Investigate the January 6th Attack on the United States Capitol (''Select Committee'') hereby transmits a subpoena compelling you to produce the documents set forth in the accompanying schedule by October 7, 2021, and to appear for a deposition on October 14, 2021.

The Select Committee is investigating the facts, circumstances, and causes of the January 6th attack and issues relating to the peaceful transfer of power, in order to identify and evaluate lessons learned and to recommend to the House and its relevant committees corrective laws, policies, procedures, rules, or regulations. This inquiry includes examination of how various individuals and entities coordinated their activities leading up to the events of January 6, 2021,

The Select Committee has reason to believe that you have information relevant to understanding important activities that led to and informed the events at the Capitol on January 6, 2021. For example, you have been identified as present at the Willard Hotel on January 5, 2021, during an effort to persuade Members of Congress to block the certification of the election the next day, and in relation to other activities on January 6.[1] You are also described as communicating with then-President Trump on December 30, 2020, and potentially other occasions, urging him to plan for and focus his efforts on January 6.[2] Moreover, you are quoted as stating, on January 5, 2021, that ''[a]ll hell is going to break loose tomorrow.''[3] Accordingly, the Select Committee seeks both documents and your deposition testimony regarding these and multiple other matters that are within the scope of the Select Committee's inquiry.

A copy of the rules governing Select Committee depositions, and a copy of document production definitions and instructions are attached. Please contact staff for the Select Committee at 202–225–7800 to arrange for the production of documents.

Sincerely,

BENNIE G. THOMPSON,
Chairman.

---

[1] *E.g.*, BOB WOODWARD & ROBERT COSTA, PERIL at 233 (2021).

[2] *Id.* at 207.

Rub Kuznia, Curt Devine, & Drew Griffin, *How Trump Allies Stoked the Flames Ahead of Capitol Riot*, CNN (Jan. 18, 2021), https://www.cnn.com/2021/01/18/politics/trump-bannon-stone-giuliani-capitol-riot-invs-index.html.

SCHEDULE

In accordance with the attached Definitions and Instructions, you, Stephen K. Bannon, are hereby required to produce all documents and communications in your possession, custody, and control—including any such documents or communications stored or located on personal devices (e.g., personal computers, cellular phones, tablets, etc.), in personal or campaign accounts, and/or on personal or campaign applications (e.g., email accounts, contact lists, calendar entries, etc.)—referring or relating to referring or relating to the following items. If no date range is specified below, the applicable dates are for the time period April 1, 2020–present:

1. The January 6, 2021, rally on the mall and Capitol grounds in Washington, D.C., in support of President Donald J. Trump and opposition to certification of the results of the 2020 presidential election, including any permitting, planning, objectives, financing, and conduct, as well as any communications to or from any person or group involved in organizing or planning for the January 6, 2021, rally.

2. Then-President Trump's participation in the January 6, 2021, rally, including any communications with President Trump or any paid or unpaid attorney, advisor, aide, or assistant to President Trump relating to the nature, context, or content of President Trump's intended or actual remarks to those attending the January 6, 2021, rally.

3. Communications referring or relating to the nature, planning, conduct, message, context, or participation in the January 6, 2021, rally between or among any person who, during the administration of President Donald J. Trump, worked in the White House complex, including any employee or detailee.

4. Documents or other materials referring or relating to the financing or fundraising to assist any individual or organization's travel to or accommodation in Washington, D.C., to attend or participate in the January 6, 2021, rally.

5. ''The 'War Room' podcast,'' insofar as at any time you communicated through it statements referring or relating to efforts to contest the election results, including planning for the January 6, 2021, rally, including all statements concerning its planning, objectives, purpose, organization, message, or sponsorship.

6. The organization or group named ''March for Trump'' and its activities relating to the January 6, 2021, rally, including any communications you had with any officer or member of ''March for Trump'' relating in any way to the planning, objectives, organization, message, sponsorship, and participation in the January 6, 2021, rally.

7. Your presence, purpose, statements, and activities at a meeting at the Willard Hotel on January 5, 2021, or the presence, purpose, statements, or activities of others in attendance, related to that meeting.

8. Your communications with President Donald J. Trump concerning events on January 6, 2021, including but not limited to communications on December 30, 2020.

9. Your communications with President Donald J. Trump between November 3 and January 20, 2021, concerning efforts to contest the election results or delay or impede the electoral count.

10. Anyone with whom you communicated by any means with respect to any aspect of the planning, objectives, conduct, or participation in the January 6, 2021, rally, including but not limited to Boris Epshteyn, Kashyap Patel, and Ezra Cohen-Watnick.

11. Anyone with whom you communicated by any means with respect to efforts, plans, or proposals to contest the 2020 Presidential election results or delay, influence, or impede the electoral count, including but not limited to communications with Boris Epshteyn, Kashyap Patel, and Ezra Cohen-Watnick.

12. All public relations, advertising, or other communications efforts to persuade Americans that the election was stolen or to attend the rally on January 6.

13. The role of the Vice President as the Presiding Officer in the certification of the votes of the electoral college.

14. Any communication with any employees of President Trump's 2020 presidential campaign, the Republican National Committee, or any Trump Administration personnel including appointees, employees, and interns, about any of the foregoing topics.

15. Any communication regarding any of the foregoing topics with Proud Boys, Oath Keepers, Three Percenters, and Alex Jones.

16. Any communications with Representative Scott Perry and/or other Members of Congress about any of the foregoing topics.

17. Any communications with Rudolph Giuliani, John Eastman, Michael Flynn, Jenna Ellis, or Sydney Powell about any of the foregoing topics,

DOCUMENT PRODUCTION DEFINITIONS AND INSTRUCTIONS

1. In complying with this request, produce all responsive documents, regardless of classification level, that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.

2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Select Committee to Investigate the January 6th Attack on the United States Capitol (''Committee').

3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.

4. The Committee's preference is to receive documents in a protected electronic form (i.e., password protected CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions. With specific reference to classified material, you will coordinate with the Committee's Security Officer to arrange for the appropriate transfer of such information to the Committee. This includes, but is not necessarily limited to: a) identifying the classification level of the responsive document(s); and b) coordinating for the appropriate transfer of any classified responsive document(s).

5. Electronic document productions should be prepared according to the following standards:

a. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.

b. All electronic documents produced to the Committee should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD, INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

6. Documents produced to the Committee should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.

8. When you produce documents, you should identify the paragraph(s) or request(s) in the Committee's letter to which the documents respond.

9. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.

10. The pendency of or potential for litigation shall not be a basis to withhold any information.

11. In accordance with 5 U.S.C. 552(d), the Freedom of Information Act (FOIA) and any statutory exemptions to FOIA shall not be a basis for withholding any information.

12. Pursuant to 5 U.S.C. 552a(b)(9), the Privacy Act shall not be a basis for withholding information.

13. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production, as well as a date certain as to when full production will be satisfied.

14. In the event that a document is withheld on any basis, provide a log containing the following information concerning any such document: (a) the reason it is being withheld, including, if applicable, the privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the withholding.

15. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control. Additionally, identify where the responsive document can now be found including name, location, and contact information of the entity or entities now in possession of the responsive document(s).

16. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.

17. This request is continuing in nature and applies to any newly-discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.

18. All documents shall be Bates-stamped sequentially and produced sequentially.

19. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the Committee.

Definitions

1. The term ''document'' means any written, recorded, or graphic matter of any nature whatsoever, regardless of classification level, how recorded, or how stored/displayed (e.g. on a social media platform) and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, computer or mobile device screenshots/screen captures, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.

2. The term ''communication'' means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic

message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, through a social media or online platform, or otherwise.

3. The terms ''and'' and ''or'' shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this request any information that might otherwise be construed to be outside its scope. The singular includes plural number, and vice versa. The masculine includes the feminine and neutral genders.

4. The term ''including'' shall be construed broadly to mean ''including, but not limited to.''

5. The term ''Company'' means the named legal entity as well as any units, firms, partnerships, associations, corporations, limited liability companies, trusts, subsidiaries, affiliates, divisions, departments, branches, joint ventures, proprietorships, syndicates, or other legal, business or government entities over which the named legal entity exercises control or in which the named entity has any ownership whatsoever.

6. The term ''identify,'' when used in a question about individuals, means to provide the following information: (a) the individual's complete name and title; (b) the individual's business or personal address and phone number; and (c) any and all known aliases.

7. The term ''related to'' or ''referring or relating to,'' with respect to any given subject, means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, or is pertinent to that subject in any manner whatsoever.

8. The term ''employee'' means any past or present agent, borrowed employee, casual employee, consultant, contractor, de facto employee, detailee, assignee, fellow, independent contractor, intern, joint adventurer, loaned employee, officer, part-time employee, permanent employee, provisional employee, special government employee, subcontractor, or any other type of service provider.

9. The term ''individual'' means all natural persons and all persons or entities acting on their behalf.

[From the Congressional Record—House, Page H41, Jan. 4, 2021]

* * * health, safety, and well-being of others present in the Chamber and surrounding areas. Members and staff will not be permitted to enter the Hall of the House without wearing a mask. Masks will be available at the entry points for any Member who forgets to bring one. The Chair views the failure to wear a mask as a serious breach of decorum. The Sergeant-at-Arms is directed to enforce this policy. Based upon the health and safety guidance from the attending physician and the Sergeant-at-Arms, the Chair would further advise that all Members should leave the Chamber promptly after casting their votes. Furthermore, Members should avoid congregating in the rooms leading to the Chamber, including the Speaker's lobby. The Chair will continue the practice of providing small groups of Members with a minimum of 5 minutes within which to cast their votes. Members are encouraged to vote with their previously assigned group. After voting, Members must clear the Chamber to allow the next group a safe and sufficient opportunity to vote. It is essential for the health and safety of Members, staff, and the U.S. Capitol Police to consistently practice social distancing and to ensure that a safe capacity be maintained in the Chamber at all times. To that end, the Chair appreciates the cooperation of Members and staff in preserving order and decorum in the Chamber and in displaying respect and safety for one another by wearing a mask and practicing social distancing. All announced policies, including those addressing decorum in debate and the conduct of votes by electronic device, shall be carried out in harmony with this policy during the pendency of a covered period.

117TH CONGRESS REGULATIONS FOR USE OF DEPOSITION AUTHORITY

COMMITTEE ON RULES,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 4, 2021.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

MADAM SPEAKER: Pursuant to section 3(b) of House Resolution 8, 117th Congress, I hereby submit the following regulations regarding the conduct of depositions by committee and select committee counsel for printing in the Congressional Record.

Sincerely,

JAMES P. MCGOVERN,
Chairman, Committee on Rules.

REGULATIONS FOR THE USE OF DEPOSITION AUTHORITY

1. Notices for the taking of depositions shall specify the date, time, and place of examination. Depositions shall be taken under oath administered by a member or a person otherwise authorized to administer oaths. Depositions may continue from day to day.

2. Consultation with the ranking minority member shall include three days' notice before any deposition is taken. All members of the committee shall also receive three days written notice that a deposition will be taken, except in exigent circumstances. For purposes of these procedures, a day shall not include Saturdays, Sundays, or legal holidays except when the House is in session on such a day.

3. Witnesses may be accompanied at a deposition by personal, nongovernmental counsel to advise them of their rights. Only members, committee staff designated by the chair or ranking minority member, an official reporter, the witness, and the witness's counsel are permitted to attend. Observers or counsel for other persons, including counsel for government agencies, may not attend.

4. The chair of the committee noticing the deposition may designate that deposition as part of a joint investigation between committees, and in that case, provide notice to the members of the committees. If such a designation is made, the chair and ranking minority member of the additional committee(s) may designate committee staff to attend pursuant to regulation 3. Members and designated staff of the committees may attend and ask questions as set forth below.

5. A deposition shall be conducted by any member or committee counsel designated by the chair or ranking minority member of the Committee that noticed the deposition. When depositions are conducted by committee counsel, there shall be no more than two committee counsel permitted to question a witness per round. One of the committee counsel shall be designated by the chair and the other by the ranking minority member per round.

6. Deposition questions shall be propounded in rounds. The length of each round shall not exceed 60 minutes per side, and shall provide equal time to the majority and the minority. In each round, the member(s) or committee counsel designated by the chair shall ask questions first, and the member(s) or committee counsel designated by the ranking minority member shall ask questions second.

7. Objections must be stated concisely and in a non-argumentative and non-suggestive manner. A witness's counsel may not instruct a witness to refuse to answer a question, except to preserve a privilege. In the event of professional, ethical, or other misconduct by the witness's counsel during the deposition, the Committee may take any appropriate disciplinary action. The witness may refuse to answer a question only to preserve a privilege. When the witness has refused to answer a question to preserve a privilege, members or staff may (i) proceed with the deposition, or (ii) either at that time or at a subsequent time, seek a ruling from the Chair either by telephone or otherwise. If the Chair overrules any such objection and thereby orders a witness to answer any question to which an objection was lodged, the witness shall be ordered to answer. If a member of the committee chooses to appeal the ruling of the chair, such appeal must be made within three days, in writing, and shall be preserved for committee consideration. The Committee's ruling on appeal shall be filed with the clerk of the Committee and shall be provided to the members and witness no less than three days before the reconvened deposition. A deponent who refuses to answer a question after being directed to answer by the chair may be subject to sanction, except that no sanctions may be imposed if the ruling of the chair is reversed by the committee on appeal.

8. The Committee chair shall ensure that the testimony is either transcribed or electronically recorded or both. If a witness's testimony is transcribed, the witness or the witness's counsel shall be afforded an opportunity to review a copy. No later than five days after the witness has been notified of the opportunity to review the transcript, the witness may submit suggested changes to the chair. Committee staff may make any typographical and technical changes. Substantive changes, modifications, clarifications, or amendments to the deposition transcript submitted by the witness must be accompanied by a letter signed by the witness requesting the changes and a statement of the witness's reasons for each proposed change. Any substantive changes, modifications, clarifications, or amendments shall be included as an appendix to the transcript conditioned upon the witness signing the transcript.

9. The individual administering the oath, if other than a member, shall certify on the transcript that the witness was duly sworn. The transcriber shall certify that the transcript is a true record of the testimony, and the transcript shall be filed, together with any electronic recording, with the clerk of the committee in Washington, DC. Depositions shall be considered to have been taken in Washington, DC, as well as the location actually taken once filed there with the clerk of the committee for the committee's use. The chair and the ranking minority member shall be provided with a copy of the transcripts of the deposition at the same time.

10. The chair and ranking minority member shall consult regarding the release of deposition testimony, transcripts, or recordings, and portions thereof. If either objects in writing to a proposed release of a deposition testimony, transcript, or recording, or a portion thereof, the matter shall be promptly referred to the committee for resolution.

11. A witness shall not be required to testify unless the witness has been provided with a copy of section 3(b) of H. Res. 8, 117th Congress, and these regulations.

REMOTE COMMITTEE PROCEEDINGS REGULATIONS PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

COMMITTEE ON RULES,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 4, 2021.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

MADAM SPEAKER: Pursuant to section 3(s) of House Resolution 8, 117th Congress, I hereby submit the following regulations regarding remote committee proceedings for printing in the CONGRESSIONAL RECORD.

Sincerely,

JAMES P. MCGOVERN,
Chairman,
Committee on Rules.

REMOTE COMMITTEE PROCEEDINGS REGULATIONS PURSUANT TO HOUSE RESOLUTION 8

A. PRESENCE AND VOTING

1. Members participating remotely in a committee proceeding must be visible on the software platform's video function to be considered in attendance and to participate unless connectivity issues or other technical problems render the member unable to fully participate on camera (except as provided in regulations A.2 and A.3).

2. The exception in regulation A.1 for connectivity issues or other technical problems does not apply if a point of order has been made that a quorum is not present. Members participating remotely must be visible on the software platform's video function in order to be counted for the purpose of establishing a quorum.

3. The exception in regulation A.1 for connectivity issues or other technical problems does not apply during a vote. Members participating remotely must be visible on the software platform's video function in order to vote.

4. Members participating remotely off-camera due to connectivity issues or other technical problems pursuant to regulation A.1 must inform committee majority and minority staff either directly or through staff.

5. The chair shall make a good faith effort to provide every member experiencing connectivity issues an opportunity to participate fully in the proceedings, subject to regulations A.2 and A.3.

Mr. TONOLLI. I will mark as exhibit 2 and enter into the record an email exchange between * * * * and Robert Costello, Mr. Bannon's attorney.

From: Costello, Robert J. * * *
Sent: Friday, September 24, 2021 1:24 PM
To: * * *
Subject: Re: subpoena to Mr. Bannon

In response to your email of yesterday, this will advise you that I have been authorized by Steve Bannon to accept service of the subpoena from the House Select Committee on his behalf.

Very truly yours,

ROBERT J. COSTELLO.

Sent from my iPhone
On Sep 23, 2021, at 6:38 PM, * * * wrote:

CAUTION: EXTERNAL MAIL. DO NOT CLICK ON LINKS OR OPEN ATTACHMENTS YOU DO NOT TRUST

DEAR MR. COSTELLO,

I am following up on our conversation today in which you confirmed that you represent Stephen Bannon. I understand that you are checking with Mr. Bannon regarding whether he will authorize you to accept service of a subpoena on his behalf. The Select Committee to Investigate the January 6th Attack on the United States Capitol is today issuing the attached subpoena to Mr. Bannon for his testimony and the production of documents to the Committee. In the event that you will accept service, I am attaching to this email the subpoena, along with a letter from Chairman Bennie Thompson, a document schedule with accompanying production instructions, and a copy of the deposition rules.

Please confirm whether you will accept service of this subpoena on Mr. Bannon's behalf.

Thank you,

* * *

<Bannon, Stephen K. Subpoena 9.23.21.attachments.pdf>

IMPORTANT NOTICE: Beware of Cyber Fraud. You should never wire money to any bank account that our office provides to you via email without first speaking with our office. Further, do not accept emailed wiring instructions from anyone else without voice verification from a known employee of our office. Even if an email looks like it has come from this office or someone involved in your transaction. Please call us first at a number you know to be correct for this office to verify the information before wiring any money. Be particularly wary of any request to change wiring instructions you already received.

STATEMENT OF CONFIDENTIALITY

The information contained in this electronic message and any attachments to this message are intended for the exclusive use of the addressee(s) and may contain confidential or privileged information. If you are not the intended recipient, please notify us immediately by email reply to sender or by telephone to Davidoff Hutcher & Citron LLP at (800) 793–2843, ext. 3284, and destroy all copies of this message and any attachments.

IRS DISCLOSURE NOTICE

In accordance with Internal Revenue Service Circular 230, we inform you that any discussion of a federal tax issue contained in this communication (including any attachments) is not intended or written to be used, and it cannot be used, by any recipient for the purpose of (i) avoiding penalties that may be imposed on the recipient under United States federal tax laws, or (ii) promoting, marketing or recommending to another party any tax-related matters addressed herein.

Mr. TONOLLI. On September 23, 2021, * * * * emailed Mr. Costello the subpoena to Mr. Bannon and the accompanying materials included in exhibit 1 and asked whether Mr. Costello was authorized to accept service of the subpoena on Mr. Bannon's behalf.

Mr. Costello replied to * * * * on September 24, 2021, that he was authorized to accept service of the subpoena on Mr. Bannon's behalf.

I will mark as exhibit 3 and enter into the record a letter Mr. Costello sent to * * * * on October 7, 2021.

DAVIDOFF HUTCHER & CITRON LLP,
ATTORNEYS AT LAW, * * *
Washington, DC, October 7, 2021.

* * *

Re: The Subpoena for Stephen K. Bannon dated September 23, 2021.

DEAR * * *

I write today on behalf of Stephen K. Bannon with respect to the above referenced subpoena, which I accepted on behalf of Mr. Bannon. On the afternoon of October 6, 2021, I received a letter from Justin Clark, as counsel for then President of the United States Donald J. Trump. That letter references the subpoena that your Committee served upon Mr. Bannon, and notes that the subpoena:

''seeks records and testimony purportedly related to the events of January 6th, 2021, including but not limited to information which is potentially protected from disclosure by executive and other privileges, including among others the presidential communications, deliberative process, and attorney-client privileges. President Trump is prepared to defend these fundamental privileges in court.

Therefore, to the fullest extent permitted by law, President Trump instructs Mr. Bannon to: (a) where appropriate, invoke any immunities and privileges he may have from compelled testimony in response to the Subpoena; (b) not produce any documents concerning privileged material in response to the Subpoena; and (c) not provide any testimony concerning privileged material in response to the Subpoena.''

It is therefore clear to us that since the executive privileges belong to President Trump, and he has, through his counsel, announced his intention to assert those executive privileges enumerated above, we must accept his direction and honor his invocation of executive privilege. As such, until these issues are resolved, we are unable to respond to your request for documents and testimony.

We will comply with the directions of the courts, when and if they rule on these claims of both executive and attorney client privileges. Since these privileges belong to President Trump and not to Mr. Bannon, until these issues are resolved, Mr Bannon is legally unable to comply with your subpoena requests for documents and testimony.

Very truly yours,

ROBERT J. COSTELLO.

Mr. TONOLLI. In sum and substance, the letter states that Mr. Bannon is, ''legally unable to comply with your subpoena requests for documents and testimony,'' because President Trump's attorney informed Mr. Costello by letter, dated October 6, 2021, that President Trump is invoking executive privilege, ''to the fullest extent permitted by law,'' and instructing Mr. Bannon not to provide documents or testimony, ''concerning privileged material,'' in response to the Select Committee's subpoena.

I will mark as exhibit 4 and enter into the record a letter that Chairman THOMPSON sent to Mr. Costello in response on October 8, 2021.

SELECT COMMITTEE TO INVESTIGATE THE JANUARY 6TH ATTACK ON THE UNITED STAES CAPITOL,
October 8, 2021.

Mr. Robert J. Costello,
Davidoff Hutcher & Citron LLP
* * *

DEAR MR. COSTELLO, I write in response to your October 7, 2021 letter which states that your client, Stephen Bannon, is ''legally unable to comply'' with the September 23, 2021 subpoena (the ''Subpoena'') issued by the Select Committee to Investigate the January 6th Attack on the United States Capitol (the ''Select Committee''). Your letter relies on an apparent instruction from former President Donald Trump that appears limited to requesting that Mr. Bannon not disclose privileged information. Despite this limited instruction, your letter takes the inappropriate position that Mr. Bannon will not comply with any request for information or testimony sought by the Select Committee. Moreover, Mr. Trump's stated ''intention to assert those executive privileges'' that may or may not belong to him, does not provide a legal basis for Mr. Bannon's refusal to comply with the Subpoena.

You accepted service of the Subpoena for documents and testimony on Mr. Bannon's behalf on September 24, 2021. The Subpoena required that, by October 7, 2021 at 10:00 a.m., Mr. Bannon produce certain documents and

other records referring or relating to the matters described in the Subpoena's schedule. All the requested documents relate directly to the inquiry being conducted by the Select Committee, serve a legitimate legislative purpose, and are within the scope of the authority expressly delegated to the Select Committee pursuant to House Resolution 503. In the letter accompanying the Subpoena, the Select Committee set forth the basis for its determination that the documents and records sought by the Subpoena and Mr. Bannon's deposition testimony are of critical importance to the issues being investigated by the Select Committee.

Your letter indicates that the sole basis for defiance of the Subpoena is Mr. Trump's ''direction'' to your client and his decision to ''honor [Mr. Trump's] invocation of executive privilege.'' That position has no basis in law, and your letter does not cite any statute, case law, or other legal precedent for support.

First, virtually all the documents and testimony sought by the Subpoena concern Mr. Bannon's actions as a private citizen and involve a broad range of subjects that are not covered by executive privilege. You have provided no basis for Mr. Bannon's refusal to comply with those portions of the Subpoena not covered by any privilege. Furthermore, blanket assertions of the deliberative process and attorney-client privileges, such as those apparently requested by Mr. Trump, have been rejected by courts as ''unsustainable'' even when—unlike the situation with Mr. Bannon—the subpoena recipient is an Executive Branch agency. *See Comm. on Oversight and Gov't Reform v. Holder*, 2014 WL 2662665, at *2 (D.D.C. 2014) (rejecting DOJ's assertion of deliberative process privilege on all documents after a particular date and noting that the ''Attorney General has not cited any authority that would justify this sort of blanket approach'').

Second, the Select Committee has not received any assertion, formal or otherwise, of any privilege from the Mr. Trump. Even assuming that, as a former President, Mr. Trump is permitted to formally invoke executive privilege, he has not done so. At most, Mr. Trump has ''announced his intention to assert those executive privileges.'' The Select Committee is not aware of any legal authority, and your letter cites none, holding that the mere intention to assert a privilege absolves a subpoena recipient of his duty to comply.

Third, your letter indicates that Mr. Trump has requested that your client ''to the fullest extent permitted by law . . . not provide any testimony concerning privileged material in response to the Subpoena.'' Even if your client had been a senior aide to the President during the time period covered by the contemplated testimony, which he was most assuredly not, he is not permitted by law to the type of immunity you suggest that Mr. Trump has requested he assert. To the contrary, every court that has considered the absolute immunity Mr. Trump alludes to has rejected it. *See, e.g., Harlow v. Fitzgerald*, 457 U.S. 800 (1982); *Comm. on the Judiciary v. Miers*, 558 F. Supp. 2d 53, 106 (D.D.C. 2008) (rejecting former White House counsel's assertion of absolute immunity from compelled congressional process). *Miers* made clear that even the most senior Presidential advisors may not resist a congressional subpoena ''based solely on their proximity to the President. '' *Id*. at 101 (citing *Harlow*, 457 U.S. at 810).' If there is no absolute immunity for senior Presidential advisors, then there certainly can be no such immunity for private citizens, such as Mr. Bannon, who occasionally communicate with the President on nonofficial, non-governmental, or campaign-related matters.

Regardless of any purported privilege assertion by Mr. Trump, Mr. Bannon has an ongoing obligation to produce documents to the Select Committee. Accordingly, please produce all responsive documents and records identified in the Subpoena. Should Mr. Bannon seek to withhold specific responsive documents, consistent with the Subpoena instructions, he must provide the Select Committee with a privilege log that ''identifies and describes the material in a manner 'sufficient to enable resolution of any privilege claims.''' *See Comm. on Oversight*, 2014 WL 12662665 at *2 (quoting Miers, 558 F. Supp. 2d at 107). Such a privilege log should, at a minimum, provide the author(s) and recipient(s), indicate the general subject matter of each document being withheld, and the specific basis for withholding it.

Finally, the Select Committee expects Mr. Bannon's appearance at the time and place designated in the Subpoena for a deposition and respond fully to questions by the Select Committee. If there are specific questions at that deposition that you believe raise privilege issues, Mr. Bannon should state them at that time for the deposition record for the Select Committee's consideration and possible judicial review.

Please be advised that the Select Committee will view Mr. Bannon's failure to respond to the Subpoena as willful non-compliance with the Subpoena. His willful non-compliance with the Subpoena would force the Select Committee to consider invoking the contempt of Congress procedures in 2 U.S.C. §§192, 194—which could result in a referral from the House to the Department of Justice for criminal charges—as well as the possibility of having a civil action to enforce the Subpoena brought against Mr. Bannon in his personal capacity.

Sincerely,

BENNIE G. THOMPSON,
Chairman.

---

[1] It is also worth noting that the court in *Miers* rejected the former White House Counsel's claim of absolute immunity from congressional testimony even though the sitting President had formally invoked executive privilege. Id. at 62.

Mr. TONOLLI. And I'll take a brief pause to recognize that Mr. SCHIFF has joined us.

Turning back to the letter that Chairman THOMPSON sent on October 8th, in sum and substance, the response states that Mr. Costello's, ''letter relies on an apparent instruction from former President Donald Trump that appears limited to requesting that Mr. Bannon not disclose privileged information. Despite this limited instruction, your letter takes the inappropriate position that Mr. Bannon will not comply with any request for information or testimony sought by the Select Committee. Moreover, Mr. Trump's stated 'intention to assert those executive privileges' that may or may not belong to him does not provide a legal basis for Mr. Bannon's refusal to comply with the subpoena.''

The letter states the Select Committee's expectation that Mr. Bannon would appear today for the deposition and respond fully to the Select Committee's questions and to state for the record any objections to particular questions for the Select Committee's consideration and possible judicial review.

The letter concludes by advising that the Select Committee will view Mr. Bannon's failure to respond to the subpoena as, ''willful noncompliance,'' that would force the Select Committee to consider invoking the contempt of Congress procedures entitled to United States Code, sections 192 and 194, which could result in a referral from the House to the Department of Justice for criminal charges as well as the possibility of a civil action against Mr. Bannon personally to enforce the subpoena.

I will mark as a final exhibit, exhibit 5, and enter into the record a reply letter that Mr. Costello sent to Chairman THOMPSON, the evening of October 13, 2021.

DAVIDOFF HUTCHER & CITRON LLP,
ATTORNEYS AT LAW, * * *
Washington, DC, October 13, 2021.

Hon. BENNIE G. THOMPSON,
Chairman, House Select Committee to Investigate the January 6th Attack
* * *

Re: The Subpoena for Stephen K. Bannon dated September 23, 2021

DEAR CONGRESSMAN THOMPSON: I write on behalf of Stephen K. Bannon to respond to some of the inaccurate statements made in your letter to me dated October 8, 2021, which purports to address the positions taken by Mr. Bannon with respect to the above-referenced subpoena.

As an initial matter, your use of the word ''defiance'' is inappropriate. Mr. Bannon's position is not in defiance of your Committee's subpoena; rather, Mr. Bannon noted that President Trump's counsel stated that they were invoking executive and other privileges and therefore directed us not to produce documents or give testimony that might reveal information President Trump's counsel seeks to legally protect. Mr. Bannon has testified on three prior occasions, before the Mueller Investigation, the House Intelligence Committee and the Senate Intelligence Committee. In each of those instances, when President Trump waived his invocation of the executive privileges, Mr. Bannon testified.

As recently as today, counsel for President Trump, Justin Clark Esq., informed us that President Trump is exercising his executive privilege; therefore, he has directed Mr. Bannon not to produce documents or testify until the issue of executive privilege is resolved. Your Committee will have the right to challenge that exercise or its scope. That is an issue between the Committee and President Trump's counsel and Mr. Bannon is not required to respond at this time. See *Comm. on the Judiciary v. McGahn*, 415 F. Supp. 3d 148, FN 34 (D.D.C. 2019) (''The President can certainly identify sensitive information that he deems subject to executive privilege, and his doing so gives rise to a legal duty on the part of the aide to invoke the privilege on the President's behalf when, in the course of his testimony, he is asked a question that would require disclosure of that information.'')

Until such time as you reach an agreement with President Trump or receive a court ruling as to the extent, scope and application of the executive privilege, in order to preserve the claim of executive and other privileges, Mr. Bannon will not be producing documents or testifying. As noted previously, Mr. Bannon will revisit his position if President Trump's position changes or if a court rules on this matter.

Mr. Bannon's communications with President Trump on the matters at issue in the Subpoena are well within the scope of both the presidential communications and deliberative process executive privileges. See *In re Sealed Case (Espy)*, 121 F.3d 729 (D.C. Cir. 1997) (holding that the presidential communications privilege covers communications made or received by presidential advisors in the course of preparing advice for the President even if those communications are not made directly to the President); *Coastal States Gas Corp. V. U.S. Dep't of Energy*, 617 F.2d 854, 868 (D.C. Cir. 1980) (finding that deliberative process privilege applies to ''recommendations, draft documents, proposals, suggestions, and other subjective documents

which reflect the personal opinions of the writer rather than the policy of the agency.''

Very truly yours,

ROBERT J. COSTELLO.

Mr. TONOLLI. In sum and substance, the letter reiterates that Mr. Bannon is abiding by President Trump's invocation of executive privilege and direction to Mr. Bannon not to produce documents or testify.

In support of Mr. Bannon's position, the letter cites several judicial opinions on executive privilege, including a 2019 decision of the United States District Court in Washington in the case of *Committee on the Judiciary v. McGahn*.

In particular, the letter cites the following sentence from the court's opinion: ''The President can certainly identify sensitive information that he deems subject to executive privilege, and his doing so gives rise to a legal duty on the part of the aide to invoke the privilege on the President's behalf when, in the course of his testimony, he is asked a question that would require disclosure of that information.''

However, Mr. Bannon is not here today to assert executive privilege on a question-by-question basis. He chose instead not to appear at all, just as he chose not to produce any documents at all or even a log of responsive documents that he is withholding based on the claim of executive privilege.

With that, I will note for the record that it is 10:06 a.m., and Mr. Bannon still has not appeared or communicated to the Select Committee that he will appear today as required by the subpoena.

Accordingly, the record is now closed as of 10:06 a.m.

[Whereupon, at 10:06 a.m., the deposition was concluded.]

Mr. THOMPSON of Mississippi. Madam Speaker, by direction of the Select Committee to Investigate the January 6th Attack on the United States Capitol, I call up the resolution (H. Res. 730) recommending that the House of Representatives find Stephen K. Bannon in contempt of Congress for refusal to comply with a subpoena duly issued by the Select Committee to Investigate the January 6th Attack on the United States Capitol, and ask for its immediate consideration

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 727, the resolution is considered read.

The text of the resolution is as follows:

H. RES. 730

Resolved, That Stephen K. Bannon shall be found to be in contempt of Congress for failure to comply with a congressional subpoena.

Resolved, That pursuant to 2 U.S.C. §§ 192 and 194, the Speaker of the House of Representatives shall certify the report of the Select Committee to Investigate the January 6th Attack on the United States Capitol, detailing the refusal of Stephen K. Bannon to produce documents or appear for a deposition before the Select Committee to Investigate the January 6th Attack on the United States Capitol as directed by subpoena, to the United States Attorney for the District of Columbia, to the end that Mr. Bannon be proceeded against in the manner and form provided by law.

Resolved, That the Speaker of the House shall otherwise take all appropriate action to enforce the subpoena.

The SPEAKER pro tempore. The resolution shall be debatable for 1 hour equally divided and controlled by the gentleman from Mississippi (Mr. THOMPSON), the gentlewoman from Wyoming (Ms. CHENEY), and an opponent, or their respective designees.

The gentleman from Mississippi (Mr. THOMPSON), the gentlewoman from Wyoming (Ms. CHENEY), and the gentleman from Indiana (Mr. BANKS) each will control 20 minutes.

The Chair recognizes the gentleman from Mississippi.

GENERAL LEAVE

Mr. THOMPSON of Mississippi. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on this measure.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. THOMPSON of Mississippi. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, since Speaker PELOSI asked me to chair the January 6th Select Committee, I have spent a lot of time thinking about the importance of what we are doing, the weight of it, the urgency. We need to give the American people answers about what happened. There needs to be swift accountability. But there are longer-term considerations, too.

Madam Speaker, I am a grandfather, and when I talk to my grandkids about that horrific attack on our democracy on January 6, my mind jumps ahead to the future in store for them—questions about whether American democracy, as we know it now, will remain strong, whether it will withstand future tests.

That has to be the legacy of this committee's work. To be sure, we are going to answer questions about what happened on that day. But we also need to draw a roadmap for making sure our democracy remains strong tomorrow.

We will look backward at what happened and try to explain how and why the insurrection came about. But we will also look forward and generate recommendations for legislative policy and process changes that will help ensure that nothing like this ever happens again.

When we get to the end of this process and look back, we are going to ask ourselves: Did we do everything in our power to uncover every fact? Did we use the tools at our disposal to get a full accounting, or did we let someone stand in our way without facing consequences? Did we learn what we needed to know for Congress to forge legislation to help ensure we never experience another January 6 again?

That is why we are taking up this resolution today, citing Steve Bannon with criminal contempt and referring him for prosecution by the Justice Department.

We didn't choose to be here. This isn't about punishing Steve Bannon. The select committee would prefer and, frankly, expect all witnesses to fully cooperate. But Steve Bannon has led us down this path by refusing to cooperate in any way with our investigation.

We believe Mr. Bannon has information valuable to our probe. He was deeply involved in the so-called stop the steal campaign. He was reportedly in a war room meeting the day before the riot and had been pressuring the former President to try to stop the counting of the electoral college ballots.

He himself warned that ''all hell'' would break loose on January 6. We believe he can help inform our inquiry as to how the riot came together and what it was intended to achieve. He is clearly an important witness.

We subpoenaed him. And unlike other witnesses who have engaged and worked with our team to find a way to cooperate, Mr. Bannon told us he wouldn't comply because the former President told him not to. He hid behind vague and baseless claims of privilege. That is just not acceptable.

The select committee told Mr. Bannon several times that he would face the consequences if he didn't change course. Well, he didn't change course, and his actions have brought us to this point.

Madam Speaker, we need to make it clear that no person is above the law. We need to take a stand for the integrity of the select committee's investigation and for the integrity of this body.

What sort of precedent would it set for the House of Representatives if we allow a witness to ignore us flat out without facing any kind of consequences? What message would it send to other witnesses in our investigation?

I am not willing to find out. I am not willing to get to the end of the select committee's work and look back wishing we had done more to uncover all the facts, not when we know what is on the line, when we know that our democracy isn't yet out of danger, when we know that the forces that tried to overturn the election persist in their assault on the rule of law.

Our investigation is going forward. We are hearing from witnesses, reviewing documents, and analyzing data. Mr. Bannon stands alone in his defiance, and we will not stand for it. We will not allow anyone to derail our work because our work is too important: helping ensure that the future of American democracy is strong and secure.

Madam Speaker, I reserve the balance of my time.

Ms. CHENEY. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, a year ago today, the election was still a couple of weeks off. We knew it would be a tight race. Most of us did not anticipate that President Trump, or any President, frankly, would ever simply reject the outcome of the vote.

President Trump had the right to challenge the outcome in our State and Federal courts, which have an appropriate and constitutional role in resolving election claims. But what he did thereafter has no precedent in our history. He rejected the courts' rulings in dozens of cases, including the rulings of judges President Trump himself appointed.

He rejected what his own Department of Justice officials told him over and over again, that they found no evidence of widespread fraud sufficient to overcome the election. He rejected the conclusions of both the Department of Justice and the intelligence community that the Dominion Voting machines had not secretly changed the election outcome.

President Trump had no factual or constitutional basis for his claims. And the lawyers he found who would carry his false claims forward have paid the consequences. Rudy Giuliani's license to practice law has been suspended, and Sidney Powell has been sanctioned by a Federal judge.

But Donald Trump persisted, attempting through every manner he could imagine to try to overturn the outcome of the election. We all saw what happened. The people who attacked this building have told us on video, on social media, and now before the Federal courts exactly what motivated them. They believed what Donald Trump told them, that the election was stolen and that they needed to take action.

Today, Madam Speaker, we are here to address one witness, Mr. Steve Bannon. I urge all Americans to watch what Mr. Bannon said on his podcast on January 5 and 6. It is shocking and indefensible. He said, ''All hell is going to break loose.'' He said, ''We are coming in right over the target. This is the point of attack we have always wanted.''

Madam Speaker, there are people in this Chamber right now who were evacuated with me and with the rest of us on that day during that attack; people who now seem to have forgotten the danger of the moment, the assault on the Constitution, the assault on our Congress; people who you will hear argue that there is simply no legislative purpose for this committee, for this investigation, or for this subpoena.

In fact, there is no doubt that Mr. Bannon knows far more than what he said on the video. There is no doubt that all hell did break loose. Just ask the scores of brave police officers who were injured that day protecting all of us. The American people deserve to hear his testimony.

Let me give you just four examples of the legislative purpose of this investigation.

First, the plot we are investigating, involving Mr. Eastman, Mr. Giuliani, Mr. Bannon, President Trump, and many others, their plot attempted to halt or delay our count of electoral votes and reverse the outcome of the 2020 election. The 1887 Electoral Count Act is directly at issue, and our investigation will lead to recommendations to amend or reform that act.

□ 1445

Second, while the attack was underway, President Trump knew it was happening; indeed, he may have been watching it all unfold on television, and yet he took no immediate action to stop it. This appears to be a supreme dereliction of duty by President Trump, and we are evaluating whether our criminal laws should be enhanced to supply additional and more severe consequences for this type of behavior.

Third, we know from our investigation to date that President Trump was pressuring the Department of Justice in late December 2020 to support his false claims that the election was stolen. Several brave and honorable Trump appointees at the department flatly refused to go along with this fraud and threatened to resign. We are evaluating what, if any, additional laws may be required to prevent a future President from succeeding in such an effort.

Fourth, we know that President Trump made efforts to persuade State election officials to ''find votes'' to change the election outcome in his favor. We are evaluating whether the criminal laws of the United States should be enhanced to make the penalty for this type of behavior even more severe, and, if so, in what manner.

Mr. Bannon's own public statements made clear he knew what was going to happen before it did, and thus he must have been aware of and may well have been involved in the planning of everything that played out on that day.

The American people deserve to know what he knew and what he did.

Madam Speaker, I reserve the balance of my time.

Mr. BANKS. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, 3 months ago, for the first time in the history of Congress, Speaker PELOSI vetoed JIM JORDAN and me from serving on the Select Committee to Investigate the January 6th Attack on the United States Capitol.

Not all firsts are worth celebrating. It was a shameful and divisive decision with real consequences. Today, because of that decision, there is no committee conducting a legitimate investigation into January 6. Congress is prohibited from conducting criminal investigations, period.

But that is exactly what the select committee is doing, conducting an illicit, criminal investigation into American citizens. Steve Bannon was a private citizen before, after, and during January 6.

So why is the select committee interested in Steve Bannon?

It is simple. He is a Democratic Party bogeyman. The select committee despises Steve Bannon's politics, so they are abusing their power to put him in jail.

The committee explained it is seeking documents from Mr. Bannon because he helped ''construct and participated in'' the permitted and legal Stop the Steal rally.

To date, the select committee has subpoenaed 11 other private citizens for organizing the Stop the Steal rally.

Here, in the land of the free, 12 American citizens are under congressional investigation for the sole crime of planning a legal political protest. Never in the history of Congress has a committee or a political party stooped so low.

Congress has no authority to conduct criminal investigations. Congress can only issue subpoenas to serve a legislative purpose.

The question that the committee must answer is: Why are they seeking information about a permitted political rally?

What legislative purpose does that serve?

Is the committee considering laws to limit Americans' right to political protest?

It is clear that the select committee doesn't give a lick about Congress' subpoena authority.

Does the committee share the same disdain for the First Amendment?

I wouldn't put it past them. As we all know, the Department of Justice has a highly active criminal investigation into the January 6 attack. They have made something like 600 arrests—as I said, very active, even hyperactive, compared to the Biden Department of Justice's typical reaction to political violence. But the Department of Justice's investigation isn't comprehensive.

There are still questions that only Congress can answer. Congress still has a role to play, but the select committee has completely abandoned that role.

Why else does the select committee want to hear from Mr. Bannon?

Because on January 5, Mr. Bannon warned that ''all hell was going to break loose tomorrow.''

So according to the select committee, no person could have predicted that violence might occur that day. According to the committee, that because Mr. Bannon warned of violence on the 5th is proof that Mr. Bannon had ''foreknowledge'' of the attack on the 6th.

Never mind that the FBI found that the attack wasn't coordinated. Never mind that the Capitol Police received actionable intelligence about potential violence occurring weeks before the 6th. Never mind that every Member of Congress, every single D.C. resident, and every American with internet access knew that violence was a possibility on January 6.

The question the committee should be asking is this: How did the United States Capitol Police, the D.C. Metropolitan Police, and the FBI all have no

clue that ''all hell was going to break loose?''

Steve Bannon, a private citizen, knew.

So why didn't the Capitol Police have enough riot shields?

Why did it take multiple hours to deploy the National Guard?

These are worthwhile questions, and Congress has a duty to answer them because January 6 was an enormous intelligence failure. There was a breakdown in security, a breakdown that was repeated on Good Friday when Officer Billy Evans was brutally murdered.

The issues that plagued the Capitol Police on January 6 have not been fixed. In fact, according to a Capitol Police whistleblower, the officers most responsible for the intelligence failure on the 6th were promoted by Speaker PELOSI's team.

To be clear, the select committee is engaged in an unconstitutional, political investigation. It is a sham investigation conducted by a sham committee that refuses to answer real questions about what happened on January 6.

The Capitol was attacked, and instead of figuring out what went wrong, the committee launched its own attack on Congress' norms.

The Select Committee's politicization of January 6 cuts both ways. The committee's inaction has made the Capitol less secure, and the committee's actions have further separated Congress from its constitutional role.

The American people and the United States Capitol Police deserve a real investigation into the 6th, and the select committee has abandoned them.

Madam Speaker, I urge all of my colleagues to make the moral vote. Do the right thing. I urge Members to vote for the rule of law, for the institution of Congress, and against the select committee's dangerous abuse of Congress' oversight authority.

Madam Speaker, I reserve the balance of my time.

Mr. THOMPSON of Mississippi. Madam Speaker, I heard the gentleman opposing this resolution. We are not actually seeking information from Mr. Bannon because of his opinions. We issued the subpoena because we believe he has knowledge of relevant facts that we need to discover. We are not violating anything and, certainly, not Mr. Bannon's First Amendment rights. The only violation we can talk about is the violation of this building on January 6, and Mr. Bannon's claim that the election was stolen helped foment that attack. Investigating that is also part of our charter.

Madam Speaker, I reserve the balance of my time.

Ms. CHENEY. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I wanted to correct the RECORD. The gentleman from Indiana asserted that the FBI has found there was no coordination. That is just simply not true.

The gentleman also said that he is not on the committee. He noted that the Speaker had determined that he wouldn't be on the committee.

Madam Speaker, I have a number of letters the gentleman from Indiana has been sending to Federal agencies, and I include in the RECORD one dated September 16, 2021, for example, signing his name as the ranking member of the committee he has just informed the House he is not on and that, in fact, he is not on.

HOUSE OF REPRESENTATIVES,
Washington, DC, September 16, 2021.

Hon. DEB HAALAND,
Secretary, Department of the Interior, Washington, DC.

DEAR SECRETARY HAALAND: You are receiving this letter because the House of Representatives Select Committee to Investigate the events of January 6th may have sent you a request for information. The House Republican Leader Kevin McCarthy appointed me to serve as the Ranking Member of the Select Committee. Yet, House Speaker Nancy Pelosi refused to allow me to fulfill my duties as Ranking Member.

Pursuant to the rules of the House of Representatives, the minority party in Congress retains rights to the same information that is provided to the majority party. For those reasons, I ask that you provide me any information that is submitted to the Select Committee. Additionally, please include me on any update or briefing that you provide. If you have questions, please do not hesitate to contact my staff.

Sincerely,

JIM BANKS,
Ranking Member.

Ms. CHENEY. Madam Speaker, I yield 3 minutes to the gentlewoman from California (Ms. LOFGREN).

Ms. LOFGREN. Madam Speaker, I would note that the gentleman from Indiana is incorrect. We are not pursuing a law enforcement investigation. Only the DOJ can do that.

What we are doing is taking the steps that are provided for under the congressional contempt statute that has existed for many decades because the select committee's charge is to get to the bottom of what happened on January 6, who planned it, who paid for it, what was the intent, and what legislative steps can we recommend to remove future threats to our Constitution.

To do that, we need information, both documents and testimony; and to get that we issue subpoenas.

Now what is a subpoena?

Is it just a suggestion, a mere request, an encouragement to testify?

No. A subpoena is a writ issued by a government agency, in this case the Congress, to compel testimony or production of evidence. When you get a subpoena, Madam Speaker, the law requires you to comply. If you think there may be some valid reason that excuses you from telling the truth under oath, then you have to come in and make your case to the committee.

Steve Bannon is the only person who has outright refused to engage with the committee. He thinks that if he simply obstructs Congress by not showing up he will escape the consequences. But as Theodore Roosevelt said, ''No man is above the law and no man is below the law.''

If you get a subpoena, you cannot hide behind vague and immaterial claims of privilege.

The cases make it clear—Judicial Watch, Nixon v. GSA, and the McGahn case—executive privilege is limited to immediate White House advisers on government policy. Bannon is a private citizen. His extravagant claims can't shield his conversations and plotting with other private citizens. His status, according to the cases, doesn't get executive privilege protection. He has no absolute immunity.

Madam Speaker, what would happen if an American received a subpoena from Congress or a court?

Do you think they could get away with just saying: Go fly a kite? They would be held accountable.

And so should Mr. Bannon be held to account for defying the law regarding this subpoena.

Madam Speaker, to defend the rule of law, we must vote ''yes'' on this resolution.

Mr. BANKS. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, no one has said that the select committee doesn't have a legislative purpose.

Let's be very clear. There is important work that, frankly, we wish they were doing; like answering, why was this campus left unprotected? And what are we doing to keep it from happening again? That hasn't happened yet.

What we are saying is that the subpoenas that have so far been issued do not ask for information that would meet any legitimate legislative purpose.

Madam Speaker, I yield such time as he may consume to the gentleman from the great State of Illinois (Mr. RODNEY DAVIS).

Mr. RODNEY DAVIS of Illinois. Madam Speaker, I thank my friend and colleague from Indiana (Mr. BANKS) for yielding.

I can tell you, when I got elected to serve in this body almost 9 years ago, I didn't expect to be standing here today to talk about such an important issue.

I spent 16 years as a congressional staffer working for a Member of Congress whom I looked up to and who respected this institution for what it was and what it meant to our country.

When I came to Congress to serve with him, I had the utmost respect for this institution at the same time. That is why I wanted to be part of the House Administration Committee because I wanted to make this Congress and this House work better, act in a much more bipartisan manner, and make sure that we protect those who run this campus, but also at the same time protect those who protect us.

Madam Speaker, we are now months and months in, months and months

post January 6. From my many conversations with U.S. Capitol Police officers and those who work on this campus, they have the same concerns I have.

The question they ask is: Why were we so unprotected on January 6? And what has changed since then?

□ 1500

Getting to the bottom of those questions should be the top priority for all of us in this House. There are serious security vulnerabilities that have not been addressed by this House in nearly 11 months after January 6. And this is what the majority has decided to spend its time on, holding a private citizen, who wasn't even part of the administration at the time, in contempt for refusing to comply with House Democrats' subpoenas. This is after more than 600 people have been arrested for their role in the tragedies we saw on January 6.

When I get the article, I will submit for the RECORD, Madam Speaker, a Reuters article that talks about senior officials stating at the FBI that there was no organized effort to overthrow the government on January 6. So I will submit it once I get a copy of that. I did not bring it with me.

But our job, again, is to secure this Capitol. We have never seen a breach like the one that we saw that day. And it is our responsibility to make sure it doesn't happen again.

But that hasn't been done under the leadership of this House. We have had two independent reports regarding January 6, one bipartisan report in the Senate and another one commissioned by the Speaker herself, and that came out in March. These have never been acted on. But this is what the select committee has been working on?

The Capitol Police IG has released seven reports related to January 6, making recommendations on what is needed to secure this Capitol. To my disappointment, the majority has not acted in a meaningful way to ensure that all 103 IG findings are implemented.

These reports have all told us what the problems are and the recommendations on how to fix them. But Congress, us, have failed to even debate these changes, let alone act on them.

We know massive changes to intel, perimeter protection training, leadership structure, decisionmaking processes, and many, many more are needed, but neither the select committee, nor the Committee on House Administration, seem at all interested in ensuring these changes are made.

The Committee on House Administration, which has oversight of security, hasn't held a single hearing since August 5, with no upcoming hearings scheduled according to the majority's website.

The select committee, right now, as we see, is just purely focused on political subpoenas.

Madam Speaker, I include in the RECORD the articles I previously mentioned.

[From Reuters, Aug. 20, 2021]

EXCLUSIVE: FBI FINDS SCANT EVIDENCE U.S. CAPITOL ATTACK WAS COORDINATED—SOURCES

(By Mark Hosenball and Sarah N. Lynch)

WASHINGTON, Aug 20 (Reuters).—The FBI has found scant evidence that the Jan. 6 attack on the U.S. Capitol was the result of an organized plot to overturn the presidential election result, according to four current and former law enforcement officials.

Though federal officials have arrested more than 570 alleged participants, the FBI at this point believes the violence was not centrally coordinated by far-right groups or prominent supports of then-President Donald Trump, according to the sources, who have been either directly involved in or briefed regularly on the wide-ranging investigations.

''Ninety to ninety-five percent of these are one-off cases,'' said a former senior law enforcement official with knowledge of the investigation. ''Then you have five percent, maybe, of these militia groups that were more closely organized. But there was no grand scheme with Roger Stone and Alex Jones and all of these people to storm the Capitol and take hostages.''

Stone, a veteran Republican operative and self-described ''dirty trickster'', and Jones, founder of a conspiracy-driven radio show and webcast, are both allies of Trump and had been involved in pro-Trump events in Washington on Jan. 5, the day before the riot.

FBI investigators did find that cells of protesters, including followers of the far-right Oath Keepers and Proud Boys groups, had aimed to break into the Capitol. But they found no evidence that the groups had serious plans about what to do if they made it inside, the sources said.

Prosecutors have filed conspiracy charges against 40 of those defendants, alleging that they engaged in some degree of planning before the attack.

They alleged that one Proud Boy leader recruited members and urged them to stockpile bulletproof vests and other military-style equipment in the weeks before the attack and on Jan. 6 sent members forward with a plan to split into groups and make multiple entries to the Capitol.

But so far prosecutors have steered clear of more serious, politically-loaded charges that the sources said had been initially discussed by prosecutors, such as seditious conspiracy or racketeering.

The FBI's assessment could prove relevant for a congressional investigation that also aims to determine how that day's events were organized and by whom.

Senior lawmakers have been briefed in detail on the results of the FBI's investigation so far and find them credible, a Democratic congressional source said.

The chaos on Jan. 6 erupted as the U.S. Senate and House of Representatives met to certify Joe Biden's victory in November's presidential election.

It was the most violent attack on the Capitol since the War of 1812, forcing lawmakers and Trump's own vice president, Mike Pence, to scramble for safety.

Four people died and another died the following day, and more than 100 police officers were injured.

TRUMP'S SPEECH

Trump made an incendiary speech at a nearby rally shortly before the riot, repeating false claims that the 2020 election was stolen and urging supporters to march on the Capitol to pressure lawmakers to reject Biden's victory.

In public comments last month to the Democratic-led congressional committee formed to investigate the violence, police officers injured in the mayhem urged lawmakers to determine whether Trump helped instigate it. Some Democrats have said they want him to testify.

But the FBI has so far found no evidence that he or people directly around him were involved in organizing the violence, according to the four current and former law enforcement officials.

More than 170 people have been charged so far with assaulting or impeding a police officer, according to the Justice Department. That carries a maximum sentence of 20 years.

But one source said there has been little, if any, recent discussion by senior Justice Department officials of filing charges such as ''seditious conspiracy'' to accuse defendants of trying to overthrow the government. They have also opted not to bring racketeering charges, often used against organized criminal gangs.

Senior officials had discussed filing such charges in the weeks after the attack, the sources said.

Prosecutors have also not brought any charges alleging that any individual or group played a central role in organizing or leading the riot. Law-enforcement sources told Reuters no such charges appeared to be pending.

Conspiracy charges that have been filed allege that defendants discussed their plans in the weeks before the attack and worked together on the day itself. But prosecutors have not alleged that this activity was part of a broader plot.

Some federal judges and legal experts have questioned whether the Justice Department is letting defendants off too lightly.

Judge Beryl Howell in July asked prosecutors to explain why one defendant was allowed to plead to a misdemeanor charge carrying a maximum sentence of six months, rather than a more serious felony charge.

Spokespeople for the Justice Department and U.S. Attorney's office in Washington, which is leading the Jan. 6 prosecutions, declined to comment.

The congressional committee investigating the attack will talk with the FBI and other agencies as part of its probe.

[From Business Insider, Aug. 20, 2021]

FBI FINDS NO EVIDENCE THAT TRUMP AND HIS ALLIES WERE DIRECTLY INVOLVED WITH ORGANIZING THE VIOLENCE OF THE CAPITOL RIOT: REPORT

(By Bryan Metzger)

The FBI has found no evidence that Trump was directly involved in organizing Capitol-riot violence.

It also found little evidence of an organized plot to overturn the election results.

Ninety to ninety-five percent of these are one-off cases,'' said one former official.

See more stories on Insider's business page.

The FBI hasn't found any evidence that the January 6 assault on the US Capitol was part of an organized plot to overturn the election results, Reuters reported, citing law-enforcement officials.

The officials also said that the FBI has ''so far found no evidence'' that former President Donald Trump or ''people directly around him were involved in organizing the violence,'' Reuters reported.

''Ninety to ninety-five percent of these are one-off cases,'' a former law-enforcement official familiar with the investigation told Reuters. ''There was no grand scheme with Roger Stone and Alex Jones and all of these people to storm the Capitol and take hostages.''

More than 570 participants have been arrested by federal officials. Investigators have found that groups such as the Oath Keepers

and Proud Boys did plan ahead of time to break into the Capitol, but they didn't engage in much planning beyond that step. Reuters reported that 40 percent of the defendants are being prosecuted on conspiracy charges, implying a certain amount of planning and coordination.

But prosecutors have generally shied away from alleging a broader plot. Senior Department of Justice officials do not intend to bring forward seditious-conspiracy charges or even racketeering charges, which are commonly used against organized criminal gangs.

A Democratic congressional source told Reuters that senior lawmakers who have been briefed on the FBI's investigation find the results credible.

Though the FBI has not found an organized plot or direct involvement by Trump, that doesn't mean that Trump didn't play an important role in instigating the violence. Earlier this year, the House of Representatives impeached Trump on the charge of ''incitement of insurrection'' after he spent weeks promoting conspiracy theories about the results of the 2020 election. On January 6, Trump gave a speech on The Ellipse where he urged supporters to march on the Capitol.

Read the original article on Business Insider.

Mr. RODNEY DAVIS of Illinois. Additionally, a number of questions from that day still remain unanswered. I am still waiting for the Speaker of the House to answer a letter I sent her back in February that asked why the National Guard, requested by Police Chief Sund, were denied? And why was the Speaker's office and the Speaker involved in eventually approving the request? Why has the House Sergeant at Arms refused to comply with preservation and production requests from my office?

We have many, many more questions about why the Capitol was so unprepared that day. Our top priority should be ensuring our Capitol is never as vulnerable as it was on January 6, but this majority has done absolutely nothing to make the security changes needed to make this Capitol safer.

Madam Speaker, we must do better. We have not fixed the institutional problems with our security apparatus that led to the lack of preparation, the danger that our brave officers were put in on that day and any other possible day like that in the future. That is a failure of leadership in this institution.

We must fix the problems that led to the terrible security posture here—and I will tell you, after witnessing what we saw a few different days and security postures that this House was put into a couple of other days since January 6—and I urge you to talk to the brave officers that stand around these buildings and protect all of us every day; ask them the same question I do. Ask them if we have put them in a better position than they were in on January 6? And the answer out of every single officer I asked that question to is ''no.''

What is stopping this House from fixing the problems? It is a lack of will. It is a lack of focusing on the true issues that led for them to be put in a dangerous spot on January 6. Instead, we are talking politics. It is wrong, and we must do better.

I have said this time and time again, I stand willing to work with my Democrat colleagues to make this House, this Capitol, safer for everyone. Instead, it is all about political points like the one being scored today.

I am disappointed. You can tell. My frustration is going to continue to boil over until we are in a position to fix the problems that I have laid out and that we know exist.

Mr. THOMPSON of Mississippi. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, in response to the gentleman from Illinois' statement, the first hearing of the select committee that we actually held interviewed four officers who put their lives on the line defending all of us who work here in this body. So I assure you, my directions to the committee have always been, we will look at all of the facts and circumstances surrounding what occurred.

We are genuinely interested in getting to the facts. We are working to get the answers. And that is why we are on the floor today, to get answers from Steve Bannon about what he knew, what he did leading up to January 6.

Also, to the gentleman from Indiana, I am glad he finally agrees that the select committee has a legitimate legislative purpose and that is why we are here today, pursuing that legislative purpose. So I am happy that the RECORD will reflect his comments.

Madam Speaker, I yield 2 minutes to the gentlewoman from Florida (Mrs. MURPHY), a valiant member of the select committee.

Mrs. MURPHY of Florida. Madam Speaker, I rise in support of this resolution to refer Stephen Bannon to the Department of Justice for prosecution for contempt of Congress.

It didn't have to be this way. Mr. Bannon, a self-professed patriot, could have done the patriotic thing and cooperated with our bipartisan committee.

If Mr. Bannon was proud of the role he played in connection with January 6, he should be eager to tell his side of the story. Instead, he is acting like a man who has something to hide. Our committee seeks only the truth. That is our legal charge and our moral obligation. We cannot let any individual impede our inquiry, and we will not tolerate Mr. Bannon's evasion.

Why must we be so unrelenting in our pursuit of truth? Because on January 6, the greatest Nation on Earth came under attack. And this attack wasn't carried out by officials in Beijing, Moscow, or Tehran, or by foreign terrorists even. It was an attack conducted by our fellow citizens, regular Americans who were radicalized because they believed outrageous lies fed to them by other Americans in positions of power and influence.

The attack was launched against the seat and symbol of our Republic. It was designed to disrupt the certification of the Presidential election results, to defy the will of the voters. This was no peaceful protest in a proud American tradition. It was violent and vicious. Members of the mob wielded weapons. They called for the death of the Vice President. They hunted Members of Congress. They caused severe harm to law enforcement officers. And the real disservice to the police comes from those who want to whitewash the violence of January 6 and pretend that the riot of that day was anything short of the violent attack it was, aimed at derailing the peaceful transfer of power.

America is not just a place; it is an idea. And on January 6, there was an attack on the very idea of America. I believe that patriots of all political stripes should want to protect our Capitol, this country, and her Constitution. Our committee will make a full accounting of what happened, and we will make recommendations to ensure it never happens again.

Ms. CHENEY. Madam Speaker, I yield 3 minutes to the gentleman from California (Mr. AGUILAR).

Mr. AGUILAR. Madam Speaker, I thank the vice chair for yielding.

Like many of my colleagues, I was right here on the House floor when the violent mob attacked our Capitol. I saw those doors shaking, nearly overrun with rioters attempting to enter. I saw my colleagues shed their jackets and roll up their sleeves preparing for the eventuality. And I saw Capitol Police acting quickly and thoughtfully to conduct a successful evacuation of Members from this Chamber. Their actions, undoubtedly, saved lives.

What we didn't know at the time was that on the steps of the Capitol, the Capitol Police and the Metro PD officers were engaged in brutal hand-to-hand combat. Officer Michael Fanone told us he was grabbed, beaten, and tased, all while being called a traitor to this country.

This is what officers dealt with to defend our democracy. Some lost their lives; many are still living with both the physical wounds and the trauma that they suffered that day. This is what our officers dealt with to defend democracy.

Officer Harry Dunn told us more than 6 months later, January 6 still isn't over for me. These officers are heroes. I want to thank the chair and the vice chair for their leadership in making our first order of business hearing directly from those heroes in their own words.

We wanted to hear and make sure that all of our colleagues and this country heard firsthand what we experienced on the ground that day. We asked them to explain the violence they had to endure to protect our democratic process, and in return, they made one simple request: to get to the bottom of this.

They want answers, and, quite frankly, they deserve answers. So far, both the Metro PD and the Capitol Police

have been excellent allies in this investigation. They have cooperated, shared their stories and expertise, and provided us with key evidence and accounts of the violence they endured that day. And we owe it to them to see this investigation through.

The vote we take today is a crucial step toward removing a roadblock in our investigation. We owe it to every officer who put their life on the line that day and every day to protect us here in the Capitol. We owe them answers. And this committee intends to get to those answers by all means necessary.

Madam Speaker, I urge my colleagues to vote ''yes'' on this resolution.

Mr. BANKS. Mr. Speaker, I reserve the balance of my time.

Mr. THOMPSON of Mississippi. Madam Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. KINZINGER), an Iraq and Afghanistan Air Force veteran and a lieutenant colonel in the Air National Guard.

Mr. KINZINGER. Madam Speaker, I thank the chairman for yielding. Let me just say first, Madam Speaker, as a Republican, don't let my side use the security posture as the straw-man argument in this. The reality is that that is the equivalent of blaming the victim of a crime for the crime. And while it is important, that is not what we are here to talk about today.

Madam Speaker, voting on a criminal contempt resolution is not the position we had hoped to be in, but Steve Bannon went out of his way to earn this resolution before us and now we must approve it.

Mr. Bannon's willful disregard for the select committee's subpoena demonstrates his utter contempt for the American people's right to know how the attacks on January 6 came about. He has advanced a ludicrous legal argument in support of his decision not to corroborate or comply, a decision that defies the rule of law and rejects the will of the American people.

Mr. Bannon's reported actions put him near the center of the investigation into the events surrounding January 6. His own words strongly suggest that the actions of the mob that stormed the Capitol and invaded this very Chamber came as no surprise to him. He and a few others were, by all accounts, involved in planning that day's events, and encouraged those who attacked the Capitol, our officers, and our democracy.

I have no doubt that Mr. Bannon's scorn for our subpoena is real. But no one—and I repeat, no one—is above the law, and we need to hear from him.

As the select committee's contempt report states, it was Mr. Bannon who on January 5 predicted with chilling accuracy: ''All hell is going to break loose tomorrow.''

On his radio show that day he stated: ''It's not going to happen like you think it's going to happen. Okay. It's going to be quite extraordinarily different. All I can say is, strap in. You made this happen and tomorrow it's game day. So strap in. Let's get ready.''

And it was Mr. Bannon, who was recorded as saying: ''It's all converging, and now we're on the point of attack tomorrow.''

□ 1515

Mr. Bannon said these things publicly, as a private citizen, someone deeply involved with the Stop the Steal movement, and he said them nearly 3 years after leaving his job at the White House.

Mr. Bannon was also reportedly among the small group of Trump confidants assembled at the Willard Hotel to discuss plans to stop or delay the January 6 count.

Is it any wonder that the select committee needs to hear from him; that we want to see related materials that he has?

Furthermore, does anyone really believe Mr. Bannon's actions are covered by a blanket, no-questions-asked claim of executive privilege? One the former President has never actually made.

Madam Speaker, Steve Bannon is a key witness to the select committee's probe. He has yet to say or produce anything in response to the subpoena. His assertion of executive privilege is farfetched in the extreme and not his to make.

I urge my colleagues to join me to support the contempt resolution.

Ms. CHENEY. Madam Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. RASKIN).

Mr. RASKIN. Madam Speaker, today, Donald Trump said the insurrection took place on November 3. No, Mr. Trump. I am sorry. That is what we call an election in America; an election that was validated by more than 60 Federal or State courts, including before eight judges nominated to the bench by President Trump himself, and all the way up to the United States Supreme Court, all of them rejecting every claim of electoral fraud and corruption that was advanced.

We know an insurrection when we see one in this body, because we lived through one. Under the banner of this continuing and deranged big lie, the Stop the Steal movement brought down a violent insurrection against this Congress in an attempted coup against Vice President Mike Pence. They interrupted the counting of electoral college votes for the first time in American history. They caused the worst attack on Congress since the War of 1812; and they injured and wounded more than 140 police officers, Capitol Police officers, Metropolitan Police Department officers, and others, breaking their noses, breaking their necks, breaking their vertebrae, breaking their arms, breaking their legs, breaking their hearts and their spirits.

We are investigating the attack on American democracy because we are Americans. We are investigating the attack on Congress by domestic enemies of our Constitution because we are sworn to do so by our oaths of office.

But now, the big lie has become a big coverup. After being impeached twice by the House, after losing in 61 different courts, after seeing a 57–43 vote against him in the U.S. Senate, in the most sweeping bipartisan Senate Presidential conviction vote in American history, Trump now tries to get his followers, like Steve Bannon, not to testify here and not to turn over evidence that they have about this vicious assault on American democracy.

In America, when you are subpoenaed to testify in court or in Congress, you show up, period. You can invoke your Fifth Amendment privilege against self-incrimination to specific questions if you think you committed a crime. You can claim executive privilege to specific questions if you think you are President of the United States. But you cannot blow off a subpoena in America. You cannot sit on your couch and defy the people's representatives in Congress.

So we must enforce the rule of law here, my colleagues. We must do it. If you act deliberately, with sneering, cavalier contempt for the American people and their representatives, we will hold you in contempt. We will get to the truth of the violent assault on America.

Mr. BANKS. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, you don't have to look far to realize the absurdity of what is happening in Congress today. In fact, Politico just reported moments ago that the Capitol Police whistleblower is telling us—telling Politico—that they have not been contacted by the January 6 select committee.

The Capitol Police whistleblower said that the United States Capitol Police deserves more scrutiny than it has gotten so far and that he would talk to investigators if they reach out to him. And the select committee has not reached out to the Capitol Police whistleblower.

Yet, here we are today focused on holding a private citizen in contempt, an unprecedented action by this sham committee and their sham investigation.

Madam Speaker, I yield 2 minutes to my colleague from Florida (Mr. GAETZ).

Mr. GAETZ. Madam Speaker, why are we here on the floor of the House of Representatives listening to the Democrats and socialists and their Republican puppets reviewing Steve Bannon's podcast?

I can't imagine that that would be the case if they actually had a bill, a reconciliation deal, legislation to help the American people. We are not here because of democracy. Save me the alligator tears on that. These are the folks who assaulted our democracy for 2 years under the specter of the Russia hoax. It is sure not about violence, because they didn't seem to give a damn

when our country was being engulfed in flames during the riots of the summer of 2020.

It is not about Congressional process. If it was about Congressional process, Democrats would be doing what they have done in other cases; they would go to court. But the reason they haven't gone to court, like they did for Trump's taxes, in the Deutsche Bank subpoenas, in the Mazars matter, or in the Don McGahn matter, is because in each of those circumstances, they did not prevail in court. The courts realized that their subpoenas were overly broad.

So instead of using the real process, here we are just enduring this politics. And because they can't build back better, they have just decided to build back meaner.

Mr. THOMPSON of Mississippi. Madam Speaker, just for the record, again, the gentleman from Indiana referenced the whistleblower. We have not talked to the whistleblower, but we have talked to the whistleblower's lawyer. We are doing our work. So, clearly, since he is quoting Politico, I want him to just get the record straight.

Madam Speaker, I yield 2½ minutes to the gentlewoman from Virginia (Mrs. LURIA), who served two decades in the Navy and was among the first women to serve in the Navy's nuclear power program.

Mrs. LURIA. Madam Speaker, to ''support and defend the Constitution of the United States against all enemies, foreign and domestic.''

We reaffirmed that oath on January 3. Yet only 3 days later in this very Chamber, this body was assaulted while carrying out the peaceful transfer of power, the very hallmark of our democracy.

I first took that oath when I was 17 years old and entered the Naval Academy. I was willing to put my life on the line to serve my country and protect the foundation of this republic, a foundation that was shaken but not broken on January 6.

Mr. Bannon, a former naval officer like me, at one point understood this oath. He took it multiple times. He served his country honorably in the Navy.

I don't know what happened between the time Lieutenant Bannon left the Navy and today. What forces corrupted his understanding of this oath?

Mr. Bannon has been given the opportunity to voluntarily provide information relevant to the work of our committee, but he has not complied.

Truly, this is larger than Mr. Bannon, this is larger than this investigation, and this is larger than the tragic and horrific events of January 6.

This vote is a test of that oath. To my colleagues who chose to vote against enforcing the subpoena, you are saying to all future men and women who are called before this body that they can ignore a subpoena from Congress without consequence.

You can make that choice today. But that will be a vote to abdicate the power of the legislative branch in which you are elected to serve. That will be a vote to undermine the government and the Constitution which you took an oath to support and defend.

The consequences of that vote won't be limited to this investigation and this subpoena alone. Your vote will do serious, long-lasting damage to Congress as an institution. That, in turn, will do serious damage to our country, which we all love so dearly.

We ask our young men and women in uniform to go forth every day and protect us, to protect this republic, to protect our form of government. I am asking you to do the same, to protect our democracy from those forces seeking to destroy it from within.

Ms. CHENEY. Madam Speaker, I reserve the balance of my time.

Mr. BANKS. Madam Speaker, I yield as much time as he may consume to the gentleman from Ohio (Mr. JORDAN).

Mr. JORDAN. Madam Speaker, I thank the gentleman for yielding.

Look, we have seen the worst 10 months of any administration in history. We went from a secure border to chaos. We went from safe streets to violent crime. We have seen stable prices turn into inflation and empty shelves. The respect around the world we had has now turned into the debacle that was the exit from Afghanistan. And we went from peace in the Middle East with the Abraham Accords to thousands of rockets being fired on our friend and ally, Israel; not to mention, energy independence to now the spectacle of the President of the United States begging OPEC to increase production.

But what scares me most is what this administration and Democrats are doing to freedom. Every right we enjoy under the First Amendment has been assaulted over the last year.

Your right to practice faith. There are still places today in the country where a full congregation can't meet on Sunday morning.

Your right to petition your government, your right to assemble, freedom of the press, freedom of speech—every single one has been attacked.

We just learned in the Judiciary Committee from the Attorney General that the National School Boards Association last month, September 29, sends a letter to the President of the United States asking the FBI to get involved in local school board matters. Five days later, the Attorney General issues a memo to do just that.

The first sentence of the Attorney General's memo says this: In recent months, there has been a disturbing spike in harassment, intimidation, and threats at school board meetings.

We asked him a simple question: What is the evidence for a spike in threats? What is the data? What did you review?

Guess what his answer was. His only evidence, the only thing he reviewed, was the letter from the school boards association, from a political organization. Now, they are going to target parents at school board meetings.

And we have the January 6 committee issuing subpoena after subpoena. Eleven of the people they have issued subpoenas to were names on an application asking the government for permission to hold a rally. Individuals exercising their First Amendment right to assemble, asked the government for permission, the government granted them permission, and now these 20- and 30-year-olds, whose names are on that application, they are going to be deposed by these guys for simply exercising their First Amendment right.

Here is what they are asking them, we want to know who the speakers were and how were they selected. We want to know any communications these people—who put their names on a permit, got permission from the government—we want to know any Member of Congress you talked to.

Wow. Your right to petition your government, that is why they are subpoenaing these people? This is scary, where they want to go.

These questions—coordination of speakers, discussions of contents—this sounds like what the IRS did to people 10 years ago when they were asking 501(c) groups applying for tax-exempt status, do you pray at the start of your meeting?

First, it is school boards, then it is people applying for a permit. We saw what the IRS did to people just a few years ago; not to mention what else the committee is doing; preservation letters to all of the carriers, all of the companies; preserve every call, every email, every text. Think about that. Every call someone made to—hundreds and hundreds, supposedly, according to news reports. They have done this for texts to your spouse, calls to your mom. Preserve it all. And this is just what we know about. This is just what has been reported.

And now Steve Bannon. Now Steve Bannon. Mr. Bannon is a target of the investigation, for the investigation, because—and this is the select committee's own report—''His efforts to plan political activity.''

That is the standard. If you are involved in political activity, they are going to investigate you.

We know what this is really about. This is about getting at President Trump. They tried to stop President Trump before he was even elected with the Russia investigation; tried to remove President Trump from office twice while he was in office. And now they are trying to get him after the fact, after he has left, all because this guy cut taxes, reduced regulation, gave us the greatest economy in 50 years, lowest unemployment, all because he built the wall, got us out of the Iran deal, put the embassy in Jerusalem. When President Trump was President, Americans got their Christmas presents on time. But they are coming after him.

The Reuters story said this: The FBI has found no evidence that President Trump, or people directly around him, were involved in organizing the violence.

They don't care. They don't care that the FBI has no evidence. The Senate report said no evidence of a coordinated plan. They don't care. They are going to drag these 11 people in for depositions with subpoenas, because they are so determined to get their political enemies.

The SPEAKER pro tempore. The time of the gentleman from Indiana has expired.

□ 1530

Mr. THOMPSON of Mississippi. Madam Chair, the vice chair of the committee put in the RECORD the fact that the FBI and Department of Justice declared no such thing in terms of January 6, so the assertion that somehow they have conducted an investigation is just not true.

Madam Speaker, I yield 3 minutes to the gentleman from California (Mr. SCHIFF), the distinguished chairman of the House Intelligence Committee.

Mr. SCHIFF. Madam Speaker, we are here this afternoon to test a proposition as old as the country's founding: Are we a nation of laws?

We are here because one man has decided that we are now only a nation of men and that rich and powerful men need not follow the law. And the question we must confront is nothing less than this: Is he right?

Are some people now truly above the law, beholden to nothing and no one, free to ignore the law and without consequence?

Congress is investigating the worst attack on our Capitol in over a century, made worse still by the fact that it was carried out by our own people, people who had been misled to believe that their election had been stolen and that violence was now justified, people who are still being misled by a dangerous lie that may lead to even more bloodshed.

This is not some theoretical matter. We were here. We heard the doors breaking, the glass shattering, the cries from outside the Chamber. And we saw the bloody results, the officers injured, and those who died.

And in the wake of the horrors of that day, a day in which the Capitol Police put their lives on the line to defend our democracy, it falls on us to defend that same democracy, albeit at far less risk to ourselves.

The Founders intended that ambition should be made to check ambition. If we fail to uphold Congress' power to compel information, then we cease to be a coequal branch of government, unable to perform our oversight or check any abuses of executive power.

Take away a court's power to subpoena witnesses, and it fails to be a court. Take away the Congress' ability to do the same, and it fails to be a Congress, becoming instead a mere plaything for a corrupt executive.

Do not believe for one moment that if we fail to hold Steve Bannon accountable that he will be the exception. He will become the rule—not a rule of law, but the misrule of men.

Either we are all equal before the law or none of us is. This is the essence of our democracy.

As Lincoln said, ''Whatever differs from this, to the extent of the difference, is no democracy.''

Ms. CHENEY. Madam Speaker, may I inquire as to how much time is remaining.

The SPEAKER pro tempore. The gentlewoman from Wyoming has 5½ minutes remaining. The gentleman from Mississippi has 2 minutes remaining. The gentleman from Indiana has no time remaining.

Ms. CHENEY. Madam Speaker, I yield myself the balance of my time to close.

Madam Speaker, just outside this Chamber, over the north door in Statuary Hall, which was the old House Chamber, stands a statue of Clio, the muse of history. She is one of the oldest works of art in our Capitol. She stands in a winged chariot, the chariot of time, and she takes notes in her book, reminding all of us that our words and our actions will be judged by history. History will particularly judge those of us in positions of public trust for what we are doing today.

In the immediate aftermath of the attack, Madam Speaker, we all recognized how profoundly wrong January 6 was. The gentleman from Ohio (Mr. JORDAN), who just suggested that we were here because we opposed President Trump's policies, seems to have forgotten that actually on January 6 he, himself, said, ''What happened today is wrong and is not what America is about.''

The next day Mr. JORDAN said, ''What happened Wednesday is a tragedy. Everyone knows that. It is as wrong as wrong can be.''

And today, Madam Speaker, the former President suggested that the violence was justified.

My colleagues in the Republican Party, the Republican Members of this body, have to understand, have to recognize, that there is a moment when politics must stop if we want to defend and protect our institutions.

A violent assault on the Capitol to stop the constitutional process of counting electoral votes is that moment. They all knew that on that day.

In fact, the minority leader himself stood in this Chamber and said, ''The President bears responsibility for Wednesday's attack on Congress by mob rioters. He should have immediately denounced the mob when he saw what was unfolding.''

Mr. MCCARTHY was right then. The President bears responsibility.

We need to know what happened. This body must have the ability to understand what caused the attack, to understand who was responsible, and to take legislative action to ensure that it never happens again.

Madam Speaker, I urge my colleagues to support this motion for contempt for Mr. Steve Bannon. I urge them to do so because it is right; it is morally right; it is constitutionally right; and it is all of our duty.

Madam Speaker, I yield back the balance of my time.

Mr. THOMPSON of Mississippi. Madam Speaker, I yield myself the balance of my time to close.

Over the last hour, we have heard a lot about what we are not debating today. The select committee is charged with investigating a deadly attack on the seat of our democracy and making recommendations to ensure it never happens again. I can't think of anything more serious, but many of our colleagues would rather talk about anything else.

I think I know why. I think they are performing for an audience of one.

I do, however, want to commend my colleagues on the select committee for laying out clearly why the House must cite Mr. Bannon for contempt. If our investigation is to succeed, if the House's constitutional authority to investigate and legislate is to remain robust, then we cannot let this man flout the laws with impunity.

The select committee is made up of people of character, of profound commitment to public service and our Constitution. They all elevate the committee's work.

I especially want to thank and acknowledge our vice chair, the gentlewoman from Wyoming (Ms. CHENEY), for her leadership and partnership. There is no doubt in my mind that history will record her courage in stark relief.

History will record all of what we do here today. We can be on the right side or the wrong side. I urge all my colleagues to remember that as we cast this vote.

Madam Speaker, I yield back the balance of my time.

Mr. THOMPSON of Mississippi. Madam Speaker, today the House has been deliberating on the criminal contempt of Congress citation of Steven K. Bannon reported from the Select Committee to Investigate the January 6th Attack on the United States Capitol on Tuesday, October 19, 2021. This is a grave matter and not one the House takes lightly.

As I have said on many occasions, the Select Committee would prefer not to be in this position. We expect—and the law (2 U.S.C. § 192) demands—witnesses comply with duly issued, lawful subpoenas of Congress. We lay out the factual record of Mr. Bannon's willful defiance of the Select Committee's September 23, 2021, subpoena in House Report 117–152.

There have been developments since the Report was written and adopted, and I memorialized some of those at the Select Committee's business meeting. To perfect the factual record in this case, I now include in the CONGRESSIONAL RECORD correspondence between myself and Mr. Bannon's attorney, Robert J. Costello, and further correspondence between the Office of White House Counsel and Mr. Costello, which states President Biden's position on issues relating to the subpoena to Mr. Bannon.

First, on Friday, October 15, 2021, I wrote Mr. Costello to reiterate to him and his client that the Select Committee would view Mr. Bannon's decision not to appear for his deposition as willful defiance that would lead to a business meeting of the Select Committee to consider a contempt report. I include that letter in the RECORD.

SELECT COMMITTEE TO INVESTIGATE THE JANUARY 6TH ATTACK ON THE UNITED STATES CAPITOL,
October 15, 2021.

Mr. ROBERT J. COSTELLO,
Davidoff Hutcher & Citron LLP,
* * *

DEAR MR. COSTELLO: The Select Committee to Investigate the January 6th Attack (''Select Committee'') is in receipt of your October 13, 2021 letter (the ''October 13 letter''), in which you reassert that your client, Stephen Bannon, will not comply with the September 23, 2021 Subpoena to him for documents and deposition testimony (the ''Subpoena''). As you know, the Subpoena demanded that Mr. Bannon produce documents by October 7, 2021 and appear on October 14, 2021 before the Select Committee to provide deposition testimony on a wide range of issues relating to the January 6, 2021 attack on the United States Capitol, as well as plans to interfere with the count of the 2020 Electoral College results. Mr. Bannon has now willfully failed to both produce a single document and to appear for his scheduled deposition. The Select Committee believes that this willful refusal to comply with the Subpoena constitutes a violation of federal law.

As justification for Mr. Bannon's complete failure to comply with any portion of the Subpoena, you continue to rely on ex-President Trump's stated intention to invoke executive privilege with respect to Mr. Bannon, and Mr. Trump's purported request that Mr. Bannon not produce documents to or testify before the Select Committee. As was explained in the Select Committee's October 8, 2021 letter (attached), the former President has not communicated any such assertion of privilege, whether formally or informally, to the Select Committee. Moreover, we believe that any such assertion of privilege—should it be made by the former President—will not prevent the Select Committee from lawfully obtaining the information it seeks.

Further, your letter makes no attempt to justify Mr. Bannon's failure to comply with the Subpoena's demand for documents and testimony on a range of subjects that do not involve communications with the former President. As is clear from the Subpoena and accompanying letter, and as underscored in the Select Committee's October 8, 2021 response letter, the Select Committee seeks documents and testimony on numerous other matters, including Mr. Bannon's communications with Members of Congress, presidential campaign representatives, and other private parties concerning the events of January 6, 2021, that could not conceivably be barred by a privilege claim.

Moreover, even if the Select Committee were inclined to accept the unsupported premise that executive privilege reaches communications that the Select Committee seeks to examine between President Trump and Mr. Bannon, Mr. Bannon does not enjoy any form of absolute immunity from testifying or producing documents in response to a Congressional subpoena. Your citation to *Committee on Judiciary* v. *McGahn*, 415 F. Supp. 3d 148 (D.D.C. 2019) actually supports the Select Committee, not your client. In *McGahn*, the district court unequivocally held that even senior White House aides are not entitled to absolute immunity from testifying in response to a Congressional subpoena. *Id.* at 214 (''To make the point as plain as possible, it is clear to this Court . . . that, with respect to senior-level presidential aides, absolute immunity from compelled congressional process simply does not exist.''). Indeed, the footnote in McGahn that you selectively quote makes clear that a President lacks legal authority to order an aide not to appear before Congress based on a claim of executive privilege. *See Id.* at 213, n. 34 (''But the invocation of the privilege by a testifying aide is an order of magnitude different than DOJ's current claim that the President essentially owns the *entirety* of a senior-level aide's testimony such that the White House can order the individual not to appear before Congress *at all*.'' (Emphasis in original)).

Accordingly, the Select Committee views Mr. Bannon's failure to produce documents by the October 7, 2021 deadline as willful non-compliance with the Subpoena. Mr. Bannon has persisted in his refusal to produce any documents to the Select Committee, and he has failed to provide a privilege log identifying specific, asserted privileges. Mr. Bannon has now further compounded his non-compliance by refusing to appear on October 14, 2021 at the Select Committee deposition to which he was summoned to provide testimony. The Select Committee will therefore be meeting on Tuesday, October 19, 2021 to consider invoking the contempt of Congress procedures set forth in 2 U.S.C. §§ 192, 194.

If Mr. Bannon believes that there are any additional issues relating to his non-compliance with the Subpoena that have not been addressed, please submit them in writing to the Select Committee by 6:00 p.m. E.S.T. on Monday, October 18, 2021 for the Select Committee's consideration in its deliberations.

Sincerely,

BENNIE G. THOMPSON,
Chairman.

Mr. THOMPSON of Mississippi. Madam Speaker, at 6 p.m. on Monday, October 18, 2021, Mr. Costello replied to that letter and requested a 1-week ''adjournment'' to respond. Mr. Bannon's attorney said they needed time to ''assess'' the Select Committee's requests for documents and testimony in light of litigation filed by former President Trump in DC District Court. I include Mr. Costello's letter in the RECORD.

DAVIDOFF HUTCHER & CITRON LLP,
ATTORNEYS AT LAW, * * *,
October 18, 2021.

Re: The Subpoena for Stephen K. Bannon dated September 23, 2021.

Hon. BENNIE G. THOMPSON,
Chairman, House Select Committee to Investigate the January 6th Attack,

DEAR CONGRESSMAN THOMPSON: We write on behalf of Stephen Bannon. We have just been advised of the filing of a lawsuit in federal court for the District of Columbia entitled Donald J. Trump v. Bennie Thompson, et al., 21–Civ–02769 (D.D.C. 2021). In light of this late filing, we respectfully request a one-week adjournment of our response to your latest letter so that we might thoughtfully assess the impact of this pending litigation.

Very truly yours,

ROBERT J. COSTELLO.

Mr. THOMPSON of Mississippi. Madam Speaker, the former President's lawsuit, however, is immaterial to Mr. Bannon's defiance of our lawful subpoena. As House Report 117–152 makes clear, Mr. Bannon had a duty to produce documents and appear before the Select Committee. His flat refusal to comply with the subpoena is unacceptable. I made that clear in a letter to Mr. Costello before the Select Committee's business meeting on Tuesday, October 19, 2021. I include in the RECORD my response to Mr. Costello's October 18th letter.

SELECT COMMITTEE TO INVESTIGATE THE JANUARY 6TH ATTACK ON THE UNITED STATES CAPITOL,
October 19, 2021.

Mr. ROBERT J. COSTELLO,
Davidoff Hutcher & Citron LLP,

DEAR MR. COSTELLO: The Select Committee to Investigate the January 6th Attack on the United States Capitol (''Select Committee'') is in receipt of your October 18, 2021, letter requesting a one-week ''adjournment'' of your response to my October 15, 2021, letter. The only basis for your request is yesterday's filing of litigation by former President Trump against the Chairman, Select Committee, Archivist of the United States, and the National Archives and Records Administration. That litigation relates to the Select Committee's requests for documents in the possession of the National Archives and is immaterial to the Select Committee's demand for documents and testimony from Mr. Bannon. The investigation of the Select Committee is extremely important and urgent for the nation, and further delay in compliance by Mr. Bannon undermines the ability of the Committee to timely complete its essential responsibilities. Accordingly, no grounds exist for any ''adjournment'' or other delay and your request is denied.

Sincerely,

BENNIE G. THOMPSON,
Chairman.

Mr. THOMPSON of Mississippi. Madam Speaker, meanwhile, with regard to Mr. Bannon's claims that executive privileges somehow precluded his production or appearance pursuant to the Select Committee's subpoena, on Monday, October 18, 2021, the Office of White House Counsel wrote a letter to Mr. Costello and specifically stated that ''at this point we are not aware of any basis for [Mr. Bannon's] refusal to appear for a deposition.'' It further stated that President Biden ''has already determined that an assertion of executive privilege is not in the public interest, and therefore is not justified, with respect to certain subjects within the purview of the Select Committee.'' I include the full White House letter in the RECORD.

THE WHITE HOUSE,
Washington, DC, October 18, 2021.

ROBERT J. COSTELLO,
Davidoff Hutcher & Citron LLP,
* * *.

DEAR MR. COSTELLO: I write regarding the subpoena for documents and deposition testimony issued on September 23, 2021, by the House Select Committee to Investigate the January 6th Attack on the United States Capitol (the ''Select Committee'') to your client, Stephen K. Bannon.

As you are aware, Mr. Bannon's tenure as a White House employee ended in 2017. To the extent any privileges could apply to Mr. Bannon's conversations with the former President or White House staff after the conclusion of his tenure, President Biden has already determined that an assertion of executive privilege is not in the public interest, and therefore is not justified, with respect to certain subjects within the purview of the Select Committee. Specifically, President Biden determined that an assertion of executive privilege is not justified with respect to a set of documents shedding light on events within the White House on and about January 6, 2021, and with respect to documents

and testimony concerning the former President's efforts to use the Department of Justice to advance a false narrative that the 2020 election was tainted by widespread fraud. President Biden's determination that an assertion of privilege is not justified with respect to these subjects applies to your client's deposition testimony and to any documents your client may possess concerning either subject.

Please contact me if you have questions about the matters described herein. Please note, however, that at this point we are not aware of any basis for your client's refusal to appear for a deposition.

Sincerely,

JONATHAN C. SU,
Deputy Counsel to the President.

Mr. THOMPSON of Mississippi. Madam Speaker, after the Select Committee's October 19th business meeting, I wrote to Mr. Costello yet again to urge Mr. Bannon to change course and comply with the Select Committee's subpoena of September 23, 2021. I reiterated that Mr. Costello's stated reasons for Mr. Bannon's flat refusal to provide documents and appear at a deposition have no legal basis or support. I provided him with a link to the Select Committee's adopted report on a contempt citation to review the detailed basis for our recommendation to the House. I include my October 19th letter in the RECORD.

SELECT COMMITTEE TO INVESTIGATE THE JANUARY 6TH ATTACK ON THE UNITED STATES CAPITOL,
October 19, 2021.

Mr. ROBERT J. COSTELLO,
Davidoff Hutcher & Citron LLP,
* * *.

DEAR MR. COSTELLO: I write yet again to urge your client Stephen K. Bannon to change course and comply with the September 23, 2021, subpoena from the Select Committee to Investigate the January 6th Attack on the United States Capitol (''Select Committee'').

As explained in our prior correspondence, your stated reasons for Mr. Bannon's flat refusal to provide documents and appear at a deposition have no legal basis or support. Because of Mr. Bannon's continued refusal to comply with the subpoena, the Select Committee has unanimously voted to recommend that the House of Representatives find Mr. Bannon to be in contempt of Congress. The detailed basis for that recommendation is contained in the Select Committee's report, a copy of which is available at the following link: https://docs.house.gov/Committee/Calendar/ByEvent.aspx?EventID=114156. Should the House of Representatives agree with that recommendation, the Speaker of the House will certify the relevant statement of facts to the United States Attorney for the District of Columbia, ''whose duty it shall be to bring the matter before the grand jury for its action.'' *See* 2 U.S.C. §194.

Additionally, President Biden's recently communicated views relating to your client's reliance on executive privilege as a basis for his non-compliance provide further support for the Select Committee's position. As you know, in its October 18, 2021, letter, the Office of the White House Counsel concluded that ''at this point we are not aware of any basis for [Mr. Bannon's] refusal to appear for a deposition.'' The letter further noted that President Biden has ''already determined that an assertion of executive privilege is not in the public interest, and therefore is not justified, with respect to certain subjects within the purview of the Select Committee.'' In short, the current President's statements should remove any doubt regarding the inappropriateness of Mr. Bannon's reliance on assertions of executive privilege as grounds for his noncompliance with the subpoena. Mr. Bannon has no basis in law to continue to defy the appropriate use of congressional subpoena authority.

These developments underscore the folly of any continuing defiance of the Select Committee subpoena by Mr. Bannon. The Select Committee remains focused on expeditiously obtaining the testimony and documents necessary to meet our responsibilities and we continue to expect immediate compliance by Mr. Bannon. Should Mr. Bannon choose to change his posture, please notify Select Committee staff * * *.

Sincerely,

BENNIE G. THOMPSON,
Chairman.

Mr. THOMPSON of Mississippi. Madam Speaker, the importance of our investigation, and the recommendations we make for legislative and other policy changes that result from our investigation, require the participation of witnesses who have clear knowledge of the events leading up to and during the January 6th attack. Mr. Bannon's own actions in defiance of our lawful subpoena for a valid legislative purpose demand the consequences reflected in the House resolution citing him with contempt and referring his case to the Department of Justice.

Mr. DANNY K. DAVIS of Illinois. Madam Speaker, Congress has a long-recognized and essential role in conducting oversight. The Select Committee to Investigate the January 6th Attack on the United States Capitol has the solemn responsibility to investigate and report upon the facts, circumstances, and causes related to the attack on January 6, 2021. This domestic terrorist attack sought to interfere with the peaceful transfer of power and undermine American representative democracy during the exercise of a constitutional process.

Mr. Bannon reportedly held multiple roles and had specific knowledge relevant to the investigation of the January 6th attack on the Capitol. Mr. Bannon has defied a lawful Congressional subpoena. The investigation by the Select Committee is fundamental to our democracy, and I will vote today to hold Mr. Bannon in contempt of Congress for his failure to comply with a Congressional Subpoena. Mr. Bannon has a duty to cooperate with the Congressional investigation into the fundamental attack on our democracy on January 6th. Therefore, I will vote in support of finding Stephen K. Bannon in contempt of Congress for failure to comply with a Congressional subpoena.

Ms. JACKSON LEE. Madam Speaker, as a senior member of the Committees on the Judiciary, on Homeland Security, and on the Budget, I rise in support of the rule governing debate for H. Res. 730, ''Resolution Recommending that the House of Representatives Find Stephen K. Bannon in Contempt of Congress for Refusal to Comply with a Subpoena Duly Issued by the Select Committee to Investigate the January 6th Attack on the United States Capitol.''

On January 6th the domestic terrorists who beat law enforcement officers and breached the Citadel of democracy of the United States wore insignias of White Supremacist groups, waved confederate flags, hung a noose on the lawn, and they were shouting racial epithets.

According to published reports and his own public statements, Mr. Bannon had specific knowledge about the events planned for January 6th before they occurred: just before the day of the attack, Mr. Bannon told his listeners:

> All hell is going to break loose tomorrow . . . It's not going to happen like you think it's going to happen. OK, it's going to be quite extraordinarily different. All I can say is, strap in . . . You made this happen and tomorrow it's game day. So strap in. Let's get ready. So many people said, 'Man, if I was in a revolution, I would be in Washington.' Well this is your time in history.

At 12:15 p.m. on January 6th he said to the assembled multitude on the Ellipse: ''You will never take back our country with weakness.''

Less than an hour later, at 1:10 p.m., he admonished the crowd: ''We fight like hell, and if you don't fight like hell you will not have a country anymore.''

Madam Speaker, the assault on the U.S. Capitol by domestic terrorists and insurrectionists rightly takes its place as one of the darkest moments in our nation's history since the Civil War.

Madam Speaker, the January 6 insurrection caused tragic loss of life and many injuries, while leaving behind widespread physical damage to the Capitol Complex and emotional trauma for Members, Congressional employees, and the Capitol Police.

It bears repeating often that the Congress and the nation owe undying gratitude to the men and women who answered the call of constitutional duty and heroically won the day on that bloody and deadly afternoon.

Madam Speaker, the domestic terrorists and seditionists who attacked the Capitol Building on January 6, 2021 were not, as some of their ardent defenders and apologists across the aisle have stated falsely, on a ''normal tour visit''; nor was their effort to lay siege to the Capitol and disrupt the processes of government an act of persons who love their country.

And it is absurd to suggest that it was a celebration of the United States and what it stands for when the leading edge of terrorists desecrated the Capitol by offensively parading the treasonous Confederate flag through the building and when, because of their insurrection, several members of law enforcement made the supreme sacrifice and scores more were seriously injured.

Madam Speaker, we owe it not just to those who lost their lives during that day, but to all Americans to figure out exactly what happened and how that day came to be.

We must understand that day in order to prevent the intended purpose of the January 6 insurrection—to disrupt the Joint Meeting of Congress to tally the votes of presidential electors and announce the results to the nation and the world—from every occurring again, because it was the greatest threat to the American Experiment since the Civil War when the pro-slavery forces decided to make war rather than let the nation survive. and the pro-freedom forces would accept war rather than let the nation perish.

The Select Committee has diligently continued in their duty to determine the causes and events that transpired during the insurrectionist attack.

Specifically, the Select Committee's purposes include:

To investigate and report upon the facts, circumstances, and causes ''relating to the January 6, 2021 domestic terrorist attack upon the United States Capitol Complex;''

To investigate and report upon the facts, circumstances, and causes ''relating to the interference with the peaceful transfer of power;'' and

To investigate and report upon the facts, circumstances, and causes relating to ''the influencing factors that fomented such an attack on American representative democracy while engaged in a constitutional process.''

In line with these purposes, the Select Committee requested information from Mr. Bannon central to its legislative purpose:

On September 23, 2021, Chairman Thompson signed and transmitted a subpoena to Mr. Bannon, ordering the production of both documents and testimony relevant to the January 6th attack on the Capitol.

The subpoena required Mr. Bannon to produce the documents on October 7 and required his presence for deposition testimony on October 14.

Mr. Bannon simply defied the subpoena—failing to produce the documents on October 7 and failing to show up for the deposition on October 14.

In a letter to Mr. Bannon's counsel on October 15, Chairman Thompson noted that Mr. Bannon had not even attempted to provide the Select Committee any explanation for refusing to comply with the Select Committee's demand for documents and testimony on a range of subjects that do not involve communications with the former President.

An individual who fails or refuses to comply with a House subpoena may be cited for contempt of Congress, and in his October 8th letter to Mr. Bannon's counsel, Chairman Thompson warned Mr. Bannon that his continued non-compliance would put him in jeopardy of a vote to refer him to the House to consider a criminal contempt referral.

Mr. Bannon's failure to appear for deposition or produce responsive documents in the face of this clear advisement and warning by the Chairman constitutes willful failure to comply with the subpoena.

The purpose behind seeking this information is because Mr. Bannon played a central role in organizing January 6th attack on the Capitol, and understanding this role is essential to understanding the context in which the January 6th attack occurred.

Mr. Bannon constructed and participated in the ''stop the steal'' public relations effort that motivated the January 6th attack.

Mr. Bannon planned political and other activities in advance of January 6th.

Mr. Bannon participated in a ''war room'' of promoters and prominent supporters of the ''stop the steal'' movement that met on January 5th.

Mr. Bannon communicated with President Trump several times in advance of the January 6th attack, urging him to take measures to interfere with the count of electoral votes and to make January 6th a day of reckoning.

In fact, according to published reports and his own public statements, Mr. Bannon had specific knowledge about the events planned for January 6th before they occurred: just before the day of the attack, Mr. Bannon urged his listeners:

All hell is going to break loose tomorrow. . . . It's not going to happen like you think it's going to happen. OK, it's going to be quite extraordinarily different. All I can say is, strap in. You made this happen and tomorrow it's game day. So strap in. Let's get ready. So many people said, 'Man, if I was in a revolution, I would be in Washington.' Well this is your time in history.

In sum, Mr. Bannon appears to have played a multi-faceted role in the events of the January 6th attack and the American people are entitled to hear his first-hand testimony regarding his actions.

As recognized by the Supreme Court, ''The power of the Congress to conduct investigations is inherent in the legislative process,'' and that the subpoena power is a ''public duty, which every person within the jurisdiction of the Government is bound to perform when properly summoned.''

Rather than comply with Congress' inherent powers, and help heal the trauma this nation witnessed on January 6th, Mr. Bannon has simply refused to comply with the Select Committee's subpoena.

Madam Speaker, this should not be a partisan issue; it is the very power of Congress to investigate matters of issue that is at stake.

For this reason, I rise in support of the rule governing debate for H. Res. 370, ''Resolution Recommending that the House of Representatives Find Stephen K. Bannon in Contempt of Congress for Refusal to Comply with a Subpoena Duly Issued by the Select Committee to Investigate the January 6th Attack on the United States Capitol,'' and I encourage my colleagues to do the same.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to the rule, the previous question is ordered on the resolution.

The question is on adoption of the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BANKS. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 229, nays 202, not voting 1, as follows:

[Roll No. 329]

YEAS—229

Adams
Aguilar
Allred
Auchincloss
Axne
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bourdeaux
Bowman
Boyle, Brendan F.
Brown
Brownley
Bush
Bustos
Butterfield
Carbajal
Cárdenas
Carson
Carter (LA)
Cartwright
Case
Casten
Castor (FL)
Castro (TX)
Cheney
Chu
Cicilline
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Craig
Crist
Crow
Cuellar
Davids (KS)
Davis, Danny K.
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Escobar
Eshoo
Espaillat
Evans
Fitzpatrick
Fletcher
Foster
Frankel, Lois
Gallego
Garamendi
García (IL)
Garcia (TX)
Golden
Gomez
Gonzalez (OH)
Gonzalez, Vicente
Gottheimer
Green, Al (TX)
Grijalva
Harder (CA)
Hayes
Herrera Beutler
Higgins (NY)
Himes
Horsford
Houlahan
Hoyer
Huffman
Jackson Lee
Jacobs (CA)
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Jones
Kahele
Kaptur
Katko
Keating
Kelly (IL)
Khanna
Kildee
Kilmer
Kim (NJ)
Kind
Kinzinger
Kirkpatrick
Krishnamoorthi
Kuster
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Leger Fernandez
Levin (CA)
Levin (MI)
Lieu
Lofgren
Lowenthal
Luria
Lynch
Mace
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Manning
Matsui
McBath
McCollum
McEachin
McGovern
McNerney
Meeks
Meijer
Meng
Mfume
Moore (WI)
Morelle
Moulton
Mrvan
Murphy (FL)
Nadler
Napolitano
Neal
Neguse
Newman
Norcross
O'Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Payne
Pelosi
Perlmutter
Peters
Phillips
Pingree
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Ross
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Sewell
Sherman
Sherrill
Sires
Slotkin
Smith (WA)
Soto
Spanberger
Speier
Stansbury
Stanton
Stevens
Strickland
Suozzi
Swalwell
Takano
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Underwood
Upton
Vargas
Veasey
Vela
Velázquez
Wasserman Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Williams (GA)
Wilson (FL)
Yarmuth

NAYS—202

Aderholt
Allen
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bentz
Bergman
Bice (OK)
Biggs
Bilirakis
Bishop (NC)
Boebert
Bost
Brady
Brooks
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Calvert
Cammack
Carl
Carter (GA)
Carter (TX)
Cawthorn
Chabot
Cline
Cloud
Clyde
Cole
Comer
Crawford
Crenshaw
Curtis
Davidson
Davis, Rodney
DesJarlais
Diaz-Balart
Donalds
Duncan
Dunn
Ellzey
Emmer
Estes
Fallon
Feenstra
Ferguson
Fischbach
Fitzgerald
Fleischmann
Fortenberry
Foxx
Franklin, C. Scott
Fulcher
Gaetz
Gallagher
Garbarino
Garcia (CA)
Gibbs
Gimenez
Gohmert
Gonzales, Tony
Good (VA)
Gooden (TX)
Gosar
Granger
Graves (LA)
Graves (MO)
Green (TN)
Greene (GA)
Griffith
Grothman
Guest
Guthrie
Hagedorn
Harris
Harshbarger
Hartzler
Hern
Herrell
Hice (GA)
Higgins (LA)
Hill
Hinson
Hollingsworth
Hudson
Huizenga
Issa
Jackson
Jacobs (NY)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Keller
Kelly (MS)
Kelly (PA)
Kim (CA)
Kustoff
LaHood
LaMalfa
Lamborn
Latta
LaTurner
Lesko
Letlow
Long
Loudermilk
Lucas
Luetkemeyer
Malliotakis
Mann
Massie
Mast
McCarthy
McCaul
McClain
McClintock
McHenry
McKinley
Meuser
Miller (IL)
Miller (WV)
Miller-Meeks
Moolenaar
Mooney
Moore (AL)
Moore (UT)
Mullin
Murphy (NC)
Nehls
Newhouse
Norman
Nunes
Obernolte
Owens
Palazzo
Palmer
Perry
Pfluger
Posey
Reed
Reschenthaler
Rice (SC)
Rodgers (WA)

Rogers (AL)
Rogers (KY)
Rose
Rosendale
Rouzer
Roy
Rutherford
Salazar
Scalise
Schweikert
Scott, Austin
Sessions
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spartz
Stauber
Steel
Stefanik
Steil
Steube
Stewart
Taylor
Tenney
Thompson (PA)
Tiffany
Timmons
Turner
Valadao
Van Drew
Van Duyne
Wagner
Walberg
Walorski
Waltz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams (TX)
Wilson (SC)
Wittman
Womack
Young
Zeldin

NOT VOTING—1

Pence

□ 1609

Messrs. SIMPSON and FULCHER changed their vote from ''yea'' to ''nay.''

Mr. GOMEZ changed his vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Adams (Brown)
Cooper (Clark (MA))
DeFazio (Brown)
Frankel, Lois (Clark (MA))
Garcia (TX) (Escobar)
Hice (GA) (Greene (GA))
Huffman (Stanton)
Khanna (Bowman)
Kirkpatrick (Stanton)
Lawson (FL) (Evans)
Lynch (Trahan)
Meng (Jeffries)
Moore (WI) (Beyer)
Napolitano (Correa)
Ocasio-Cortez (Escobar)
Payne (Pallone)
Rodgers (WA) (Joyce (PA))
Rush (Underwood)
Salazar (Cammack)
Sires (Pallone)
Stewart (Crawford)
Tlaib (Omar)
Wasserman Schultz (Soto)
Wilson (FL) (Hayes)

□ 1615

PROVIDING ACCOMMODATIONS FOR NURSING MOTHERS IN THE WORKPLACE

(Ms. BOURDEAUX asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. BOURDEAUX. Mr. Speaker, I rise today in support of the PUMP for Nursing Mothers Act, which will be considered by the House later this week.

As a working mother, I strongly support this bipartisan bill to provide reasonable accommodations to nursing mothers in the workplace.

The PUMP for Nursing Mothers Act, among other critical changes, would extend the break time and space protections to workers who are currently excluded from overtime protections, including teachers, transportation workers, and agriculture workers.

I was proud to work as part of a bipartisan group along with the bill's sponsor, Representative CAROLYN B. MALONEY, to offer an amendment which maintains the undue hardship exemption threshold at its current level of 50 employees.

The PUMP for Nursing Mothers Act is supported by a broad coalition of stakeholders, including the National Retail Federation, the U.S. Chamber of Commerce, the National Education Association, and the American Civil Liberties Union.

Mr. Speaker, I enthusiastically support this bill and urge all Members to do the same when it comes before the House this week.

IRS DATA COLLECTION PROPOSAL BAD FOR FAMILIES, BUSINESSES

(Mr. GUEST asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GUEST. Mr. Speaker, I rise today to encourage my colleagues to join me in opposition to the proposed IRS reporting plan that would intrude on the bank accounts of Americans and impose new regulations on our already overregulated banking system.

First, it is not apparent that the IRS has any constitutional authority to monitor Americans in this way.

Second, the American public does not support the expansion of IRS bank data collection. Recent polling shows bipartisan opposition, with 67 percent of those polled opposed to the IRS collecting bank deposit and withdrawal information.

Finally, this would add another regulatory burden to our financial institutions after a historic year when banks and credit unions provided lifelines to families, businesses, and communities during the COVID–19 pandemic.

This proposal imposes upon our right to privacy and is bad for families, small businesses, and financial institutions. I hope my colleagues across the aisle will reconsider their support for this unwarranted expansion of government.

BUILD BACK BETTER FOR HEALTHCARE

(Mr. KAHELE asked and was given permission to address the House for 1 minute.)

Mr. KAHELE. Mr. Speaker, for far too long, America's broken for-profit healthcare system has left millions of Americans uninsured or underinsured.

While out-of-pocket costs and corporate profits continue to rise, 8 million Americans have turned to a new form of health insurance, online fundraisers like GoFundMe, to pay their medical bills.

My nephew, Sean Day, was one of them. He passed away from cancer earlier this month at just 22 years of age.

Mr. Speaker, we live in the richest country in the world. No one should be priced out of the healthcare that they need or delay seeing a doctor just because they can't afford it. No one should be forced to ask strangers online to crowdsource their medical bills. It is simply not right.

This is why we must pass the Build Back Better Act. The Build Back Better Act will invest in our communities' healthcare, expand medical coverage for our kupuna, and lower prescription drug prices. It will save lives.

During the deadliest pandemic in U.S. history, we must deliver the care that American families deserve. We must leave no one behind.

BIDEN'S BANK SURVEILLANCE SCHEME IS POWER GRAB

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, the Biden proposed surveillance scheme is an ill-advised power grab, which is turning trusted local financial institutions into IRS reporting agents infringing upon the privacy of everyday Americans.

The IRS already knows how much you earn. Now they want to know exactly how you spend it. This is a total breach of personal financial privacy with a presumption of guilt that I am not okay with.

How can we expect our citizens to place trust in their government when their government is keeping tabs on their every single transaction?

A lot of people wonder how people come to Congress and become millionaires while they are serving in Congress.

This is just another push by the government to exercise control over our everyday lives. It is also a disincentive for people to save and keep money in banks and credit unions because they don't want to have every single thing tracked. Do we want to have our savings kept in coffee cans or mattresses? That is a pretty bad way to go.

Whether it is $600 per transaction or up to $10,000 per year cumulative, it is an invasion of privacy. We don't need another 80,000 IRS agents tracking us when we have a border that is like a sieve and other problems of much greater magnitude than what you or I are saving or spending our personal wealth on.

It is a wrongheaded policy. The Biden administration and this House needs to take back such ideas.

RECOGNIZING DR. RENEE F. WASHINGTON GARDNER

(Mr. ESPAILLAT asked and was given permission to address the House for 1 minute.)

Mr. ESPAILLAT. Mr. Speaker, I rise today to honor a woman of many firsts, an upstanding member of our community, and someone I am blessed to call a constituent. Her name is Dr. Renee F. Washington Gardner.

She is the longest-serving female pastor of Harlem's Memorial Baptist Church in its entire history, dedicating decades of her life in service to church, her community, and God. This past Sunday marked her 17th year of service.

She is the first woman to also be named a moderator of the United Missionary Baptist Association in the group's 60-year history. Pastor Gardner

is no stranger to shattering glass ceilings and paving the way for the next generation of cleric leaders.

Under her guiding principle of unity, hope, and grace, Memorial Baptist Church has proven vital to the strength and resiliency of Harlem, and we are forever indebted.

With Pastor Gardner at the helm, I trust that this work is only the beginning, and the Memorial Baptist Church will continue their mission of uplifting our community's most vulnerable and ingraining the spirit of strength into the fabric of our neighborhood.

RECOGNIZING ALBERT EDWARD PELHAM

(Ms. SHERRILL asked and was given permission to address the House for 1 minute.)

Ms. SHERRILL. Mr. Speaker, I rise to recognize Albert Edward Pelham, a beloved community leader and student advocate from my town, Montclair, New Jersey.

Al was known for bringing people together. His work aided and inspired generations of Montclairians, and he leaves behind a beautiful legacy.

Al was raised in Montclair and graduated from Montclair High School. He served our country in the U.S. Army before returning to New Jersey and graduating from Bloomfield College.

From his leadership in the Montclair NAACP, the Montclair Neighborhood Development Corporation, Statewide Parent Advocacy Network, Montclair African-American Heritage Foundation, and more, he dedicated himself to making his community a better and fairer place.

One of Al's many achievements was the creation of Project Oasis, which offers year-round educational and recreational opportunities for students. When the COVID–19 pandemic began, Al adapted the program and organized a remote learning space so that all students had access to a computer to attend their virtual classes.

He also created a program for students who were suspended to provide them with academic training and counseling as an alternative to staying at home.

Al worked to ensure that all students, regardless of their background, had opportunities to excel.

Al fought tirelessly for racial justice and inclusivity, guiding both the Montclair NAACP and the Montclair African-American Heritage Foundation through especially difficult times in our country. In 2019, he was recognized for these efforts with the Essex County Dr. Martin Luther King Jr. Leadership Award.

Al's dedication to his community was matched by his deep commitment to his family. Al took any opportunity he could to be with his wife, Audrey; his children, Dwayne and Rhonda; his grandchildren, Charles and Cameron; his sisters; and extended family.

On August 19, 2021, Al passed away after a battle with cancer. His selfless commitment to making Montclair a better place will not soon be forgotten. I was honored to have known Al and to have called him my friend. The counsel he gave me and so many others over the years will continue to impact us and the entire Montclair community for generations to come.

WE CANNOT ALLOW AN INDIVIDUAL TO UNDERMINE DEMOCRACY

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, I rise today to be able to further defend and add to my statement regarding H. Res. 730 recommending that the House of Representatives find Stephen K. Bannon in contempt of Congress.

It is well known that even from his own words and published reports, these are the words that Mr. Bannon told his listeners:

''All hell is going to break loose tomorrow.''

''It is not going to happen like you think it is going to happen. Okay. It is going to be quite extraordinarily different. All I can say is, strap in. . . . You have made this happen, and tomorrow, it is game day. So strap in. Let's get ready.''

''So many people through my life said, man, if I was in the Revolution, I would be with Washington at Trenton. Well, this is your time in history.''

There is no constitutional provision that would deny the January 6th Select Committee the right to receive information from Mr. Bannon after he has been subpoenaed for information regarding the insurrection, the riot, the attack on January 6.

The idea of executive privilege is exerted by the existing President, limited on a President of the United States no longer in office. In fact, Mr. Bannon has been gone from the White House since 2017. He has no legitimate basis.

Based on three equal branches of government, we cannot allow an individual to undermine democracy. This is a democratic republic, and I expect that the referral to the United States Department of Justice will be handled.

INVESTMENTS TO BUILD BACK BETTER

The SPEAKER pro tempore (Mr. BOWMAN). Under the Speaker's announced policy of January 4, 2021, the gentlewoman from New Mexico (Ms. LEGER FERNANDEZ) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Ms. LEGER FERNANDEZ. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New Mexico?

There was no objection.

Ms. LEGER FERNANDEZ. Mr. Speaker, we are here today to talk about the importance of this historic moment indeed, this historic moment of where we will be investing—investing in our children, investing in our planet, investing in our future. We are talking about the Build Back Better agenda.

I want to begin by talking about my district, which is made up of beautifully diverse rural communities. My district is the size of Pennsylvania, but my communities in this district are rich in culture and rich in love. You know what? They have also been historically left behind with little investments made to improve their lives and to allow them to thrive.

New Mexican values are rooted in caring for each other. We know that we invest in what we care about. We know we invest in what we believe in. Well, we must invest in addressing the climate crisis because, in my district, we know that agua es vida, water is life. Our farmers and ranchers are depending on us to act and preserve their water resources.

Communities along our rivers, along our acequias, need us to pass a Build Back Better plan that tackles the crisis head-on so that we can preserve the water flowing from our mountains and cascading along our streams for decades to come—to feed our ranchers, to feed our farmers, and to quench our thirst.

In these same communities, people often come back home to care for their loved ones, their parents and grandparents. I have heard their stories. We asked them: Why did you come back? It is because there was nobody else available to care for my grandmother. There was nobody else to care for my tia. And we know that that care is a full-time job on its own.

What does it take to go to work in rural America? It is more than just roads and bridges. It is comprehensive paid family and medical care. It is investments in long-term care and affordable childcare.

□ 1630

In my State, 53 percent of people live in a childcare desert. Seventy-one percent of rural families live in areas without enough licensed childcare providers. We can change that.

The Build Back Better plan must invest in our rural communities. We are talking about empowering rural regions, including our Tribal nations, with the resources to grow their economies, expanding access to affordable healthcare, lowering prescription drug prices, and making housing affordable. We can do this for our communities now. We can make this happen. We made progress with the American Rescue Plan, but we cannot stop there. We must build back better.

It is not good enough to go back to where we were, because we know that where we were wasn't good enough. So

we need to make sure that the child tax credit does not run out. We cannot kick our children out who came out of poverty. Fifty percent of the children in poverty in my State came out, and I am not willing to tell them: I am sorry, the clock struck 12, and you must go back into living in poverty.

No. We must include an expansion extension of the child tax credit in the Build Back Better Act.

Mr. Speaker, those children who were living in poverty are coming out. We also need to make sure that those children in rural America get their early pre-K that they need, and that is what Build Back Better will do.

So the question I ask is simple: Do we want to keep an economy that serves only the wealthiest people and corporations?

Or do we finally give our families a fair shot to truly thrive?

As I said, we invest in the things we believe in. Well, we believe in our youngest children. We believe in our workers. We believe in the promise that lies in each of our communities.

I am glad to be on the floor with my Progressive Caucus colleagues this evening to shine the light on the brilliance of the Build Back Better agenda.

Mr. Speaker, I yield to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, let me thank the gentlewoman from New Mexico for her leadership. I am very glad that she has emphasized the unanimity and the unity of Democrats as relates to all of our constituents, all Americans, whether we are in New Mexico, Texas, or whether, we are in New York, whether in Mississippi, Illinois, California, whether we are up in the New England States or down the coast in the Carolinas and down to Florida and all in between, it is important, again, to emphasize to the American people that this is about you.

Breaking news. Each of these elements that we are fighting for—and we take no discomfort in you saying at the bus stop, while taking your child to school, what are they talking about?

It is our responsibility to let you know what we are talking about and to let you know that the Congressional Progressive Caucus has been talking and working and talking and working. We now are at a point where we will say to you: We will not negotiate against ourselves.

But we are the engine to get it done working with the Quad Caucus, the Tri Caucus, and the Democratic Caucus.

So, Mr. Speaker, you have heard that there are numbers that may be different from $3.5 trillion of which I still stand on. But we are working to see how we can respond to the American people, and that is you have indicated that there is a framework that will change my life. I want to see it sooner than later.

So here is where we are. There is the INVEST Act, though, we are talking tonight about Build Back Better. I want you to know that, Mr. Speaker, as some would say, it is on the table. It is on the table for broadband. It is on the table for high-speed rail. It is on the table for electric cars. It is on the table for the trials and tribulations of your commute where there is a pothole here or a freeway that is out of commission or a bridge or a dam, it is there. So go home and be sure that we will have that framework.

But then Build Back Better is what I want to conclude my remarks on today. We will provide you with the kind of quality of life that gives you more time with your children, that gives you better wages, that gives you climate change response, and gives your child a universal pre-K and kindergarten to ensure that they are competitive around the world; and, yes, Medicaid for those who never lived in States where they opted into the public option or expanded Medicaid. So if you are working every day, we want you to have health insurance, and on Medicare we want that hearing, we want those eyes, and we want dental to be part of your life.

This is what is the bowl of fruit that is there for you. The next step as we work out for how these plans will be implemented is to get it done. My view is what I heard from a Member—I will give him credit—from Arizona. Put them together and let's move once we organize and analyze the pieces of it. And I will just leave, Madam Manager, my comment on the table.

Let us be meticulous and careful about what plans or what items can accept reduction because you don't want something that does not work because you have reduced it in time or dollars. Let's be meticulous, and that is what we are doing. And let's make sure that we are meticulous in ensuring that the final bill is an impactful bill on lives in terms of years of how long the program lasts and in terms of dollars of how much impact it will have.

We as the Congressional Progressive Caucus have been in the center and in the mix, and we will do the Nation's bidding. We will do it right because we stand for the people of this Nation, and particularly those who cannot speak for themselves. That gives me pride. I am delighted to be here on the floor with the gentlewoman to ensure that those voices can be heard.

I know working with the President we will get it done. Put it together, and let's move.

Ms. LEGER FERNANDEZ. Mr. Speaker, I thank the gentlewoman so much for her words. I do think it is important to remember what it actually means for a family.

In New Mexico, the average cost of infant care is $8,617. That makes New Mexico one of 33 States and D.C. where infant care is more expensive than college. The Build Back Better plan will limit that to 7 percent of your income.

Mr. Speaker, I yield to the gentlewoman from New Jersey (Mrs. WATSON COLEMAN) on Build Back Better and what we have been fighting for and why we must get this done.

Mrs. WATSON COLEMAN. Mr. Speaker, I thank the gentlewoman for yielding to me to be able to address something that I think is so critical and is such a once-in-a-lifetime opportunity.

There are so many elements of this Build Back Better agenda that touch us from the very youngest to the oldest to the middle class to the working class to those unable to work and those at greatest need.

I would like to speak on the aspects of the impact on our climate, the decisions that we must make.

Mr. Speaker, I rise today because Congress has an opportunity to address the climate crisis, yet some Members still refuse to take this issue seriously. Climate catastrophe is no longer some distant threat. It is here, and it is now. We are witnessing it firsthand, yet we continue to ignore its very real and very deadly effects.

This year we saw the single largest wildfire in California history. We saw temperatures surpass 100 degrees in the Pacific Northwest. And we saw Hurricane Ida devastate my home State of New Jersey as well as many others.

These tragedies were not inevitable. We could have avoided them had our country made it clear decades ago that climate change is not a political issue but a real issue that we need to respond to. We now face the consequences of our past and present decisions. This could be our last chance to take long overdue action and spare our children from having to raise their children in an increasingly hostile world.

The Build Back Better Act includes crucial climate investments. But these provisions are in jeopardy as some of our colleagues seek to eliminate them.

The Build Back Better Act must include climate action. It is nonnegotiable. We need to pass the President's entire agenda, and we need to pass it now. We might never get another chance.

Mr. Speaker, I thank the gentlewoman for this opportunity to speak on such an important issue.

Ms. LEGER FERNANDEZ. Mr. Speaker, I would also note that when we adjust for the climate, we are also creating jobs. We anticipate there will be 763,000 green jobs available to our communities when we pass Build Back Better and address the climate crisis.

Mr. Speaker, I yield to the gentlewoman from Illinois (Ms. NEWMAN).

Ms. NEWMAN. Mr. Speaker, I thank Representative LEGER FERNANDEZ. We are excited to be here. This is a really important evening.

Mr. Speaker, do you know why?

It is because we are talking about why this is so important that we get Build Back Better accomplished.

Like a great team that the Democrats are—and I want to talk about that, if I may, with our chair's permission.

We are a team. I am frustrated with the media and anybody who is saying

that we are not a team right now. We are ready to go. Ninety-nine percent now, as of today, and I do mean that number, 99 percent of us are on the same page. We just have to get a little bit more done. So I am asking the media to report accurately. I am asking all of the Americans who are watching me to understand we are ready to go. We are a team.

I want to talk about how big this package is. It is trillions of dollars. So think of it this way, Mr. Speaker, if two trillion-dollar companies came together, it would take probably 2 to 3 years to integrate it. We are doing it in a matter of weeks and months. We are going to do it well and precisely, and we are going to get it done. So teams get things done in an orderly fashion, and we are going to get this done.

But let me talk about something that is really frustrating to me and really irritating, and that is when folks talk about the labor shortage. The real issue is that we have a childcare shortage. We have a healthcare shortage. We have an affordable housing shortage. We have shortage of affordable pre-K. And there is a shortage of folks being paid properly for hard work.

This is particularly frustrating when I hear that there is a labor shortage and then our friends across the aisle block every single possible thing we can do to make that better and to boost our economy, so that is super frustrating for me.

By the way, Mr. Speaker, you can't say we have a labor shortage and then block immigration. It just doesn't work that way. You can't say immigrants are stealing jobs. It doesn't work. It is common sense. It is math. So it doesn't work.

But let me say something else, Mr. Speaker, if we do things like expanding paid leave and medical leave, if we make sure that folks have access to childcare and have free childcare, guess what?

Moms can get back to work because moms—let's be honest about it—moms are frequently the primary caregiver. We can get them back to work. Mr. Speaker, 300,000 of our moms in this Nation have been forced to quit so they can take care of their kids.

Someone mentioned something else that is astonishing, not that it is just 300,000 people who have left the workforce of the female nature, it is that in addition to that, about 70—when you take all of the sources of childcare, whether it is YMCA, moms and dads who are in other jobs and working three jobs at a time, or it is our school system, or just general daycare and childcare—about 70 percent of our childcare system was lost during the pandemic. So, of course, it is hard to get a break, because guess what?

The reason we had this amazing package set up this way that we had roads and bridges that will be repaired, and broadband delivered, as well as childcare and healthcare and in-home healthcare and all of the things on the human infrastructure side, do you know why? Because when mom and dad go to fix a bridge, they need somebody to watch their kids all day. That is why this works so well together, and that is why we have to pass this. That is why we are doing this because it is a super practical thing to do.

Every dollar in this package will get infused right back into the economy—right back. So this is really brilliant in every way. It is very practical, and it is founded within our great principles, our economic principles.

And guess what, Mr. Speaker? It is founded in capitalism because supply and demand are working beautifully in this package, and we are going to get this done.

I thank the gentlewoman for having us tonight. It is a joy to have my friend and everything she does.

Ms. LEGER FERNANDEZ. Mr. Speaker, I want to just touch on a few points.

The gentlewoman mentioned the need for immigration. I would point out that when we pass our comprehensive immigration reform, we would have a $1.4 trillion benefit to our economy. We need immigrants to help care for us. They help feed us. They are part of our communities, and the Build Back Better Act, as the House is looking at it, includes immigration reform.

Today, I was also reminded, during the remarks on something else, what today is. Today is sadly, and I say sadly, today is Latina Equal Pay Day.

□ 1645

I have introduced a resolution to acknowledge that it is Latina Equal Pay Day, and what that tells us is that it has taken this long, into the fall, into October, before a Latina earns the same as a White man. That is simply wrong. And the other thing we know is that Latinas in the recession, the shecession, that was caused by that pandemic, 20 percent unemployment, the childcare that my colleagues are talking about, that would help those women get back to work. That would help them when we make sure that they are also paid what they deserve for the work they do, taking care of our children, putting food on our plates, and just taking care of those we love.

I yield to the gentlewoman from Massachusetts (Ms. PRESSLEY), somebody who I have always looked up to and learned much from.

Ms. PRESSLEY. Mr. Speaker, I thank my colleague for yielding and sister in service here, Congresswoman LEGER FERNANDEZ, for convening us here today.

Mr. Speaker, I rise today on behalf of every worker, every parent, and every caretaker that has questioned how they will make ends meet and keep food on the table for their families; the parent that has felt that pit in their stomach, the anxiousness as they look over monthly bills with the growing costs of rent and childcare; the frontline worker, who is terrified to stay home sick and lose their job because of our Nation's failure to provide paid leave; the family afraid of being displaced from their home due to extreme weather and the existential threat of climate change; the student living in a transit desert with unreliable access to jobs, food, community; the daughter who is a caregiver to her parent who is one of 820,000 people on a wait list for much-needed home and community-based services; and our immigrant neighbor who has been unjustly denied a pathway to citizenship.

Mr. Speaker, the Build Back Better Act will help us get one step closer to rejecting the unjust status quo and beginning to build a recovery that centers on the people. As Angela Davis once said: ''I am no longer accepting the things I cannot change. I am changing the things I can no longer accept.''

Despite what some might argue, the needs of our communities go far beyond our Nation's roads and bridges, and we must ensure that our policies and our investments reflect that reality. Mr. Speaker, I refuse to choose between the union worker who builds our highways and the child worker who protections our babies and sets them on a pathway to a healthy life, to bring into bear their contributions to the world. I would ask every Member of Congress that they do the same. Reject the unjust, false binary choices that force us to choose between the livelihoods and well-being of the two that pit community member against community member. We have the opportunity and responsibility to finally make universal paid leave, home healthcare, and universal access to quality and affordable childcare a reality.

In my district, in Massachusetts, it costs $21,000 per child for childcare. We have the opportunity and responsibility to address climate change to combat our housing crisis, and to finally establish a pathway to citizenship for millions of our immigrant workers. You know, those essential workers that you were all clapping for during the pandemic.

They don't need your applause. They need you to value more than just their labor, but their lives and the preservation of their families. We must rebuild stronger as a just Nation that takes care of its people. In order to truly build back better, we must truly address both the human and physical infrastructure needs of our communities. This is responsive to the needs of the people. We have to focus on impact, advance policies that will be felt by all families. Leave no community behind. This is how we set forth a just recovery and chart a new course forward.

This is the moment to repair generations of hurt and harm and what I would characterize as policy violence inflicted on our most vulnerable and neglected communities. This is our moment to legislate our values; to honor

the decisive mandate that we have from the people. This is our moment to make this Democratic majority—House, Senate, and White House—that that is more than a talking point that we are in the majority. We must affirm and codify once and for all.

Infrastructure are those things that are essential to the functioning of our very society. Care is infrastructure. Housing is infrastructure. Climate justice is infrastructure. Paid leave is infrastructure. Disability justice is infrastructure, and the list goes on.

Here is what I know. There is no deficit of resource in this country, only a deficit of empathy and political courage. Let's pass the Build Back Better Act so that we can deliver for the communities that for too long have been asked to wait. Justice delayed is justice denied. Our constituents deserve more.

Ms. LEGER FERNANDEZ. Mr. Speaker, I thank the gentlewoman so much for bringing to light and describing those individuals for whom we are working today, but it is they who are us. We are part of their communities and they have been telling us these stories and we are responding now because now is the time for us to act.

I yield to the gentlewoman from California (Ms. BARRAGÁN), who cosponsored the resolution I spoke of earlier for the Latina Equal Pay Day. We care for each other. That is why we look after each other.

Ms. BARRAGÁN. Mr. Speaker, I thank the gentlewoman for yielding. I join my colleagues today in calling for Congress to pass President Biden's entire Build Back Better agenda. This is a plan that takes on the climate crisis and fights for environmental justice at a time when we have seen record heat waves, wildfires, and drought in California and across the country. It invests in things like the climate smart ports to invest in zero emissions technology that will reduce toxic air pollution in neighborhoods near our ports, like the communities of color that surround the Port of Los Angeles in my Congressional District.

The Build Back Better agenda we know will also invest in things like the construction of more than 2 million affordable homes to address the rising housing costs that have hit Los Angeles so hard and across the country, with more than 41,000 suffering from homelessness.

It is going to do things like lowering health insurance cost; invest in higher education to lower tuition for students at minority-serving institutions. It is going to cut taxes for families with children by extending the child tax credit and cutting poverty. How do we not invest in that? But today I want to focus more on climate because this is a crisis, and this is a threat that is happening as we speak. It is urgent.

It is urgent that we act boldly to respond to the threat of climate change and the climate investments in the Build Back Better Act which are critical to maintain, not cut. For example, there are two investments in the bill I have led on that are important for climate and environmental justice, climate smart ports. This includes a critical $3.5 billion investment to reduce air pollution at ports by providing grants and rebates for the purchase and installation of zero emissions technology.

Nearly 40 percent of Americans live within 3 miles of a port and will benefit from these investments in clean air. In my district, the Port of Los Angeles is a major economic engine but it is also a major source of pollution. We have some of the worst air quality in the country and it disproportionately impacts communities of color in South Los Angeles. For decades, my constituents have advocated for zero emission solutions. This $3.5 billion ports investment in the Build Back Better Act will deliver. It is a long-overdue investment in environmental justice, in climate action, in jobs.

So I want to urge us to fight to keep these long-overdue investments in clean air for our port communities. Environmental justice and climate justice grants, that is also in the Build Back Better agenda. There is a $5 billion investment in environmental and climate justice grants, by far the largest-ever amount that we have invested in this.

Now, with this investment, we will empower environmental justice communities to lead projects that reduce pollution and bring climate justice solutions to communities hit first and worst by the climate crisis. This will mean climate-resilient solutions such as clean energy microgrids to keep the power on during extreme weather events like heat waves and hurricanes.

It means the community solar projects that create local jobs and save money on electricity bills, like the recent solar project in my district at the Wilmington Senior Center. It means green infrastructure to prevent flooding and to protect communities from extreme heat. These long overdue investments will give environmental justice communities the resources to fight for a safe climate and clean environment.

Of course, there are other investments, such as in-home care that will help provide care for our older Americans and those with disabilities so they could stay in their homes and get the care that they need. It will provide for things like paid family and medical leave. Imagine you are a nurse at a hospital and you help deliver babies and all of a sudden you get cancer and you have no paid leave.

How are you to go home and fight cancer, so that you can focus on that cancer fight instead of worrying about how you are going to pay the bills. That very thing happened to my sister just last November. She delivers babies at a military hospital, a Federal worker. You would think these are people we take care of, but this is happening across the country day in and day out. People have to go ask their colleagues and their coworkers to donate their leave and their time, and that is wrong.

We need to invest in these and we have to fight to keep these priorities in the Build Back Better agenda. And it is time that these investments should be paid for by ensuring the wealthy and the corporations finally pay their fair share of taxes. Now is the time to make these once-in-a-generation investments in problems that have long been neglected. Now is the time to stand strong and deliver the promises we made to the American people.

Let's stand up for the people and the planet. Let's meet the moment and pass the entire Build Back Better agenda.

I want to thank the gentlewoman for leading this effort and thank the Progressive Caucus for being at the forefront of making sure that we are fighting for the people.

Ms. LEGER FERNANDEZ. Mr. Speaker, I thank the Representative for her courage. She has raised the issues of environmental injustice since the day I met her. I know she raised them and she leads them in the Congressional Hispanic Caucus, and she has now described what it means on the ground, what it means in terms of jobs, but also what it means in terms of the life that you live, the air that you breathe. Because we know that in our communities, our communities of color suffer from higher rates of asthma. And when something like COVID comes about that ravages the lungs when they have already been damaged, it hurts. And that is why we saw the level of death and despair in the communities of color, in the Native American communities and the Latino communities.

I would also point out that climate change is costly. When they don't want to spend $3.7 trillion, or $2.5 trillion, let's remember that failure to address climate change will lead to world instability. It is estimated that we would lose $23 trillion, a $23 trillion impact on our economy, our world economy by failing to address this.

I don't want to pass over the impact in terms of the creating jobs for the people in our community, for the people in America. We know that we are now coming back. The pandemic is hard. We are still pushing out of it. Today we heard some great jobs numbers. 290,000 is below what they had projected so we are feeling good. We know that the pandemic is something that we are working on, that this President has done such a great job working with Congress on that.

But still, it is estimated that the Build Back Better agenda would create 4 million jobs. That is 1.1 million caregiving jobs. That is not just a number. That is somebody that you are going to take your baby to. And you know that what we are going to do is make sure that that caregiver has the

kind of training that she needs or he needs to provide the best quality care; that because we are providing assistance, that their caregiver is going to be receiving the kind of pay that she or he deserves because they are providing the most valuable thing to you. They are caring for the most precious resource, our children. And that is what Build Back Better will do.

□ 1700

It will also create 556,000 manufacturing jobs, and those are going to be jobs with prevailing wages, good-paying jobs. That is what we need. When we talk about needing to bring manufacturing back, let's grow it here. And if you are for manufacturing in America, you have got to be for the Build Back Better Act, because that is going to create a half billion jobs. That is a lot of jobs.

But what does that job mean? It means that there is somebody who is going to go to work, who has a family, or wants to start a family, and is going to be able to buy a home. But we know that buying a home is hard. So the Build Back Better Act is going to provide assistance for those first-time home buyers. Because we know that the hardest thing for buying a home is having that down payment, and we have down payment assistance in the Build Back Better Act. That is what we are going to be bringing.

We have looked at what are the different levers of our economy that make a difference that are infrastructure, that help a community thrive, not just survive. That is what is in the Build Back Better Act, because we want our communities to thrive, not just survive.

Construction jobs, 312,000 construction jobs, doing the things that we need in America, building those bridges, building those health clinics, building those schools and those businesses. Because it takes all of that; it takes an investment in us.

And we do pay for it. There is not a dime—this is not about debt, because it is all paid for and it is paid for first by going after those who fail to pay their taxes, even when due. So, tax cheats, yes, we are going to make you pay your taxes, because that is only fair. We are going to make those corporations who have paid less in taxes than my child's schoolteacher, we are going to make them pay their fair share.

Not a single family that is earning less than $450,000 a year—so if you are earning half a million dollars a year, then you will see a small increase in your taxes.

But if any of you are outside listening to this and saying, what will it do to my tax burden? If you are earning less than a half a million dollars a year, you are going to be just fine. In fact, you are going to have a tax refund, because we have the child tax credit in there. We are lowering taxes for working families and middle-class families.

We know that when we invest in creating jobs that pay fair wages, that include benefits like healthcare, paid family and medical leave, and retirement, we will help more people get those jobs and keep those jobs. Because when they are able to go home and help somebody they love who is ill in their family, then they don't have to leave that job. That is what we should be caring about.

So when is the time to get this done? As I say in my Nuevo Mexico, ahora es cuando; it is time now to get this done. Because that is right, that is good for our communities, it is good for America, it is good for our women, and it is good for our planet.

Mr. Speaker, I yield back the balance of my time.

DEMOCRATS' PLAN TO PUT MASS AMNESTY IN RECONCILIATION PACKAGE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2021, the gentleman from Texas (Mr. BABIN) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mr. BABIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BABIN. Mr. Speaker, during my time this evening, my colleagues and I will be shedding light on the Democrats' illegal attempt to include mass amnesty in their multi-trillion-dollar spending package, their so-called Build Back Better bill.

Frankly, this entire bill is a disaster. It will permanently cause labor shortages, crush small businesses, raise taxes, lower wages, and expand the very worst parts of our government.

As one of the chairs of the House Border Security Caucus, a Texan, and simply as an American, I am stunned that in the middle of the worst border security crisis we have ever faced, Senate Democrats are using the reconciliation process to try and grant mass amnesty to millions and millions of illegal aliens.

We are up against more crises than any American has ever seen, too many to even keep track of anymore. But, folks, this is the worst one of all. Our open borders and the President's dereliction of duty to secure our southern border will unquestionably affect every single American in this country, every single State, for generations to come. Let that sink in.

My friends, this isn't a talking point. It is a fact. History has shown us that amnesty erodes the integrity of our immigration system, and it breeds contempt for the law on all sides. We are seeing this happening and unfolding before our eyes in living color.

If we look back to 1986, which was the last time mass amnesty was granted, we have a clear view of what will happen if Biden and the Democrats push this plan through. Millions of jobs will be put at risk. We will see massive waves of new illegal immigration. It is happening as we speak. Our enemies will use this avenue to enter the United States and embed themselves into our society.

Listen closely: Our society, our country, our neighbors, us—America is at stake.

Mr. Speaker, I yield to the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. Mr. Speaker, I thank the gentleman for yielding and thank him for his leadership on this issue.

Mr. Speaker, yesterday, we learned that this year has broken all historical records for illegal immigration. The CBP arrested 1.7 million foreign nationals illegally crossing our border this year. That is the entire population of the States of Alaska, Wyoming, and Vermont combined. And it is a Federal crime. It is a misdemeanor for the first offense. It is a felony for reentry. Yet, this administration is not only not prosecuting this crime; it is actively assisting and encouraging it.

Today, the Attorney General, the official responsible for prosecuting Federal crimes, could not even give us a ballpark guess of how many are actually being prosecuted, and, I suspect, because that number is zero.

He couldn't tell us what is being done to enforce the Federal law that forbids hiring illegals. He wasn't aware of President Biden's inauguration day order to Immigration and Customs Enforcement not to faithfully execute the law.

Now, I ask you, is it just possible that the administration's refusal to enforce our immigration law might just have something to do with the fact that our country is now being overwhelmed by this unprecedented incursion on our border?

Ask any of the migrants. They will tell you the sole reason they are coming is because of the Biden administration's decision to open the border. Under Donald Trump's leadership, they say they never would have considered making the trip, because we had achieved control of our border for the first time in a generation.

Yet, on inauguration day, Mr. Biden reversed the Remain in Mexico policy, he ordered ICE not to enforce the law, and he abandoned the border wall.

This Attorney General has no idea if his department is doing anything to enforce those immigration laws. Well, Mr. Speaker, without immigration laws, we have no border; and if we have no border, then we have no country.

Gallop estimates that based on their polling, there are 42 million people living in poverty in South America and the Caribbean who intend to come to the United States now that they can.

I would ask my fellow Democrats on the other the aisle, how are American workers helped by flooding the labor market with another wave of low-wage labor? How are our children helped by filling their classrooms with non-English-speaking classmates? How are our communities made safer by making it harder to deport criminal illegal aliens and gang members? How are our hospitals made more accessible by overwhelming emergency rooms with illegal immigrants demanding care?

Mr. Speaker, no civilization in history has survived the mass migration that we are now watching move toward our border. And history is screaming this warning at us, that countries that either cannot or will not enforce their borders simply aren't around very long.

People ask me all the time now, how can this be happening to our country? Well, the answer is pretty simple, if you voted for the Democrats, this is exactly what you voted for. And if you are surprised by that, you weren't paying any attention.

Mr. BABIN. Mr. Speaker, I thank Mr. MCCLINTOCK.

That is so, so true. Arrests by Border Patrol are at the highest levels since 1986. Ask yourself, what happened in 1986, folks? Mass amnesty. This isn't coincidental. This is cause and effect.

Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. PERRY).

Mr. PERRY. Mr. Speaker, I thank the good gentleman from Texas for yielding.

Since January, we haven't witnessed migration, Mr. Speaker, we have witnessed an invasion; a 200 percent increase over FY 2020, hundreds of thousands of people coming across our border in July and August.

You would think that amid what is definitively an open border crisis, replete with numerous cases of sexual assault, rape, human and drug trafficking, proliferation of gang and cartel activity, that the United States would be working to stop criminal activity and protect its citizens. Not this President, not this administration, not the Democratic Party in this House. They can't be bothered. They keep on incentivizing this illegal invasion.

You can check the tape. You can watch the film. It was then-Vice President Biden in 2015 who actually said it. He went on film and said he wants unbridled, unstopping immigration into this country. Now, I guess maybe people thought he meant legal, but it is obviously illegal.

It is crystal clear that no number of sexual assault victims, rape victims, drug overdose deaths, no number of human traffickers, can ever compare to the value of achieving the highest political objective of the left, which is creating legions of new voters.

At the beginning of this reconciliation process, we saw Democrats try to provide amnesty for literally millions of illegal aliens. What that means is saying it doesn't matter if you break the law; we are just going to let it go. We are not going to prosecute that. Go ahead and break the law; the law doesn't matter. We are going to forgive all of your crimes.

When the Parliamentarian wouldn't let them, they went to plan B. Yet more, millions of illegal immigrants, just by moving a date. Now, they are on plan C, amnesty, again, telling them to break our laws, to millions of illegal aliens, millions of people in our country illegally.

And who is paying for it? American citizens are, every single day.

Let me talk to you about the payment quickly.

Jared Vargas, killed by an illegal immigrant in Mexico. Vargas' body was then stuffed into a closet and left there for days.

Ron Dasilva, murdered by a known gang member and an illegal immigrant.

Two brothers, Daniel and Alfonso Mendez-Lopez, stabbed and killed by an illegal alien.

In August of this year, a 43-year-old illegal alien was charged in Fredrick, Maryland, just a couple miles up from the street from here, for having a sexual relationship with a 14-year-old.

In August, also, a drunk driver and illegal alien struck and killed a 3-year-old in Flat Rock, North Carolina, as she was riding her tricycle.

Those are American citizens, ladies and gentlemen.

The people in this building take an oath to uphold and defend the Constitution of American citizens, not illegal aliens.

Yet, on September 11, an Ecuadorian national, also here illegally, stabbed his wife to death and left behind their 4-year-old child.

And last Wednesday, a woman was harassed and groped for nearly 40 minutes before an illegal alien forcibly tore off her clothes and raped her on a train in Philadelphia. They went through 20 stops as up to 10 people watched and did absolutely nothing.

Continuing to incentivize people to break the law by forgiving them for breaking all of our laws is going to continue to incentivize more people to break our laws and to come here in doing so.

The American people deserve a government committed to their security. We must defeat this behemoth bill and this move towards amnesty.

Mr. BABIN. Mr. Speaker, I appreciate my good friend from Pennsylvania and thank him so much.

Mr. Speaker, I yield to the gentleman from Virginia (Mr. GOOD).

Mr. GOOD of Virginia. Mr. Speaker, I thank the gentleman from Texas for yielding.

Mr. Speaker, I rise to add my voice to identifying this as the worst of the many crises created by this President. It is hard to identify, with so many things going in the wrong direction in our country, what is the worst crisis. But the absolute worst crisis we are facing is the crisis of the illegal invasion at our southern border.

I submit that never in the history of the country has our own President intentionally done more to harm the United States than this President has done in the first 10 months of his administration.

Here we are on pace for over 2 million illegal aliens to cross our southern border. We have had over 200,000 a month for some 2 or 3 months in a row. But the good news is, we are going to stop that 200,000 pace this month. We are expected to smash it by setting an all-time record, with 400,000 illegal crossings this month.

□ 1715

I have been to the southern border three times already in my first 10 months here in Congress, something that our President apparently has never done, Mr. Speaker, been to the southern border, and something our Vice President apparently has never done, been to the southern border.

I have been there to meet with ranchers, local law enforcement, folks who live at the border, and the Border Patrol, who are living every day with what is happening at our southern border.

Everything and everyone that crosses the southern border does so under the control of the Mexican cartels. There is no compassionate piece to our border situation, our immigration policy at our southern border, when you have drug trafficking, human trafficking, child trafficking, sex trafficking. People are coming through all kinds of terrible conditions across our border. They are making every town a border town, every city a border town, every State a border State.

I was there to witness illegals being placed on planes as we flew back from McAllen, Texas. They were being flown wherever they wanted around the country.

When my colleague from Illinois asked the lady beside her to show her the paperwork from DHS, it said: You have to report at a date to be determined in Miami; we will get back in touch with you and have you report to a court date. No specific time, no specific way in how we are going to get control of that person.

Get used to, American people, what we are seeing from the Haitian crisis at the border. The 15,000, 25,000 that assembled most recently, they are not being stopped, not sent home, but distributed into the interior of our country.

Now we find out they are even flying them during the night to places around the country at taxpayer expense. They are not trying to fix it. They are trying to hide it from the American people. They are willfully, intentionally, purposefully facilitating this invasion of our southern border.

You have to ask why. Why is this happening? Why would an administration, why would a majority party, the Democrat Party, support this invasion of our southern border? No borders.

Why would they intentionally stop the already-funded completion of the southern border wall? Just because it was started by the previous President? Why would we pay contractors not to complete the wall? Why would we allow hundreds of thousands a month to come across our border unvetted? Whether it is because of a health issue or a criminal background, or whatever the reason is, why would they allow that to continue to happen?

In the short run, it is because it is Democrat voters. In the long run, it is because they don't believe in American exceptionalism. They don't believe it is worth preserving the culture of our country, and they want to change our country to look like socialist Europe.

Mr. BABIN. Mr. Speaker, I yield to the gentleman from Florida (Mr. POSEY).

Mr. POSEY. Mr. Speaker, the President's theme, Build Back Better, just can't pass the straight-face test. In reality, it is more like demolish America faster.

If you really think it builds America back better, your view of America is a lot different than most of the people I know.

We grew up in an America where college professors taught students how to think, not what to think.

We grew up in an America where you could express your thoughts on any subject without having the media collude with Big Tech to censor you through bullying, intimidation, or bogus so-called fact checks.

We grew up in an America where parents were encouraged to support the education of their children, not targeted by the Department of Justice as domestic terrorists for telling the school board members that they think they are going in the wrong direction.

We grew up in an America where immigrants, like most of our predecessors, our ancestors, were welcomed if they came here legally.

I can move to Mexico, but it would be impossible for me to become a Mexican. I can move to Honduras, but I can never become Honduran. I can move to Somalia, but it would be impossible for me to become a Somalian. On and on it goes.

But it is possible for people from other countries to come here and become Americans. If they work hard and play by the rules, they can build a better future for themselves and their families. They can achieve the American Dream.

That is why people risk their lives, and some have died, trying to come to this country. No other countries with the kind of policies you are trying to force down the throat of Americans are like that.

Yes, we lived in an America where most folks, unless they were plagued with affluenza, wokeness, entitlementitis, or Trump-phobia, believed they lived in the greatest and the freest country in the history of the world.

Pre-COVID–19, we lived in an America with the lowest unemployment rate in decades, the lowest African-American and Hispanic unemployment rate since they began keeping records.

An America that was energy independent.

An America with mostly fair elections.

And an America with secure borders.

Speaking about secure borders, let's be clear. There is a crisis at the border, even though the President, the Vice President, and most of my colleagues across the aisle deny it. Coming into our country illegally does not make someone a legal immigrant any more than someone breaking into your house makes them one of your family.

Most people know there is a difference between legal immigration and the illegal invasion that we are witnessing right now. Proposed mass amnesty will only encourage others to come and try illegally. It is not hard to see where you are coming from.

Based upon the false promise that he would unify America, President Biden got into the Oval Office, and my friends on the other side of the aisle gained a razor-thin majority in the House and Senate. But we all know, everybody knows, the unification promise was a lie, and their majority is going to be short-lived. So they must feel compelled to rush through a radical agenda before the midterms.

Now, people are understandably frustrated. Actually, they are very angry, and they are not going to sit back and take it much longer. Instead of the bogus Build Back Better plan and reconciliation plan, you know what they want? They want the Democrats to help put America back where they found it and leave it the hell alone.

Let's go, Brandon.

Mr. BABIN. Mr. Speaker, we are not against immigration. Most of us are the children of immigrants. My own daughter-in-law is a naturalized citizen. But we have to do it the right way, and that is exactly what we are here to do.

Mr. Speaker, I yield to the gentleman from Wisconsin (Mr. TIFFANY).

Mr. TIFFANY. Mr. Speaker, today I had a chance to ask some questions to Attorney General Garland and talk about what is happening at the Department of Justice.

What became very evident as we were having our question-and-answer today is that there are two sets of rules in America. It starts with our immigration system, where we are seeing people come across our southern border, people being imported from all parts of the world, and they are getting free things from the American people. They get food stamps. They get free housing. They get all of those things that are free, while Americans have to pay for it.

One of the questions I posed to the Attorney General is in regard to Facebook, and I think that very much highlights that there are two sets of rules in America. Recently, Facebook Vice President William Castleberry, said: ''We do allow people to share information about how to enter a country illegally or request information about how to be smuggled.''

Don't you think an administration, in particular an Attorney General, would be concerned about that?

Let me read to you U.S. Code title 8, subsection 1324. It makes it illegal for any person to knowingly encourage or induce an alien to come to, enter, or reside in the United States in violation of law or for individuals to aid or abet illegal entry.

Yet, Facebook is allowed to do that. Are they a full-blown subsidiary of the Biden administration at this point? A person has to be very concerned over the last couple months that that is what is happening.

The Attorney General would not make a commitment that he is going to investigate what is illegal activity from one of the largest companies in the United States of America and, clearly, one of the most powerful companies in the United States of America.

Also what came out of our hearing today, in my State is Fort McCoy, and we have been hearing stories coming out of Fort McCoy as a result of the mass migration perpetrated on the American people by the Biden administration over the last 2 months.

We found out very early on that there was no SIV process that was going on, no Special Immigrant Visa process. They were just being waived in on parole.

We found out people could leave any time that they want to. We found out that 600 people were in quarantine with measles, COVID, and tuberculosis—just being allowed into our country.

We found out that there were people being charged with violent crimes, a man raping two young boys in that camp at Fort McCoy. We found out that a man was beating his wife to death at Fort McCoy. We found out at Fort Bliss that a female soldier was being beaten by Afghan men.

The American people wonder; they wonder why there are two sets of rules.

My good friend and colleague, the gentleman from Pennsylvania (Mr. PERRY), brought up the story in regard to the rape on the Philadelphia train that has horrified Americans. The assailant was an illegal immigrant with prior convictions related to sexual abuse and drugs. He should have been deported. However, he was allowed to stay in the United States after an appeals board determined that his prior sex crime was not serious enough to merit his removal.

I asked the Justice Department, how serious does a sex crime have to be?

These are the two sets of rules that we are seeing in America, and they are seeing it in a stark basis, with the mass migration that is coming into our country.

We have an Attorney General that is being urged by school boards across the

country to entertain the use of the PATRIOT Act on mothers and parents. We won't use the PATRIOT Act on people who propose to come into the United States of America illegally, but we will use it on our own citizens? Something is wrong, America.

Mr. BABIN. Mr. Speaker, House Democrats actually rejected the Republican efforts to block amnesty for illegal aliens who are gang members or have gun charges or are sex offenders, as Mr. TIFFANY just said, or who have multiple DUI offenses. That is lunacy. All you can say is it is lunacy.

I yield to the gentleman from Pennsylvania (Mr. KELLER).

Mr. KELLER. Mr. Speaker, the flow of illegal aliens into the United States is out of control. President Biden stopped building the wall, brought back the Obama-era catch-and-release policy, and rolled out an open borders agenda that is now devastating our country.

More than 1.3 million illegal aliens have been apprehended at our border since January, and the men and women of the U.S. Customs and Border Patrol are preparing for another surge of up to 400,000 foreign nationals sometime this month.

We must invest in border security now. But instead, Washington Democrats are pushing a radical $5 trillion tax-and-spend package that will only make our borders and our border crisis worse.

This package includes zero funding for border security and grants blanket amnesty to 10 million illegal aliens while providing them with $100 billion in taxpayer-funded benefits.

The border crisis is real. Democrats' far-left, socialist reconciliation package would only make it worse.

Mr. BABIN. Mr. Speaker, I yield to the gentleman from Georgia, Mr. BUDDY CARTER.

Mr. CARTER of Georgia. Mr. Speaker, the massive reconciliation package that the House has been considering aims to fundamentally change our country. Normally, an effort this huge is considered over months and years instead of the expedited timeline we are on now.

That is why I am so glad my colleagues and I are taking this time to highlight how they intend to dramatically change our country and the consequences it will have.

Today, we focus on perhaps the most immediate problem we are facing: illegal immigration. This is happening as we speak.

There were over 208,000 border apprehensions in August, a 317 percent increase from the previous year. August was the second straight month with over 200,000 apprehensions. What is worse, this is not a new thing.

To quote The Washington Post, of all places, ''Illegal crossings began rising last year but skyrocketed in the months after President Biden took office.''

There have been over 1.3 million illegal border crossings under President Biden. The Department of Homeland Security warns us to be prepared for, next month, the possibility of 350,000 to 400,000 illegal border apprehensions in October.

The United States has never—never—recorded that number of illegal border apprehensions in a single month.

□ 1730

So we now know that this has been a problem in the past. It is still a problem now. And it will even be worse in the future.

And what are Democrats doing about it since they are in control?

The Democrats have included a plan to grant amnesty for around eight million illegal immigrants at a cost of $100 billion over the next 10 years. All of that money to granting amnesty instead of securing our border.

I am a pharmacist by trade, so believe me when I say that the phrase ''an ounce of prevention is worth a pound of cure'' is an understatement here.

We are already paying the price for illegal immigration that is harming our citizens. Over 6,000 pounds of deadly fentanyl has been seized at the southern border since February, enough to kill every American four times over.

That is dangerous. That is ludicrous. It is ridiculous.

At least 160,000 illegal immigrants have been released in the U.S., often with little supervision by the Biden administration since March.

My colleagues on the other side of the aisle truly do not recognize what is happening in our country and the world.

We need leadership to navigate these serious issues we face.

Folks, I have been to the border several times, and I can tell you it is a disaster and a tragedy. Joe Biden and KAMALA HARRIS simply do not understand the problem or how to fix it.

However, I know that if Joe Biden and KAMALA HARRIS wanted to understand the cause of the crisis at the border, they need look no further than the nearest mirror.

Every State has become a border State, and rather than support our Border Patrol agents, the Biden administration has neglected them and left our communities in danger. These people face threats in their lives, abuse and manipulation from cartels and worse. These people have been inundated with illegal aliens who have come across this border.

It is irresponsible to not only neglect the safety of Americans, but this is a tragedy for those being misled that it is okay to come to America illegally.

We cannot in good conscience continue policies that cause this much harm and damage to everyone involved. Let's stop this insanity.

Mr. BABIN. Mr. Speaker, I thank the gentleman from Georgia for his input.

I yield to the gentleman from Oklahoma (Mr. HERN).

Mr. HERN. Mr. Speaker, I thank the gentleman, the co-chair of the Border Security Caucus for holding this Special Order tonight.

Just when we thought we had seen the worst of the Democrats' socialist wish list with this $5 trillion reconciliation plan, they manage to squeeze in yet another radical, dangerous, unnecessary provision. This time, it is effectively creating an open U.S. border.

So first, let's set the scene.

This summer and fall, we have seen record numbers of illegal border crossings, reaching over 200,000 apprehensions in July and August each.

Earlier this week, U.S. authorities confirmed 1.7 million apprehensions in the fiscal year, the most ever recorded.

More than 16,000 migrants tested positive for coronavirus and were released into the United States without vaccination requirements and without any trace of where they are traveling, who they were coming in contact with. This 16,000 was on top of the tens of thousands of migrants released into the interior of the country by Joe Biden.

We no longer have detention centers at our borders, we have border distribution centers where we are sending people all over this country.

We now know that the Biden administration was covertly flying migrant children around the country. They didn't want anyone to know.

So my question for Joe Biden is this: How many children were flown out from the border and who is paying for it? The American people want to know. If the taxpayers are on the hook for these flights, we have the right to know.

This is not normal. What we have on our hands is equivalent to an invasion of our southern border. For 9 months, the Biden administration has ignored the crisis, meanwhile it grows exponentially worse. Biden stripped away all the policies that President Trump put in place to limit illegal crossings and to keep our borders safe, and now our Border Patrol has all but surrendered to the cartels.

While all this is happening, Democrats decided to exacerbate the crisis with these so-called reforms they are sneaking into the build back broke reconciliation package at the last minute. Free college for illegal immigrants; enhanced child tax credits for illegal immigrants; amnesty for 10 million illegal immigrants to the tune of $100 billion at taxpayers' expense; incentivizing illegal entry by waiving provisions for inadmissibility, meaning that illegal immigrants will practically be guaranteed amnesty; they are removing convictions for illegal immigrants to increase their chance for amnesty. Let me say that again: The Federal Government is going to drop charges against drug traffickers and others who break our laws just so they don't have to deport them. Insane.

These policies and many more are being written behind closed doors without the knowledge or input of the American people.

Democrats who hold the majority in both the House and the Senate and thereby have a stranglehold on power in the United States, must take immediate action to secure our border and protect our American people. Instead of putting Americans first, they are ensuring that illegal immigrants are protected and prioritized above the American people, which is an absolute abandonment of their sworn duty as a Member of Congress.

Mr. BABIN. Well said. Thank you very much, Mr. HERN. I appreciated that.

I yield to the gentlewoman from Illinois (Mrs. MILLER).

Mrs. MILLER of Illinois. Mr. Speaker, I thank Representative BABIN for yielding.

The Biden socialist spending bill provides amnesty to eight million illegal immigrants, including illegal aliens who are active gang members, have convictions for sex crimes, and have multiple DUI offenses.

The chairman of the Judiciary Committee actually said he was okay with allowing illegal immigrants to remain in our country even if they have 20 DUI convictions. Does that make our country more safe?

The Biden-Harris open border policies have allowed over 200,000 illegal immigrants to cross our border each month with a caravan of 400,000 on the way. This is equal to the population of Minneapolis. They are about to cross our border in the next few weeks.

Tragically, the Biden administration has allowed 125,000 children to be trafficked into our country by criminal cartels. These children often face sexual assaults by cartel predators who are only able to operate because the Biden administration eliminated remain in Mexico and brought back catch and release.

The invasion at our border plus amnesty is truly the end of our country as we know it.

Americans oppose mass amnesty for illegal immigrants. We want strong borders and a border wall.

Mr. BABIN. Mr. Speaker, I thank Mrs. MILLER. We really appreciate that.

For those of you who don't know, one of the leaders of the 1993 World Trade Center bombing was legalized through the 1986 amnesty by falsely claiming that he was a seasonal worker. After receiving amnesty, he traveled back and forth to Afghanistan and Pakistan to receive terrorist training. There is no reason to believe that terrorists would not once again take full advantage of amnesty to hurt us.

Mr. Speaker, I yield to the gentleman from Michigan (Mr. BERGMAN), the highest ranking military officer to serve in the House of Representatives.

MR. BERGMAN: Mr. Speaker, I thank my friend from Texas for yielding and for leading tonight's Special Order.

How do you apply an adequate objective to the shocking, clueless attempt to jam amnesty for eight million illegal immigrants into this Democrat-owned, Democrat-grown, Democrat-processed multitrillion-dollar reconciliation bill? Again, it is a complete sham.

I think it is clear to most Americans why illegal immigration is illegal—it kind of sounds like I am repeating words here, but it is still illegal—and why any nation and our Nation needs borders.

People aren't trying to break out of the United States of America. Let's be clear why we are the greatest country in the world. Because we built it. Nobody else did.

The Democrats running our country today, however, are defying logic and the rule of law.

They are hosting an open border policy on the front end while simultaneously proposing a mass legalization policy on the back end.

The amnesty policy before us is the opposite of a solution.

We need real solutions, like when we had a wall being built and border security policies that worked.

I am here tonight because we need to stop this illegal activity on the southern border and make sure it is not rewarded by this shameful sham bill.

Mr. BABIN. Mr. Speaker, I appreciate what the gentleman said.

While the exact number of the millions of illegal aliens potentially eligible for amnesty is very fluid, data shows that historically each immigrant to the United States sponsors an average of 3.45 additional family members for green cards. So theoretically, if the estimated 13 million illegal aliens currently here in the United States were given lawful status and sponsored green cards for three or four family members, 43 million—let me repeat that, 43 million—new immigrants would be coming in. This is astounding data.

Mr. Speaker, I yield to the gentleman from Wisconsin (Mr. GROTHMAN).

Mr. GROTHMAN. Mr. Speaker, I thank the gentleman for yielding.

The topic for tonight, and rightfully so—when we look at the $3.5 trillion bill with so many things that will permanently change America—is some of the most radical immigration provisions we have ever seen. Predictions by the Democrats, themselves, will be that they will affect 9 to 12 million more people in this country who are not here legally and will ultimately lead to a huge change in America.

This has nothing to do with legal immigration. Every year in this country about 800,000 people are sworn in as citizens. They are appropriately vetted, they have jobs, they are not committing crimes, and they are added to our citizenry.

I am talking about the people who are coming across the border claiming they want asylum.

I was down at the border last week to have a look at some of these people who apparently people feel will make good citizens.

One of the first things you notice, at least in the Yuma sector in Arizona, is you look at the path of people coming here, the path is littered with identification that is being thrown away by people who want to get in this country.

Now, why would people throw away identification? Normally you keep your identification because you have nothing to fear. If you are throwing the identification on the ground, it means you are creating a new identity when you come here. These are the type of people that under this bill are eventually going to work their way to become American citizens.

And it is not surprising. The Democratic Party in many other ways has made it clear the type of people we want to get are not the type of people normally sworn in.

Look at all the sanctuary cities or sanctuary counties around the country. And by having a sanctuary city or a sanctuary county to me it is an invitation to say you are going to go on public assistance.

We are sending in children without their parents. People normally would like to have an intact family, but what we are doing in this bill is we are going to encourage more parents to send their underage children to the United States not knowing what will happen to them.

Under this bill as the word gets out that the United States does not care about enforcing laws and more people come here, it will inevitably mean more illegal drugs in the country under this bill. And we are now in a position in which over 90,000 Americans are already dying every year primarily of COVID but also from other drugs that pass through the border.

The only thing in this bill that you would expect to have—given the $3.5 trillion number, you would expect to have maybe more money spent that is immigration related—is more border patrol agents. But as in their regular budget, that is not something that they feel we need more of.

So, again, I beg the American people. I know it is easy to get lost among the $3.5 trillion in spending, but I beg the American people to rise up against this bill because of the massive green light for illegal immigration that is going to come if it passes.

□ 1745

Mr. BABIN. Mr. Speaker, I thank the gentleman, (Mr. GROTHMAN). So true.

Mr. Speaker, I yield to the gentlewoman from Michigan (Mrs. MCCLAIN), my colleague.

Mrs. MCCLAIN. Mr. Speaker, I thank the gentleman for yielding and for having this Special Order.

Mr. Speaker, once again, I come before this Chamber to ask when will this administration address the ever-growing crisis at our southern border.

Every day that passes, from sunup to sundown, our Nation's immigration laws are being violated by thousands of illegal border crossers. For the life of

me, I don't understand why—and let me say this again—I don't understand why our Commander in Chief refuses to go and see the mess that he and his open border politics have created.

But I have seen this crisis myself so let me paint him a picture. And I am going to use a paint brush with some facts.

In fiscal year 2020, 458,000 illegal aliens were apprehended at our southern border; that was in 2020. Fast forward to fiscal year 2021, under President Biden's ''leadership,'' the number skyrocketed to 1.7 million.

And that is not a crisis? That doesn't even warrant a ''pick your head up and open your eyes and go down to the border.'' From 458,000 to 1.7 million, I would hate to see what a crisis would look like under his watch.

Last month, more than 12,000 illegal aliens from Haiti squatted under a bridge until President Biden's Department of Homeland Security began moving those illegal aliens into the interior of our country.

The problem doesn't stop with people coming in illegally. Illegal drugs from the border are coming to a town near you. And we are already seeing it. Again, let me use some facts:

In fiscal year 2021, Border Patrol agents at the southwest border seized 900 pounds of fentanyl. That is what they seized. Doing the math, that is enough to kill nearly 200 million people. That is nearly two-thirds of the country.

To all of my colleagues, I beg of you, I implore you, we must fix this crisis at the border, but you can't fix a problem you don't think exists.

Mr. BABIN. Mr. Speaker, I thank the gentlewoman, (Mrs. MCCLAIN). I really appreciate it.

Mr. Speaker, I yield to the gentleman from Florida (Mr. DONALDS), my friend.

Mr. DONALDS. Mr. Speaker, I thank my distinguished colleague from the Lone Star State, Dr. Babin.

Mr. Speaker, I have been on this floor already a couple times this week talking about the 4.3 trillion or the 3.5 trillion—or maybe what they are saying on CNN now—maybe $2 trillion. Who knows how many trillions of dollars is in this bill. But I am here today to speak against a provision that I find to be just as disastrous as some of the others, including the one that will allow the IRS into the bank accounts of every American.

It is a provision in this bill that allows for mass amnesty through budget reconciliation. Something, by the way, that the Senate Parliamentarian has already said is out of order but it is still in the House provision. It is important that the American people understand this.

How disastrous of a policy is that? It is because those are the things that the Vice President of the United States said she was looking for. She was looking for root causes. Well, here is the number one root cause. When this body decides to green-light in a package that there will be mass amnesty in a spending bill, that tells the drug cartels, it tells the coyotes, it tells anybody who has been waiting south of our border to emigrate into the United States illegally to come on down, because they are the next contestant.

When you do something like that, you are giving a signal to the entire world that we do not take our own border seriously. There has been a fight in this Chamber to complete border wall construction for 30 years but what people need to understand is that the number one entity that has been asking for a border wall is Border Patrol themselves.

You see, the American people will never build walls in their house with wide open gaps. That is just silly. But in Congress, we think that is okay. That is why Congress has not taken their responsibility serious enough to complete the border wall, so Border Patrol has every tool at their disposal to secure our southern border.

Immigration is critical to any nation, let alone a nation like ours. We need legal immigration in our country, but it must be legal. It cannot be out of control. And what is in this budget reconciliation bill would allow for the most reckless and the most wide open and the most insecure border our country has ever seen. And that is actually something that our Congress needs to not do.

We need to stand up for our border agents and the American people. We need to secure our southern border and take that provision out of this bill, amongst others.

Mr. BABIN. Mr. Speaker, I thank the gentleman (Mr. DONALDS). I appreciate that very much.

Mr. Speaker, I yield to the gentleman from Wisconsin (Mr. FITZGERALD), my friend.

Mr. FITZGERALD. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, amnesty is not infrastructure, and I know this seems obvious to many Americans, but I know for some of my colleagues they are trying to redefine. And what is tucked away right now in the $5.5 trillion spending package are provisions that would give amnesty to over a million illegal immigrants.

I have been to the border. Some of my colleagues that I have been able to visit the border with are here this evening.

Eye-opening experiences in McAllen, Texas. And in the travel back to Houston to fly back to Wisconsin, I saw a plane that was full of refugees with brown envelopes and destinations written in black magic marker. And I just wondered who could possibly be sponsoring all of these individuals and where would they end up.

We know that there is 11 million illegal immigrants living in the U.S. today. Not only does this provision pose a risk to national security, but studies have found that it is going to cost us trillions of dollars in payouts in increased entitlement benefits.

Mr. Speaker, what I witnessed, and I think what I have experienced back in Wisconsin, has put us in a position where unless we act now, unless we act swiftly to get a handle on the southern border, we will no longer have the borders that bind us Americans. And I don't think the urgency could be any more clear and any more in front of us right now.

Mr. BABIN. Mr. Speaker, I thank Mr. FITZGERALD. I appreciate that.

Mr. Speaker, I yield to the gentleman from New Jersey (Mr. VAN DREW), my friend and colleague, and a dentist as well.

Mr. VAN DREW. Mr. Speaker, I thank my friend and fellow dentist for yielding.

Mr. Speaker, it is no surprise that Democrats, led by President Joe Biden, are abusing the budget reconciliation process to pass an extremely partisan, socialist spending spree that will fundamentally change our Nation forever.

One of their many dangerous provisions is to provide amnesty to more than 8 million illegal immigrants. And for those that didn't quite hear me or didn't quite believe it, 8 million illegal immigrants. Even though the Senate Parliamentarian already ruled that to do so would violate the rules of the reconciliation process.

Additionally, the majority party outright rejected offers from Republicans to bar gang members, sex offenders, and other violent criminals from receiving amnesty. As I have stated before, literally you have to believe that many Democrats are actively trying to destroy our great Nation.

With record-breaking levels of migrant crossings, drug smuggling, and child trafficking, the majority is still somehow finding new ways to weaken and undermine our great America. Let me be clear to you. I love immigrants. America needs immigrants, and immigrants need America. But it must be done legally. We are a nation of laws, and those who enter America must go through our legal process.

True story, just the other day, I received a call from one of my constituents who emigrated to the United States from Eastern Europe. With her husband, she went through America's legal immigration process because she loves our country and she respects our country. She called me, literally crying in utter disbelief with our current immigration situation and also the current state of affairs in the United States of America.

She came to the United States, worked hard as a hotel employee, and eventually saved enough money by working double shifts to purchase her own business with her husband. That is the America that I know. That is the America that we all love; not this reckless concept of open borders with zero accountability.

For how long are Democrats going to pursue these radical ideas. Is this really what America is becoming? A place where people can uncontrollably flow

through our borders and do whatever they want? Dammit, that is wrong.

Think about our communities. Think about our children. Think about our grandchildren, who are going to have to suffer the consequences of these radical Democratic policies. They have proven that not only do they not care about our institutions, but they do not care about our laws or protecting our great America. God help us.

Mr. BABIN. Mr. Speaker, I thank Dr. VAN DREW. I appreciate it.

Mr. Speaker, I yield to the gentleman from Arizona (Mr. BIGGS), my friend, and also fellow cochair of the House Border Security Caucus.

Mr. BIGGS. Mr. Speaker, I thank the gentleman (Mr. BABIN), my colleague on the House Border Security Caucus.

Mr. Speaker, you have heard a lot about numbers today. I want to just tell you a little bit about some of the faces and individuals. I have been from the Rio Grande Valley to San Diego, and back again, this year. I get down to the border incredibly often; just down again last week, down two weeks before that, down a few weeks before that. And that is kind of way I live, because I live in Arizona and it is affected and it is impacted.

I was down in RGV, the Rio Grande Valley, and you can go there in the area of La Jolla. And you sit at the river, the Rio Grande River runs, and you can go and you wait—this little fork in the road. We parked the car. I had a CBP agent with me, had a couple Members of Congress. It is nighttime. We are looking out and we see about 40 people literally emerging from the river. They are dressed great.

But you know what? Most of them are kids under age 14, I would guess. A little girl 7 years old, she is with her brother, 5. There is no mom. There is no dad. There is no aunt or uncle. There is no one there to take care of them. The coyote brought them across the river and deposited them.

Do you know what would happen in the United States for us who are citizens, who are legally here, if we had a 4-, 5-, 6-, 7-year-old child and we put that child in the hands of a criminally-violent person? That is what a coyote is; they are working for the cartels. And we sewed into their britches a name and a phone number, or a city. We put that child there; and then we were up in Detroit, or LA, or Phoenix. And that coyote, the person we gave that child to, then turned the child over to the Border Patrol to reunite with us.

Upon reunification, we would be charged with child abuse. But our government is the logistics arm of the cartel, and we don't do that. We reunite that child and we allow that mom and that child to remain in the United States of America and we don't bring criminal charges. And we don't remove from this country. Instead, we release with all the benefits of our social welfare safety net, our education system, our healthcare, the free phones, the housing—all of that. That is what we do.

And down in Yuma, just recently, how about this, I am standing there with some of my friends. We are standing literally next to the fence. But the fence ends, and there is a space of several hundred yards. And literally, we are getting pictures of us standing in front of this hole in the fence.

Here comes a fellow. He is walking up, and so we stop and talk to him.

□ 1800

Where are you from? Cuba. Where were you before that? I came from Russia. I went from Cuba to Russian and then I went to Spain and then to France and then to Mexico City, and then I got myself to Mexicali. I took a bus from Mexicali to Yuma—actually, Los Algodones, which is right across the border, and he walks dry across the dregs of that point of the Colorado River.

I say: What are you doing here? I want to be in America. He wanted to be an American.

We say: Well, why don't you sit right here? There is water. There is a station where you can clean yourself up a little bit. Border Patrol is going to be along in just a second.

That person is not an economic refugee. There is no credible fear. He is traveling and wants to come to the United States of America.

Do you know what is going to happen to him if they don't title 42 him, which they are not doing many title 42s anymore? He is probably already in the country somewhere. That is where that fellow is. He was an engaging fellow, but, nonetheless, illegally in this country.

Mr. BABIN. I thank my good friend from Arizona. Mr. Speaker, how much time do I have left?

The SPEAKER pro tempore. The gentleman from Texas has 90 seconds remaining.

Mr. BABIN. Mr. Speaker, I thank my friends for bringing attention to this unbelievably important issue. Every one of us, as well as my colleagues who couldn't be here tonight, could talk about this crisis for days. Since our time is limited, I want to close with this.

Our very existence as a democratic republic, as a nation, hangs in the balance. The overwhelming majority of Americans reject the idea of mass amnesty. The border crisis, including the abuse, assault, drug trafficking, abduction, danger, murder, fraud, and death that comes along with it will only get worse.

We cannot afford to risk the lives of migrants or Americans by granting a mass amnesty. We will continue to fight against this for as long as we need to.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President.

CRISIS AT SOUTHERN BORDER

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2021, the Chair recognizes the gentleman from Texas (Mr. ROY) for 30 minutes.

Mr. ROY. Mr. Speaker, I thank my friend from Texas for holding this time with my colleagues to talk about what is going on at our southern border and talk about how important it is that we do something about it.

Mr. Speaker, I thank my friend from Arizona for his steadfast leadership on border issues. I know that the gentleman was squeezing in some time there, and I am happy to engage in colloquy or yield him some time to continue to talk about this important issue, if he would like.

One thing that I noticed you were saying in the time from my friend from Texas, you were talking about being down at the border, being next to the fence, a fence that works, by the way, where it is up, and then there is a hole or an unfinished fence or where the fence ends.

I noticed that my friend from Arizona was recently standing next to a large pile of metal, steel. I wondered if he might describe for the American people what you were standing next to so they can understand what is actually happening.

Mr. Speaker, I yield to the gentleman from Arizona (Mr. BIGGS).

Mr. BIGGS. Mr. Speaker, I thank the gentleman from Texas for yielding.

Mr. Speaker, I was standing next to many piles—I couldn't even fit them into the camera shot—of bollard fencing panels taller than me, $2 million worth of those bollard fences right there.

A little further down from where we were, there is another set of bollard fencing, but they aren't welded together yet. They are not panels yet. They are getting stolen, by the way.

Where we were was by the temporary headquarters of the contractors who were there to put up the fence. You know what? They keep going to work every day. You know why they keep going to work every day? They got a contract, and they are getting paid to go there. But they can't put the fence up because President Biden says you can't put the fence up.

Mr. ROY. I think there is a theme for this administration, and this administration's theme is paying people not to work. In this case, they are paying people not to build a fence, despite the fact that the taxpayers of this country have paid for a fence that would actually do the job of stopping the flow of people who want to come across this country and, in many cases, bringing fentanyl, bringing dangerous narcotics, harming the American people, and harming themselves. Yet, we can solve the problem but refuse to.

Mr. BIGGS. That is exactly right. Think about this, too. It is inhumane, right, because we entice people to come here, and we know that the cartels,

they control. I can't emphasize this enough. I was startled when I heard this. The cartels control every person coming across the border.

Let me tell you what that fellow from Cuba, the Cuban national, said to me. He said: Look, I will wait here for the Border Patrol to come pick me up. Will I be molested while I wait?

Think of that. What kind of country are we that we entice people to come here, and they put themselves in the hands of some of the most ruthless criminal gangsters ever.

There are two internecine wars going on between the Gulf Cartel and the Sinaloa Cartel right now. The brutality is phenomenal. It helps you to know that they are not humane. These people that are coming over are paying $700 in the Haitian group, most $4,000 to $7,000. They are putting their lives in the hands of these very violent criminals.

Mr. ROY. Would it surprise the gentleman from Arizona that one of the reasons that the Haitians got a different deal was they came up through Del Rio and they did so purposefully? Why did they target Del Rio, you might ask?

My colleagues on the other side of the aisle are clearly sitting over here inquisitive, with their interest of what is happening at the border. While they continue to advance policies that create an open border, they don't seem to actually care about the open border because I haven't seen any of my colleagues on the other side of the aisle when I go down to the border.

In fact, the last one I remember going down to the border was my colleague from New York who went down wearing a pantsuit, standing outside of a fence doing a photo-op, crying about kids in cages—cages created by the Democratic administration, indeed, to try to deal with the fact that we had so many people coming in across the border. Yet, it was fake. It was staged. And then they lied about kids drinking out of toilets.

The actual reality on the ground at the border is dead migrants. I am sure my friend from Arizona knows of dead migrants in Arizona because we got dead migrants in Texas. So my colleagues on the other side of the aisle who pat themselves on the back for how compassionate they are about migrants and Brown people, go talk to the Brown people in south Texas about what they are seeing and what they are finding. Talk to the ranchers.

I would love to hear if you have similar experiences. The ranchers who find a migrant either dead or dying from the heat and exhaustion, seek to get them water, call 911 to get them help, try to help their fellow human being. They are dealing with that.

A hundred bodies in Brooks County, Texas, stacking up this year. Body trailers. The sheriff down there has to deal with this. $3,000 per body for autopsy. $5,000 per body for burial because they can't get the families.

Where are my colleagues? Where are our colleagues on the other side of the aisle? Going around trumpeting and talking about how their policies of open borders are great for migrants. Well, say that to the dead migrants.

I assume my colleague from Arizona has seen similar stories.

Mr. BIGGS. That is correct. We have seen it all along the border, whether it is Arizona, Texas, the New Mexico boot, California. The heat is so great, except for right there at San Diego, but it is even hot there. When it gets 120 degrees in the desert and they are coming across, they got one gallon of water that they got somewhere along the pike, and that is it. It is unrelenting, unremitting heat. We see this.

Here is another question. You got it in Del Rio?

Mr. ROY. Yes.

Mr. BIGGS. And that was not organic?

Mr. ROY. No.

Mr. BIGGS. It was organized. It was organized.

Down in southern Mexico right now, you have a group of 95,000-plus forming up, mostly Haitians forming up, waiting. They have announced that this Sunday is their departure date. We think a good share is going to go to Yuma this time because we have a 7-mile gap in our fencing down there.

Mr. ROY. As my friend from Arizona knows full well, the cause of this is the purposeful and willful disregard for enforcing the laws of the United States at our border. Our laws actually require the enforcement of the law at the border.

The Secretary of Homeland Security is willfully disregarding, for example, as my friend knows, the Secure Fence Act, which among its provisions passed in this body on this floor is to guarantee that we have operational control of the border. That is law.

The Secretary of Homeland Security literally stood in Del Rio, looking at individuals standing in America, going back across the Rio Grande and buying tacos, bringing them back over and selling them to Haitians on American soil. He saw it with his own eyes. He turned to the cameras, and said: Our border is secure.

He looked at the American people and lied, just like the White House press secretary lied when she said Border Patrol agents were whipping Haitians when what they were doing was actually trying to do their job that the President of the United States and the Secretary of Homeland Security is purposefully, willfully trying to deny them the ability to do.

Would my friend agree?

Mr. BIGGS. I agree with you 100 percent. If they would enforce our law, we wouldn't need to be standing here. We had the Attorney General today come in.

Mr. ROY. We did.

Mr. BIGGS. We asked him some pointed questions. How many prosecutions? Is it still illegal? Yes, it is still illegal to come into the country.

Are you prosecuting anybody? Well, I suspect the answer is, no, they are not prosecuting anybody, but they are not detaining anybody either. The law, under title 8, says you must detain unless there is some legal exemption from detention.

The vast majority that are coming across, the Haitians—we heard about 10,000 to 12,000 that Secretary Mayorkas admitted to. They only removed 2,000, and the real number was between 26,000 and 30,000 that actually flowed through Del Rio, Mr. ROY.

What happened to the other 20-some-odd thousand? Well, they are now released into the interior of the United States of America. That is what is happening. This catch and release program is another contravention of our law.

Mr. ROY. Isn't it a perversion of our law for the administration to tell the world: Come to the United States. Claim asylum.

Let's be clear. This is what is happening almost explicitly. The administration is saying to the world: Come to the border of the United States. Claim asylum. We know and you know and every everybody knows well over 90 percent of you do not have a valid claim for asylum.

They are seeking economic benefit. They are seeking jobs. God bless them. I would, too. I have no problem with their desire to come here. But the rule of law matters.

You have an administration saying: Come on here. Claim asylum. What we will do is we will parole you. What does parole mean? Oh, well, you can just come in here and you can work. You can have a job. You can get benefits. And we will just pretend you are going to come back under notice to appear or notice to report. Or we are not going to parole you. We are just going to send you out, and say, notice to appear or notice to report. Oh, by the way, we might just release you and not give you a notice to appear or notice to report, and we just are going to let those numbers flow into the United States of America.

Mr. Speaker, 1.7 million apprehensions this year; 300,000 or 400,000 gotaways this year; hundreds of dead migrants along the Rio Grande.

Where are my colleagues? Where are they? They have a duty under the Constitution, a sworn oath to uphold the Constitution to enforce the laws of the United States, and the administration. Here in Congress, this Chamber is MIA in holding the administration accountable to do their job, and I would like to know why.

Mr. BIGGS. When you say that, I am reminded of the surge of 2019. That surge in 2019 happened. I know you went down to the border multiple times.

Mr. ROY. Yes.

Mr. BIGGS. I went down to the border multiple times. I took codels down to the border so folks could see how bad it was. That was my President.

Mr. ROY. Yes.

Mr. BIGGS. You know what? He was trying to enact policies to stop that. They brought lawsuits to prevent stopping that.

Now that their administration has basically adopted an open borders policy, a dangerous policy for the people coming across, a national security issue for us, a national security threat for us, it is crickets?

Mr. ROY. What were those policies that President Trump and his administration put in place to actually secure the borders of the United States in 2019?

Mr. BIGGS. There are several. Title 42 came along a little bit later, though. The most effective were the remain in Mexico policy and the agreements with the Northern Triangle states. There were no incentives in these care packages that came along of $1,400 every time anybody came in illegally.

He started building the fence. He stopped the catch and release. He ramped up the due process speed. He tried to get those folks with the false asylum claims in, get them due process, and get them removed. He was actually removing people who had removal orders.

We got 1.2 million people who had due process with removal orders in this country today, and this administration has told the ICE officers: Don't go out and find them. Don't enforce those removals.

□ 1815

Those policies were actually working, and title 42 when that came in, that finished it off.

But do you know what you had most of all, Mr. Speaker?

You had a President who said: Do not come, you are not welcome.

Mr. ROY. Right. You are not welcome to come here illegally, and you are not welcome to flout our laws. You are welcome to come here and follow our laws that we have in place for people who come here legally.

There is a waiting list, by the way.

What do you say to the people who are waiting?

Don't worry about it. Let all these other folks come in and just walk through or cross the Rio Grande endangering themselves, endangering Border Patrol, not providing resources to the Border Patrol to do their job, so they are the ones left hanging, dealing with COVID, not having resources, being alone at midnight with no cell signal, no ability to talk on the radio, and no ability to move their car up and down the Rio Grande River.

I have got a bill with my friend, HENRY CUELLAR, to have navigable roads and a fence along the river.

Why won't Speaker PELOSI bring that bipartisan bill to the floor of the United States House of Representatives?

It is for one reason and one reason only: Democrats want a political tool. They want the political reality of a wide-open border. There is zero other defense for what Democrats are doing, instead of actually doing what it takes to secure the border of the United States.

Mr. BIGGS. Mr. Speaker, when you think about it, in 2018 we swore in 830,000 new U.S. citizens. In 2019 it was about 800,000. That is kind of where it sits every year.

I had a young man who worked for me; his family were immigrants from Mexico. Thirteen years it took for them to get citizenship—13 years. And if they would have crossed the border illegally with the current Democrat plan, they would have gotten amnesty.

Mr. Speaker, think about that. Good friends of ours, our neighbors, same situation, 12, 14 years to get citizenship.

And do you know what, Mr. Speaker? I have to get back to this caravan that is coming up.

Mr. Speaker, what do you think 95,000 people will do to a town of Del Rio's size, which I think is 30,000, 36,000, something like that; or Yuma which is a town the size of 80,000; or how about the town of Douglass; or Naco, about 3,000; or Douglass, about 15,000?

What happens when they come in there?

We don't have facilities. They get processed and released. That is what happens.

Mr. ROY. That is what happens. They get processed and released. And then, Mr. Speaker, when you have migrants who are coming in between the ports of entry and they come across ranches and ranchers come across them or they die in the desert, then they are left having to deal with the body. They are left having to go and have a coroner come and do the autopsy. They have to have, like the gentleman said, body trailers coming down there.

Mr. Speaker, you can't make this up. I just want to know: Do my Democrat colleagues think we are making this up?

They may not know because the Secretary of Homeland Security sure as heck isn't coming down and explaining this to us.

I can tell you, Mr. Speaker, we are not having a debate here on the floor of the House about anything at all much less our border.

Oh, we have time to have political show trials. We have time to have a subpoena by a sham commission in which you wouldn't even put on the ranking member of the Judiciary Committee, Mr. Speaker. You wouldn't even put on my friends, KELLY ARMSTRONG, JIM BANKS, no, we can't do that. So we are going to have a show trial, we are going to come out here, and we are going to have political theater.

But we are not going to do a doggone thing about migrants dying and Texans dying from fentanyl overdoses.

Why don't we talk about the danger of fentanyl?

Oh, no, we don't want to talk about that. Everybody over here has a steak dinner they have to go eat tonight.

Why don't we talk about the fact that there was a high-profile Texas Longhorns football player, today they put out a statement, the family, sadly—Jake Ehlinger, the brother of the former Longhorns quarterback Sam Ehlinger—in a statement Thursday the Ehlinger family says they learned Jake accidentally overdosed May 6 from what is believed to be the prescription antianxiety medication Xanax laced with fentanyl.

Well, do you know what, Mr. Speaker, and to all my colleagues who are not in this Chamber, that is a story that is happening every day in America across this country: 100,000 people dead, dead in this country because of wide-open borders, with China putting out this synthetic garbage and putting it into the system, and our children are dying. And the Democratic Party, the people leading this Chamber are MIA. They don't care about you, and they don't care about the American people. They only care about crass political use of the border to advance a racial identity agenda.

Mr. BIGGS. Mr. Speaker, the gentleman is right, 100 percent. Mr. Speaker, think about the drug trafficking right now. When the cartels want to bring in drugs, they flood a zone. Del Rio, they put all the Haitians there.

Mr. Speaker, 224 miles of border went unprotected—unprotected—for 8 days. They had cameras, but they didn't have any bodies to go arrest these people bringing the drugs in. We have got places in Arizona for 62 miles with absolutely the only fencing being a vehicle barrier. We have got people coming in who are going through mountains.

We have mountains filled with scouts watching and telling these drug carriers where they are coming in. They come on up, they pop out on Interstate 8 and the intersection of Interstate 10 just south of Phoenix. It is the number one drug trafficking corridor in the country. They spit this stuff out all over the country, and now they are moving into pills. They are moving into pills, counterfeit pills, and we have no idea—they are made by some dude down in a garage.

Mr. ROY. Mr. Speaker, some dude is cooking it in Mexico, they are shoving this stuff up from Mexico. There is a guy cooking the Xanax in the same place they have the fentanyl, and people are now getting those pills in the United States, they are dying, and we are just sitting here.

I have got the same Interstate 10 going right through San Antonio, the same Interstate 10 going through Boerne where we just stopped a car with nine immigrants in it, two bound up in the trunk. The car was being driven by a cartel employee, an American citizen, taking them to a stash house. That is the story of your current open border, Mr. Speaker. And, again, my colleagues on the other side of the aisle are completely MIA.

Mr. BIGGS. Just on that, I have got to comment on this because when the

gentleman said he had an American citizen, the driver, as an employee of the cartel, we see that all up and down the border, and they want to get youth to do it as well because they are not going to be prosecuted.

Mr. ROY. They are recruiting.

Mr. BIGGS. They are recruiting youth because they are not going to be prosecuted as adults. They are going to get off easier.

Mr. ROY. I wonder if the gentleman might indulge, I had planned a couple of things that were border related, but I also have another topic that he might be interested in. I want to set the stage for something I hope is viewed positively because I believe right now what we are seeing is as Sam Adams put it:

> You don't need a majority, but you need tireless minorities being willing to set brushfires of freedom.

What we are seeing across the country are people willing to set brushfires of freedom.

A couple of different issues. Right now we have a President of the United States who has set forth an unconstitutional, unlawful, illegal, and tyrannical vaccine mandate that companies have to bow down to the altar of this White House and do what he says. And I say: No, they don't; and the Governor of Texas says: No, you don't.

Guess what, Mr. Speaker? Southwest Airlines decided to play footsie with this tyrannical order, and the pilots said, no; the employees of Southwest said, no; a lot of their customers said no; and people like me and others called them to task.

Guess what Southwest did, Mr. Speaker?

They backed off a bit. They have now said: We are not going to fire people; we will give them unpaid leave.

I said to Southwest: That is not good enough. You need to let them work. You need to let them carry out their livelihoods. But God bless us, that is a move in the right direction.

Delta Airlines said: Well, we are not necessarily going to do that mandate.

We have got In-N-Out Burger saying: Do you know what, Mr. President? We are not going to do that.

God bless these corporate entities that are saying: No. No. No. We are not going to bow down to whatever the President says because he doesn't have the power. He is not a king. You can't say that we are going to get vaccinated when we believe there is natural immunity or we believe there might be a myocardial issue for our kids, when we believe it is in our best interest to decide what we are going to do for our families. Under no circumstances are we going to bow down to what a dictator in the White House is trying to tell us to do, and I wonder if my friend from Arizona agrees.

Mr. BIGGS. Mr. Speaker, I agree 100 percent. We have other places where the employees are fighting back. You have got the Chicago police union. God bless them.

Mr. ROY. Amen.

Mr. BIGGS. Guess what is happening, Mr. Speaker?

The mayor there is trying to put pressure on them.

Guess what, Mr. Speaker? Indiana cities are offering jobs to those Chicago police officers. If they come here, we are not going to mandate that.

Mr. ROY. Yes. We need some cops in Austin, Texas, to fill the holes when those liberals in Austin decided to get rid of the cops. We need some more. Come on down.

Mr. BIGGS. That is what you are seeing, Mr. Speaker. I just got a tweet just 20 minutes ago, 30 minutes ago. We are seeing one of our big companies, one of my big defense contractors in Arizona had an employee walkout today. They don't want this.

Do you know what, Mr. Speaker? If you want a vaccine, go ahead and get the vaccine.

Mr. ROY. Amen.

Mr. BIGGS. But doggone it, it should not be mandated by a tyrannical government. And this is the tip of the spear on a fascist-style government, in my opinion.

Mr. ROY. We have a few others: General Electric employees in Greenville, South Carolina, walked out over the vaccine mandate. A New York hospital will stop delivering babies as workers quit over a vaccine mandate. Nearly 1,900 Washington State employees quit or were fired over the vaccine mandate because they said no. And a trooper tells Governor Inslee to kiss his—fill in the blank—in his final signoff before a vaccine mandate, and they put their boots out on the steps in protest. Seattle first responders fired for vaccine noncompliance march on city hall to turn in their boots. Parents in California protest student COVID–19 vaccine mandate, keep kids home. A vaccine opponent protest outside a hospital following shot requirement for employees. And a Wyoming teenager—God bless that Wyoming teenager—was arrested after refusing to wear a mask on school grounds.

That is the America I know. That is the America that doesn't bow down to the tyranny of a federal government that has no constitutional power to tell them what to do and tell them how to live their lives. That is the America that is going to preserve a republic for our kids and grandkids worth passing down to them.

Mr. BIGGS. Amen. People say, looking around, they get so depressed and frustrated when they see the horrible and horrific impacts of the policies coming out of this administration, not the least of which is the curtailing of their freedoms.

Mr. ROY. Amen.

Mr. BIGGS. The gentleman from Texas talks and reminds us of all of this, and we are seeing it. Like my friend, I keep a folder in my computer of story after story of people fighting back saying: No. We are not going to kowtow; we are not going to bow down to this tyranny.

It gives me hope, and it gives us the optimism to carry on and keep up the fight because this country was born on freedom, and it is going to continue. We will see a comeback of freedom.

Like Ronald Reagan said, it may not be in your genes, but you have to fight it. For every generation it is a new fight to keep freedom, and this is our fight today.

Mr. ROY. Amen. We have got frontline doctors who are out there making sure that people can get access to ivermectin. We have got people who are working around all the barriers of these pharmaceutical companies that are saying: No, you can't get this stuff.

Americans want to take care of their loved ones despite a government saying they can't get the treatments that save lives.

I had a woman today break down in tears. She came up to me, and I hugged her. She was crying because her 52-year marriage to her husband—he passed away in August. He was fighting COVID, and he was beating COVID, but he couldn't get ivermectin. They couldn't get to it. They were denied access to it, and they couldn't get monoclonal antibody treatment. She said to me: If I had been able to get him to Florida, I would have saved his life, and I would still have my husband.

Now, I don't know the facts of that, but I hear that from thousands of Americans all the time. They are being denied the ability to get treatment and being denied the ability to get care because we have got a top-down dictatorship coming out of Washington trying to coerce and tell the American people what their healthcare should look like.

But it is not just healthcare. It is critical race theory. It is all of the garbage being taught in our schools about wokeness and telling people that we should be racist because that is what critical race theory is. It is racism, and it is nothing other than that. We have got American people, parents, going into school boards and saying: Enough. We are not having it anymore.

We have got Texas Carroll Independent School District; parents in Southlake recently fought back and won; Fort Worth Independent School District; Colleyville, Texas; New York, Clarkstown School Board; Georgia, Atlanta where parents are coming in, and they are saying enough. We believe in America, and we believe in the content of one's character and not the color of their skin. We don't want to listen to this garbage dividing us further by race.

Mr. BIGGS. One of the only good things about the COVID outbreak was that parents got to see what the kids were learning for a change, and when they saw it, they said: This is not what I want my kid to learn. And they started standing up.

Do you know what, Mr. Speaker? It is working.

But do you know what is happening?

Right now, we have got an Attorney General who has basically said: We are

going to stop those protests, we are going to stop that communication that is First Amendment messaging that you give as parents to the school boards.

That is not the American way. That is the tyranny, and that is the fascism we are fighting about. That is what you and I were fighting with the Attorney General today about. And doggone it, we have got to stand up, and those parents need to be able to stand up, express themselves, and express their protest.

Mr. ROY. I always notice that my colleagues on the other side of the aisle snicker when we say things about critical race theory. They laugh at it. But they never want to debate the actual substance of the garbage being taught. They never want to actually look at the curriculum, look at the books, and look at what is being taught.

The Virginia Department of Education administered a training to teachers that included a presentation instructing them to embrace critical race theory and engage in race conscious teaching and learning in order to—this is a quote—reengineer attitudes and belief systems.

□ 1830

That is what it is about. Its roots are in Marxist ideology, and we know it. It is clear. It is evident, and we see it in Loudoun County right now where we see what is unfolding in Loudoun County, which is all about critical race theory, parents getting angry, and then a school board stepping right over the rights of a dad to be able to go down and protest to the school board because his daughter was raped in a bathroom by a dude wearing a skirt. And they want to then go down and say, oh, well, we are just going to say this is domestic terrorism.

And what happens? The Attorney General of the United States gives the FBI the power to go after parents because parents are protesting against this stuff because they know the power is in the people. We the people.

And you know what? The American people are on to this stuff, and the American people are going to stop it because that is the way we do things in this country.

Mr. BIGGS. That is where it is. That is where the fire is starting, right there at the level of the people.

And if we are going to save this country—I tell people all the time—it is going to come from the grassroots. It is going to come from the people. It is going to take off into the local jurisdictions in the States.

If you think that you are going to save this Nation with the United States Congress, you are sadly mistaken. It is the States. It is the individuals. It is the families. It is the people who love this country, and they are going to keep fighting us back. I am with you 100 percent on that.

Mr. ROY. Well, I thank the gentleman from Arizona for his comments. I believe my time is winding down.

Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from Texas has 1 minute remaining.

Mr. ROY. Well, I appreciate the Speaker for his indulgence. I appreciate my friend from Arizona.

I would just point out that what we learned today was highly troubling. What we saw with the Attorney General, what we learned today when we saw that the White House was colluding—we saw this in evidence in emails—colluding with the National Association of School Boards to include language in the memoranda that then got the Attorney General to go target parents with the FBI. We saw that. It was evidence. The AG admitted today in our committee, he said, because of that memo, I created this effort by the FBI. We saw that. It is happening. The American people are onto it.

The American people, if you are listening to me, you stand strong. You say no. Say no to vaccine mandates, say no to mask mandates, say no to all the nonsense coming out of this critical race theory garbage. Stand up for your kids. Go to school boards, turn over the school boards, and fight for freedom.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President.

HOUSING IS CENTER OF ECONOMIC STABILITY AND PROSPERITY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2021, the Chair recognizes the gentlewoman from California (Ms. WATERS) for 30 minutes.

GENERAL LEAVE

Ms. WATERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on my Special Order, and to insert extraneous material thereon.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. WATERS. Mr. Speaker, last month, the House Financial Services Committee Democrats unanimously passed the housing title of the Build Back Better Act to provide $327 billion in critical investments needed to affordably house America and invest in neighborhoods across the country.

With the inclusion of my committee's housing title, the Build Back Better Act will create over 3 million affordable and accessible homes. It will fully address the needed repairs in public housing so residents can safely live in their homes with dignity.

It will help an estimated 750,000 households afford their rent or exit homelessness through expanded housing choice vouchers. It will address the racial wealth gap by helping first-generation home buyers access homeownership. These investments will help the schoolteacher experiencing homelessness; the children exposed to lead and other harmful toxins in their homes; the elderly neighbor who can't afford their prescription medications on a fixed income because the rent and mortgage is too high; the millennial who cannot rely on the bank of mom and dad for a downpayment to purchase their first home; and the millions of families that hang in the balance of imminent eviction or foreclosure due to the pandemic.

Just today, my committee heard from several witnesses on the importance of the housing choice voucher program and how transformational it can be for a family to receive this assistance. Harvard Professor Raj Chetty testified about his research showing that children whose families received a housing choice voucher to move to low-poverty neighborhoods later in life earned 30 percent more than children who remained in high-poverty neighborhoods. Another witness testified about how the voucher program helps his clients escape homelessness and achieve housing stability.

Housing is at the center of every household's economic stability and our Nation's prosperity. Without these investments in resilient, healthy, accessible, and fair housing, the Build Back Better Act will not improve the lives of families across the country, as we have promised it will.

Mr. Speaker, I am going to try, in the best way that I possibly can, to describe what is happening in the Congress of the United States of America. This build back mission, this act, is the vision of the President of the United States of America. President Biden has taken the leadership for job creation. He has taken the leadership to deal with some of the equity issues in this country. He has taken the leadership to do everything that can be done to ensure that we invest in the human potential of the citizens of this country.

He is doing everything that he can to deal with the pandemic, and he is unearthing and revealing the softness in our economy, in our society, prior to that pandemic, and this is difficult work. This is not easy.

Of course, eventually, we had to deal with the fact that we have some who were resisting the mission of the President to build back better.

At one point in time, I know there was some talk about a $600 trillion bill. And, of course, we have heard most about a $327 trillion bill. So at this point in time, we don't have the cooperation in order to realize the President's mission and vision about what it takes in order to support the citizens of this country in a way that will help to change their lives.

However, this is transformative. This is the kind of legislation that the President of the United States has developed and worked with because he

understands what it takes to strengthen the economy, to create jobs, to open up opportunities, to deal with rental assistance, and all of these issues.

Unfortunately, there are two members of the Democratic Party on the Senate side who do not agree. It has taken us a long time to understand what it is they want, what it is they don't want. But in the final analysis, they do not, at this point in time, support the President's vision.

However, those of us who chair committees worked very hard on our portion of the Build Back Better Act. I, as the chair of the Financial Services Committee, worked very hard with our staff in order to identify what is absolutely needed in order to support housing in a real way in this country. Housing issues that have been disregarded, that have not been paid attention to, housing issues that have gone unattended to for so many years, in that, of course, we dealt with public housing and the fact that they were in great disrepair, and they needed the resources necessary to fix those elevators; in order to get the lead out of the paint; in order to make sure that the stairways are safe.

I am reminded of the fact that Ms. VELÁZQUEZ from New York called me from one of the public housing developments last winter when there was no heat in the entire development.

So this money is desperately needed for the capital investments that we need to do in public housing. But not only do we deal with public housing, we deal with the fact that there are people who work every day but cannot afford the rents. We deal with people who are paying 50 percent of their income for rent. We deal with people who are on the ground in makeshift tents every day, homeless all over America.

One of the issues that has become very important to me is the choice voucher issue. So in addition to the $80 billion that we advocated for public housing, there is another $90 billion that we advocated for the vouchers. This includes not only choice vouchers. It includes project-based vouchers so that we can develop more affordable units.

Of course, we recognized what the cities wanted, what they have been dealing with, and what they believe will improve their ability to assist those who are trying to get safely housed. That is the HOME program that the cities love. That is the CDBG program and those programs we funded. In addition to that, I want you to know that Barney Frank and I worked for years in order to come up with the National Housing Trust Fund. So we had $36 billion that we put into that.

Now, given that we don't know what the top line is in the Build Back Better Act, and we don't know exactly whether or not our Senators on the opposite side—on the Democratic side or the opposite side—will honor this vision and this leadership of the President. So without knowing what the top line is, we know that probably we are all going to have to take cuts in all the areas that we have worked so hard for.

I am certainly prepared to accept our share of that responsibility. I know that cuts have to be made, but they have to be made fairly. And so there was a rumor that there was going to be zero dollars advocated to these choice vouchers and project-based vouchers, and, of course, that made me very unhappy. That caused me to have great concern. I have been working, organizing press conferences, working with the advocates, working with academicians and everybody to help the administration and everybody else understand that we cannot do without adequate vouchers for the people who are in such desperate need of rental assistance.

Everywhere all over the United States, particularly in Black and Brown communities, people have been waiting for years to be able to get these vouchers. And so we have a time now by which we are going to be funding some of what is needed in housing, and at the top of my list are the vouchers.

I want everybody to know that I have been talking with members of our Caucus and I have been talking with members of the Congressional Black Caucus. We are not backing away from getting a substantial number of vouchers funded. I am not going to back away. I am not going to be shy about it.

As a matter of fact, I will let the world know that I and others that I have organized will not vote for any bill that does not have a substantial number of vouchers in it so that we can deal with the longstanding issues of a lack of decent and safe and secure housing in our communities.

I don't need to say any more. All I need to let people know is, I am fair. I accept cuts across many of these areas that I have worked so hard for, but I do not want my number one issue in all of this housing to be undermined, neglected. And I do not want the people of our districts who expect their government to come to their aid when they are coming to the aid of others in so many ways—and I respect the fact that in our Caucus and in the Progressive Caucus, we have about five different kinds of interests that we want to see supported. I, tonight, am talking about housing. But I respect the agenda of the Progressive Caucus and the five areas that they have identified. But for me, housing is number one.

I will now call on those who are participating this evening.

I yield to the gentleman from Missouri (Mr. CLEAVER), who is also my friend and chair of the Financial Services Committee's Subcommittee on Housing, Community Development and Insurance.

Mr. CLEAVER. Mr. Speaker, I thank Madam Chair for yielding. Let me begin my comments by thanking the gentlewoman, as I have done in front of you and away from you, because I think you have placed housing on the front burner in this country right now, and it could not have come sooner.

Let me just say that—because I was disoriented because of the earlier speakers and then got a really bad headache, but I am going to still be able to share these comments—I probably did not grow up like many of the people in a contemporary United States. I grew up in Texas just outside of downtown Dallas, and I had no idea that we were poor.

□ 1845

Never mind the fact that we had an outhouse about 30 or 40 yards down a hill by a little creek. Never mind the fact that we didn't have windows in our house. Actually, we did have windows, but my father or somebody had put tin over the windows to keep the winter cold out. The good blessing there was, in Texas, the weather is quite mild in the winter.

But I lived in a shack, and there were six people in it. There were two rooms. My three sisters slept on one side of the room, and I slept on the other side of the room. The kitchen was not really a kitchen. We had what was called an icebox, and the iceman would bring a big block of ice every 2 or 3 days for 50 cents.

So I guess somebody could say, well, his parents weren't working and that is what happens in this country when people don't work. It may be interesting, at least for some, to know that my father attended Prairie View, did not graduate from Prairie View, came back home and started his own business, Cleaver's Cleaners. And in a town where there was rigid segregation, he could only do the people in the neighborhood, and that didn't provide enough income.

But he kept us in this house as comfortably as possible. In fact, one night, I asked my mother if I could share something that is called hoe cakes, big biscuits. She would make syrup, and I loved it. It was like heaven. I asked her if I could share those with the people who lived on the big street. We lived in an ally, and there were big mansions that are still there today, and I wanted to take some over and give it to the rich kids, because my mother said they didn't have any hoe cakes.

But we lived in a house. And my father, who turned 100 on July 16, paid $20 a month on a shack, probably was worth maybe $250. So I grew up in that house.

We then moved to public housing. My father worked—and, in fact, I don't know how he made it, and I don't know how he lived to be 100, because my father worked three jobs. He worked at the First Baptist Church, a huge church, still is a huge church that is known all over the country. And then, on Saturday mornings, he cleaned up the T. A. Litteken's Construction Company office building. Then on Saturdays, he would serve parties. He did that for years and years and years and years.

I hope he is watching this tonight, because I want to say thank you to him, because I don't know how he did all of that. Because my mother did not go to school, college, he felt like it was his responsibility to send her to college.

So we moved to public housing. And as I have said publicly, my father lied to the officials at the public housing, the Rosewood projects. He would not tell them that he had another job, because to do so meant that he would have to increase his rent.

So he saved every dime he could get, every dime, and bought a house in the White neighborhood and had it moved on a Saturday night to the east side of town where African Americans lived.

This was his dream. My father had the house fixed up. We moved into the house. I had my own bedroom. I thought we were rich. I mean, we actually had an indoor bathroom. I remember, I spent one night just flushing the toilet, just playing with it. It was like heaven. Then my mother started college when I was in the seventh grade. My father insisted.

My father was willing to do whatever he had to do to build his family. But the key to all of it was housing. That separated us from a lot of others. Housing, it is the most significant thing a human being can have. It makes them a part of the American Dream.

My daddy is somebody—and this rose so high—that his lawn was put on display in the local newspaper. The lawn of the summer, that is what he wanted to do.

Madam Chair, I appreciate everything you have done and said to bring us to this point.

I want to say to anybody watching, if you live in the United States, the most powerful, the richest Nation on this planet, you have no business sleeping outside with 700,000 people who do it every single night in this country. You have no business being unable to afford a house in the United States, because the average price now is almost $400,000.

Ms. WATERS. Mr. Speaker, I yield to the gentleman from New York (Mr. TORRES), my friend.

Mr. TORRES of New York. Mr. Speaker, I would not be here today as a United States Congressman were it not for affordable housing and the opportunity it gave me and my family. So the fight is deeply personal, and I am honored to stand in the trenches with Chair WATERS and Chair CLEAVER as we fight for affordable housing at a critical moment.

We cannot build back better without realizing the vision of housing as a human right and without realizing the vision of housing as infrastructure. We cannot build back better without making America affordable to all Americans. Housing is not an afterthought; housing is foundational, not only to who we are but to who we become.

We know from the research of Professor Raj Chetty that ZIP Code is often destiny and that where you live determines your access to opportunity. It often determines the quality of the schools you attend and the services you access.

We know that housing is not only foundational but also intersectional. It intersects with climate. In New York City, we saw not one, but two record rainfalls. And as our city has become less and less affordable. More and more Americans are living in illegal basement apartments that were heavily flooded by the remnants of Hurricane Ida, and those Americans died at the intersection of the housing crisis and the climate crisis.

Housing intersects with public health. As our city has become less and less affordable, more and more New Yorkers and Americans are living in overcrowded apartments. And we saw those overcrowded homes become Petri dishes for the spread of COVID–19.

Housing is essential. Housing stabilizes the essential workforce that stabilizes the rest of us. According to the National Low Income Housing Coalition, there is not a single county in America where an essential worker earning minimum wage could afford a two-bedroom apartment, and there are only 7 out of 3,000 counties where an essential worker earning minimum wage could afford a one-bedroom apartment. If you are an essential worker earning the Federal minimum wage of $7.25 an hour, you would have to work 72 hours a week in order to afford a one-bedroom apartment.

The central cause of my life has been public housing. My mother taught me that the most important lesson in life is to never forget where you come from. I come from the Bronx, and I come from public housing.

In New York City, we have the New York City Housing Authority, commonly known as NYCHA, which is the largest provider of affordable housing in the continent of North America, housing a population of about half a million Americans. Half a million is larger than most large cities in the United States. If NYCHA were a city unto itself, it would be the largest city of low-income Black and Brown Americans in the country.

I feel, Mr. Speaker, that we are on the verge of making history. We are on the verge of going from FDR's New Deal to LBJ's Great Society to Joe Biden's Build Back Better. But the fundamental difference between FDR's New Deal and Joe Biden's Build Back Better is racial equity. FDR's New Deal was racially exclusionary, and the Build Back Better Act must be racially equitable.

We cannot build back better without advancing the cause of racial equity, but we cannot advance the cause of racial equity without rebuilding NYCHA, without rebuilding America's largest city of low-income Black and Brown Americans. We must rebuild affordable housing.

Infrastructure is about more than roads and bridges. It is about safe, decent, affordable housing. Safe, decent, affordable housing represents roads and bridges to the American Dream, and I stand here as living proof.

Ms. WATERS. Mr. Speaker, I yield to the gentleman from Texas (Mr. GREEN), who is also the Chair of the Financial Services Committee's Subcommittee on Oversight and Investigations.

Mr. GREEN of Texas. Mr. Speaker, it is always a preeminent privilege to be in the company of Chairwoman WATERS, especially when she has taken up a cause that is not only worthy but noble. I greatly appreciate what she is doing tonight.

I would say this, housing is infrastructure, and housing is infrastructure for a multiplicity of reasons.

I neglected to say ''and still I rise.''

And still I rise to talk about housing is infrastructure. Housing is infrastructure.

If we traverse the highways and byways across our country, in our urban areas, we will find persons who are sleeping under overpasses, sleeping under bridges, sleeping along the roads, the roadways.

Overpasses and bridges have become housing. The infrastructure itself now has become housing. It is my belief that if an overpass can become housing, which is infrastructure, then the housing itself can be infrastructure. It is time for us to fully fund these housing programs.

I would mention but one that I think is very important to us, and that is the housing choice voucher program. This is an important program, because I had my staff to compile some statistical information for me, and here is what they have called to my attention. We need to know who actually benefits. Over 40 percent of these voucher recipients are households with children, 29 percent are the elderly, and 36 percent are nonelderly people with disabilities.

This myth that people are, for some reason, deciding that they will just make their way through life on the backs of others, is something that I call inanity. It is close to insanity to say this when you examine the empirical evidence.

We also find that, yes, the wait time is long, averaging 2.5 years nationally. Many of the lines are closed, with the 50 largest housing authorities having wait times of a year or more and some up to 8 years.

Madam Speaker and Madam Chair, there is much more to be said, but the time is limited. I would simply say this, vouchers have shown to reduce homelessness, help people pay rent, reduce poverty, help children exit the welfare system, help persons find and keep employment, help children do better in school, help people with disabilities maintain their health, help people achieve greater economic mobility, help people build wealth, and help families enter the middle class. It is time to fully fund the voucher system.

□ 1900

Ms. WATERS. I yield to the gentlewoman from New York (Ms. CLARKE).

Ms. CLARKE of New York. Mr. Speaker, I rise today on behalf of the American people to express my support for the maintenance of effort of the robust housing provisions of the Build Back Better Act that is before us as a body.

I would like to thank the chairwoman of the Financial Services Committee, a champion for all of us in the United States of America, but particularly for the poor and disenfranchised.

I rise on behalf of all our American families who are directly impacted by our affordable housing crisis, and I rise today, Mr. Speaker, because despite the proposed solutions Democrats fought to secure in the bill to address our housing crisis head-on, they are at risk of being eliminated, negotiated away from the revised package.

The housing crisis in America is real and growing exponentially each and every month. Housing insecurity is very real in the lives of far too many American families.

Mr. Speaker, I rise today on behalf of my constituents in central and south Brooklyn who continue to struggle due to the lack of affordable housing and for whom overdevelopment of market-rate units has created a gentrification juggernaut that has swollen the ranks of the homeless in New York City and across this Nation, working families stuck who can't afford to stay in their apartments but can't afford to leave their towns.

The effects of gentrification and COVID–19 have truly compounded this crisis, causing many to be evicted from their homes and experiencing homelessness at a rate we have never seen, all due to the lack of real and sustained investment in affordable housing.

Ms. WATERS. Mr. Speaker, I believe our time has been exhausted. I yield back the balance of my time.

BUILD BACK BETTER ACT WILL PERMANENTLY CHANGE AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2021, the Chair recognizes the gentleman from Wisconsin (Mr. GROTHMAN) for 30 minutes.

Mr. GROTHMAN. Mr. Speaker, I would like to spend some time addressing the Chair and America on the American Rescue Plan or, actually, on the Build Back Better Act, which is kind of a follow-up on the American Rescue Plan.

We know the result of that original big-spending, government-printing act was a big increase in inflation in the United States, apparent to one and all. This is a follow-up bill to that, which will further require the Federal Reserve to print more money, driving up the cost of gas, of food, of housing everywhere we look.

But I am not going to address just the cost of this bill tonight. I am going to address the way I believe it will permanently change America and the vision the Democratic Party apparently has for America in the future.

In this bill, we are adding 87,000 IRS agents. For quite a while, when I would give talks about this bill, I would talk about 8,700 because when my staff told me it was 87,000, I felt I had to correct them. Nobody would want to add 87,000 IRS agents. But I stand corrected. I was wrong.

In this bill, we are adding 87,000 IRS agents, enough to fill up a massive American football stadium. Being from Wisconsin, I think of Camp Randall Stadium, where the University of Wisconsin plays. I think of Lambeau Field, where the Packers play. Somebody wants to hire that many IRS agents.

It is not in the bill, but it is in conjunction with a proposal I think the Biden administration has, to monitor every $600 transfer of funds. What type of country would have this many IRS agents and want to know if you spend $600 on who knows what—giving to the politically incorrect church; giving to a politically incorrect nonprofit; giving money to a fringe, eccentric sibling; whatever.

It sounds like something more you would think of in East Germany when East Germany was around rather than the United States. But that is apparently the vision of the party that put together the Build Back Better Act.

As was just mentioned in this bill, we are adding money for more low-income apartments. Now, that sounds good. President Biden also recently increased the food stamp allowance.

There is an author of mine that I suggest Americans read by the name of Theodore Dalrymple, an English author who was a doctor dealing both with English prisons and English slums.

He talked about the empty lives that people who live what I will refer to as the welfare lifestyle that England had. He attributed that empty life to the fact that in England—and maybe they backed off this by now, but at least England 15 years ago, no matter how irresponsible you were, you always got a free apartment; you always got free food; and you always got free medical care. In other words, there was no responsibility when you got up in the morning to really accomplish anything because you would always be able to exist.

We are close to that right now, but I am afraid the majority party wants to go all the way there when I look at this proposal. I hope the majority party stops and thinks in addition to the cost, more importantly, psychologically what will it do to the people of America if, when you graduate from high school or don't graduate from high school, if you want to, particularly if you have a child, you can live a lifestyle in which you can be completely irresponsible. You will always be able to eat and always be able to have a nice air-conditioned, heated apartment, which will probably have more square feet per person than the average housing in Europe, much less around the world.

This will, again, change America for the worse. Psychologically, it will give people nothing to live for. By the way, since it is usually targeted at people with children, it also will create a sad situation we have already created in this country in which men will have less responsibility for taking care of their children.

When you have no other responsibilities in life, it can lead to, first, an empty, depressed life; and, secondly, it can lead to—what?—idle hands are the Devil's workshop.

There are other things in this bill that will also change America. We are aiming for universal 3- or 4-year-old kindergarten, I guess you would call it. As a sidelight, this bill says that the people in these daycares, which is kind of what they are, need a college degree. That is a little bit of snobbery that we should put an end to, the idea that if I have a college degree, I am always better off than somebody who doesn't have a college degree.

If you are applying for a job, we treat the hardworking, intelligent, commonsense person without a college degree as being, for some reason, less worthy of a higher paycheck than the lack of commonsense person who may not have a strong work ethic who does get a college degree. That is just a sidelight. A bad provision there.

But another provision about this that is bad is you are taking the care of the 3- and 4-year-olds out of the parents and giving it exclusively to the government. Now, a given number of parents may prefer it, but I think throughout most of this country, the raising of the children has been primarily the responsibility of the family.

I know the Marxist element in the other party does not want parents and, in particular, fathers too involved in their children's upbringing. But I feel this will again permanently change America.

I should point out, if you look at the studies, American schools sometimes have bad test scores. But our test scores are pretty good in the fourth grade. In other words, our problem in this country isn't that the children are doing poorly when the parents take care of them. Those test scores for children in American schools are falling in middle school and high school. So the problem is later on. It is not with the 3- and 4-year-olds when the parents have responsibility.

I should also point out that we are, in this bill, increasing Pell grants. Now, there are two problems there. Pell grants are grants going toward what we will refer to as low-income people, but they don't go to middle-class people.

I am already getting complaints in my district from Pell grants in the past as couples, married couples who thought they were being responsible in raising their children, they find out their children might be going $30,000 or

$40,000 in debt to get a college degree. But if the parents hadn't been working or hadn't been working as hard, those parents' children are eligible for free college.

I know I am sure it always feels good to give more away, but put yourself in the place of the middle-class American family that is working to raise their child, a married couple, and you see somebody else next door not working very hard, and as a bonus, their children get free college, where the responsible middle-class kid winds up $30,000 or $40,000 in debt. Another example here of complete unfairness and perverse incentives.

When I go back home, one of the major concerns of businesses is they can't find anybody to work. Now, I would hope everybody sometimes tours their businesses and is familiar with that. Obviously, hiring 87,000 new IRS agents is going to take 87,000 people away from the private sector.

But another interesting proposal in this bill is we have a new expanded civilian conservation corps. In other words, we are taking more people away from the factories, the construction sites, the retail outlets that they so desperately need to hire them for the government, make them dependent on the government, but above all make sure they are not available for the private sector. Another big mistake.

I mentioned the Pell grants and the fact that in a way they are a little bit of an insult to the middle-class kids who have to go further and further in debt. But another interesting provision about these Pell grants and another way that they clearly want to change America in this bill is you are eligible for the Pell grants if you are here illegally. This is not a mistake. I am not making this up.

I am on both the Education and Labor Committee and the Budget Committee, where we tried to take this provision out, and the Democrats on those committees proudly defended the provision. They really believe that if you come here, you are entitled to free college, whereas if you are a member of a middle-class American working family, your children should go $30,000 to $50,000 in debt to get a college degree. I mean, it is almost beyond belief, but that is another one of the features of this bill and one of the reasons why I really hope it fails.

Another feature of this bill, be it natural gas or methane, is increasing taxes, driving up the cost of energy in the United States. The environmentalists in this country may be interested to know that already the high cost of energy in the United States, and even more Europe, is causing more and more foundries, and I assume other factories as well, to go up in India, which is a much, much, much bigger pollution problem than the United States.

So when you drive up the cost of energy, which is so very important for American factories in general and our foundries in particular, what this bill would do is ship more American manufacturing jobs abroad and increase the overall pollution in the United States as we have energy production go from the new, clean power plants in America to the much dirtier power plants in India, China, and from around the world.

Other things in this bill that are a little bit irritating: After much effort, the Republicans, when they were in charge, required Social Security numbers for the child tax credits. Why did we require Social Security numbers? To make sure people are not filling out tax returns and getting tax refunds they aren't entitled to. I don't know why anybody would not want Social Security numbers so we can check to see if somebody says they have five children, they really have five children and get the money back.

For whatever motivation—I can't even imagine what the motivation would be—in this bill the wonderful Democratic Party is saying, no, you don't need Social Security numbers to get refunds for your child tax credit, which will not just increase a form of welfare. This will increase a form of welfare cheating. Why you would do this, again I can't imagine.

□ 1915

One other provision in this bill, not a fiscal provision, the Democrat Party is trying to allow, I would say, 8 to 11 million people currently here illegally to become legal.

First of all, you are rewarding people who broke the law to come into this country. And secondly, when you make 8 to 11 million people legal who were previously illegal it is like putting a sign on the United States, which the drug cartels who are involved in all this illegal immigration, will show around the world: Come to the United States. We are not enforcing our immigration laws.

Perhaps the majority party is not aware that already the drug gangs in both Central America and Brazil are taking out TV ads inviting people to come into the United States.

Why do they do that? Because if you're in Central America, they may charge you 5 to $7,000 to come here. In Brazil they may charge you $10,000 to come here. And because there is money to be made for the drug gangs, they advertise, encouraging people to come here.

Now, when we do something like, in essence, legalize people who are already here illegally, don't you think the drug gangs are going to educate the people in Central America as to what we are doing? Of course they are.

So not only are you inviting people or creating people who are illegal or who were previously illegal, but, worse, you are giving a green light to anybody hanging out in other countries, now is the time to come to America.

By the way, when I am down on the border, another thing I hear is the cooperation from the Mexican Government has been less and less over the 6 or 8 months as we try to control our border, not only to keep illegal people out but to keep the drugs out, as well.

Our Border Patrol notices a little less cooperation from the Mexicans, and I can see why. They believe they are getting less cooperation because if the United States itself doesn't care about its own border, why should Mexican law enforcement risk their lives protecting the border and protecting the integrity of the border if the United States itself doesn't care?

So here we have another provision which advertises the United States doesn't care about their immigration laws. I am sure the Mexican Border Patrol, the Mexican military is aware of it, and what will they think of it? Why should I risk my butt preventing people from coming here if the United States itself doesn't care?

So, again, I encourage America to wake up. We are permanently changing the type of country that this is if this bill passes as is.

So I encourage Americans to contact their legislators. Please don't pass this bill.

Now, I will make two more brief comments for the press corps, if they are even paying attention to this.

Like all Congressmen, I frequently get contacted on issues and asked whether I can look into it. Of course, agencies don't like to respond to requests from individual Congressmen, particularly Congressmen in the minority, but I think the press corps, which is so incredibly powerful, more powerful than they imagine, can get answers from bureaucratic agencies the way perhaps Congressmen cannot. And I am going to mention two requests here.

I had requests from people of both parties, both Republicans and Democrats, as to what is in the videos when we had the attacks on this building on January 6. For whatever reason, those videos have not been made public. People would like to know what was going on. I would hope the press corps would apply a little bit of pressure to the appropriate authorities and make those videos public. Because from what I can tell, in my district both the on-the-ball Republicans and the on-the-ball Democrats wish we could see those videos. And I think if the press applied a little bit of pressure, we would see those videos.

The other thing I am hearing from my constituents back home is they wonder about the apparent use of ivermectin in India. If you look at the popular Worldometer website, they will show a dramatic drop in fatalities in India over the last few months, just a shocking drop.

People claim it is from ivermectin. I don't know if it is true or not. But the American news media ought to wake up and cover the story and find out if it is.

If it is not from ivermectin, the American public should know it because then they have been sold a bill of goods.

If it is from ivermectin, the American public should know that because maybe we have a way to greatly reduce the number of fatalities.

So those are two requests that I have of our sometimes slumbering press corps.

Mr. Speaker, I yield back the balance of my time.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 11(b) of House Resolution 188, the House stands adjourned until 9 a.m. tomorrow.

Thereupon (at 7 o'clock and 20 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, October 22, 2021, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

EC–2483. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to significant malicious cyber-enabled activities that was declared in Executive Order 13694 of April 1, 2015, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

EC–2484. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Sudan that was declared in Executive Order 13067 of November 3, 1997, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

EC–2485. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to South Sudan that was declared in Executive Order 13664 of April 3, 2014, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

EC–2486. A letter from the Associate General Counsel for General Law, Department of Homeland Security, transmitting a notification of discontinuation of service in acting role, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, Sec. 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Reform.

EC–2487. A letter from the Agency Representative, United States Patent and Trademark Office, Department of Commerce, transmitting the Department's final rule — Electronic Submission of a Sequence Listing, a Large Table, or a Computer Program Listing Appendix in Patent Applications [Docket No.: PTO-P-2020-0032] (RIN: 0651-AD48) received October 19, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

EC–2488. A letter from the Acting Chief Privacy and Civil Liberties Officer, Office of the Deputy Attorney General, Department of Justice, transmitting the Department's final rule — Privacy Act of 1974; Implementation [CPCLO Order No.: 009-2021] received September 24, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

EC–2489. A letter from the Federal Highway Administrator and the Federal Transit Administrtor, Department of Transportation, transmitting the 24th edition of the biennial ''Status of the Nation's Highways, Bridges and Transit: Conditions and Performance'' Report to Congress, pursuant to 23 U.S.C. 167(h); Public Law 112-141, Sec. 1115(a) (as amended by Public Law 114-94, Sec. 1116(a)); (129 Stat. 1353); to the Committee on Transportation and Infrastructure.

EC–2490. A letter from the Board Members, Railroad Retirement Board, transmitting the 2021 annual report, pursuant to 45 U.S.C. 231f(b)(6); August 29, 1935, ch. 812, Sec. 7(b)(6) (as amended by Public Law 97-35, Sec. 1122); (95 Stat. 638); to the Committee on Transportation and Infrastructure.

EC–2491. A letter from the Regulation Development Coordinator, Office of Regulations Policy and Management, Office of General Counsel (00REG), Department of Veterans Affairs, transmitting the Department's final rule — VA Acquisition Regulation: Definitions, Solicitation Provisions and Contract Clauses, and Forms (RIN: 2900-AR30) received October 8, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Veterans' Affairs.

EC–2492. A letter from the Regulation Development Coordinator, Office of Regulation Policy and Management, Office of General Counsel (00REG), Department of Veterans Affairs, transmitting the Department's final rule — VA Acquisition Regulation: Competition Requirements (RIN: 2900-AQ21) received October 8, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Veterans' Affairs.

EC–2493. A letter from the Regulations Development Coordinator, Office of Regulation Policy and Management, Office of General Counsel (00REG), Department of Veterans Affairs, transmitting the Department's final rule — VA Acquisition Regulation: Simplified Procedures for Health-Care Resources (RIN: 2900-AQ78), pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Veterans' Affairs.

EC–2494. A letter from the Regulation Development Coordinator, Office of Regulation Policy and Management, Office of General Counsel (00REG), Department of Veterans Affairs, transmitting the Department's final rule — Schedule for Rating Disabilities: The Cardiovascular System (RIN: 2900-AQ67) received October 8, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Veterans' Affairs.

EC–2495. A letter from the Regulation Development Coordinator, Office of Regulation Policy and Management, Office of the General Counsel (00REG), Department of Veterans Affairs, transmitting the Department's final rule — VA Acquisition Regulation: Loan Guaranty and Vocational Rehabilitation and Employment Programs (RIN: 2900-AQ76) received October 8, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Veterans' Affairs.

EC–2496. A letter from the Acting Assistant Secretary for Legislative Affiars, Department of Homeland Security, transmitting three legislative proposals that, respectively, pertain to the Department of Homeland Security (DHS) seal, the licensing of DHS intellectual property, and reimbursed assistance that DHS provides; to the Committee on Homeland Security.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. TRONE (for himself, Mr. FITZPATRICK, Ms. WILD, and Mr. JOYCE of Pennsylvania):

H.R. 5654. A bill to authorize the Secretary of Education to establish an Advisory Commission on Serving and Supporting Students with Mental Health Disabilities in Institutions of Higher Education, and for other purposes; to the Committee on Education and Labor.

By Mr. LATURNER (for himself, Ms. DAVIDS of Kansas, Mr. ESTES, and Mr. MANN):

H.R. 5655. A bill to amend the Communications Act of 1934 to require providers of a covered service to provide location information concerning the telecommunications device of a user of such service to an investigative or law enforcement officer or an employee or other agent of a public safety answering point in an emergency situation involving risk of death or serious physical harm or in order to respond to the user's call for emergency services; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LATURNER (for himself, Mr. SMITH of New Jersey, Mr. BANKS, Mrs. MILLER-MEEKS, Mrs. HINSON, Mr. MANN, Mr. ESTES, Ms. SALAZAR, Mr. MOORE of Utah, Mrs. BICE of Oklahoma, Mr. BARR, Mr. BABIN, Mr. CAWTHORN, Mrs. LESKO, Mr. LAMBORN, Mr. LATTA, Ms. VAN DUYNE, Mr. GOOD of Virginia, Ms. LETLOW, Mr. MULLIN, Mr. HARRIS, Mr. DUNCAN, Mr. ROSENDALE, Mr. JACKSON, Mr. C. SCOTT FRANKLIN of Florida, Mr. WILLIAMS of Texas, Mr. KUSTOFF, and Mrs. MILLER of Illinois):

H.R. 5656. A bill to amend titles XVIII and XIX of the Social Security Act to require providers of services and health maintenance organizations under the Medicare and Medicaid programs to provide for certain policies to be in place relating to do-not-resuscitate orders or similar physician's orders for unemancipated minors receiving services; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BLUMENAUER (for himself, Mr. HARRIS, Ms. NORTON, Mrs. DINGELL, Mr. COHEN, Mr. GRIFFITH, Ms. LEE of California, and Mr. CASE):

H.R. 5657. A bill to amend the Controlled Substances Act to make marijuana accessible for use by qualified marijuana researchers for medical purposes, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on the Judiciary, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BACON (for himself, Mr. TORRES of New York, Mr. KATKO, and Mr. GARBARINO):

H.R. 5658. A bill to require the Secretary of Homeland Security to submit a report on the cybersecurity roles and responsibilities of the Federal Government, and for other purposes; to the Committee on Homeland Security.

By Ms. BROWNLEY (for herself, Ms. ESHOO, Mr. GARAMENDI, Mr. HUFFMAN, Ms. JACOBS of California, Ms. LEE of California, Mr. MCNERNEY, Mrs. NAPOLITANO, Ms. PORTER, Mr. SHERMAN, Ms. SPEIER, Mr. TAKANO, Mr. THOMPSON of California, Mr. CARBAJAL, Ms. BARRAGÁN, Mr. DESAULNIER, Mr. KHANNA, Mr. LOWENTHAL, Mr. SCHIFF, Mr. COSTA, Mr. AGUILAR, Ms. CHU, Ms. LOFGREN, Mr. CORREA, Mr. BERA, Mr. PETERS, Mr. CÁRDENAS, Mr. GOMEZ, Mr. SWALWELL, Mr. LAMALFA, Mr. PANETTA, Ms. SÁNCHEZ, Mr. MCCLINTOCK, Mr. OBERNOLTE, Mr. CALVERT, Mr. HARDER of California, Ms. ROYBAL-ALLARD, Mr. VALADAO, Ms. BASS, Mr. RUIZ, Mrs. KIM of California, Mrs. TORRES of California, Mr. GARCIA of California, Mr. LIEU, Mr. LEVIN of California, Mr. MCCARTHY, Mrs. STEEL, Mr. ISSA, Ms. MATSUI, Mr. NUNES, Ms. WATERS, Mr. VARGAS, and Ms. PELOSI):

H.R. 5659. A bill to designate the facility of the United States Postal Service located at 1961 North C Street in Oxnard, California, as the ''John R. Hatcher III Post Office Building''; to the Committee on Oversight and Reform.

By Mr. COLE (for himself and Mr. KIND):

H.R. 5660. A bill to amend title XVIII of the Social Security Act to adjust coinsurance requirements for outpatient critical access hospital services furnished under the Medicare program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DANNY K. DAVIS of Illinois (for himself and Mrs. WALORSKI):

H.R. 5661. A bill to extend flexible use of John H. Chafee Foster Care Independence Program funding to address pandemic-related challenges for older foster youth; to the Committee on Ways and Means.

By Mr. GOHMERT (for himself, Mrs. MILLER of Illinois, Mrs. BOEBERT, Mr. CAWTHORN, Mr. GRIFFITH, and Mrs. CAMMACK):

H.R. 5662. A bill to prohibit the construction of any new Federal building in the District of Columbia; to the Committee on Transportation and Infrastructure.

By Mrs. HARSHBARGER (for herself, Mr. DESJARLAIS, Mr. BURCHETT, Mr. FLEISCHMANN, Mr. POSEY, Mr. BABIN, Mrs. CAMMACK, Mr. ROY, Mr. ROSE, Mrs. MILLER-MEEKS, Mr. PERRY, Mr. GOHMERT, Mr. MAST, Mr. STEUBE, Mr. JACKSON, Mr. WILLIAMS of Texas, Mr. AUSTIN SCOTT of Georgia, and Mr. DONALDS):

H.R. 5663. A bill to prohibit the Secretary of Health and Human Services from restricting direct access by health care facilities to COVID-19 monoclonal antibody therapies; to the Committee on Energy and Commerce.

By Mr. LEVIN of Michigan:

H.R. 5664. A bill to require the Secretary of Labor to issue a notice to the public regarding each enforcement action under the Occupational Safety and Health Act of 1970 that results in large penalties or where multiple violations or repeated other-than-serious violations are present; to the Committee on Education and Labor.

By Ms. OMAR (for herself, Ms. SCHAKOWSKY, Mr. CARSON, Ms. TLAIB, Mr. KIM of New Jersey, Mr. JOHNSON of Georgia, Mr. RUSH, Ms. BASS, Ms. JACKSON LEE, Mrs. WATSON COLEMAN, Mr. GREEN of Texas, Mr. GRIJALVA, Mrs. DINGELL, Mrs. CAROLYN B. MALONEY of New York, Ms. JACOBS of California, Ms. NEWMAN, Mr. LOWENTHAL, Ms. NORTON, Mr. GARCÍA of Illinois, Mr. SIRES, Ms. OCASIO-CORTEZ, Ms. DEAN, Ms. ESHOO, Mr. CORREA, Mr. POCAN, Mr. PAYNE, Mr. JONES, Mr. BOWMAN, Mr. PHILLIPS, Mr. MCGOVERN, Ms. WILLIAMS of Georgia, Ms. PRESSLEY, and Mr. PASCRELL):

H.R. 5665. A bill to establish in the Department of State the Office to Monitor and Combat Islamophobia, and for other purposes; to the Committee on Foreign Affairs.

By Ms. PINGREE (for herself, Ms. BROWNLEY, Ms. DELBENE, Ms. NORTON, Ms. KUSTER, Ms. TITUS, Mrs. DINGELL, Mr. MCGOVERN, Mr. RUSH, and Mr. KILMER):

H.R. 5666. A bill to amend title 38, United States Code, to expand health care and benefits from the Department of Veterans Affairs for military sexual trauma, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Miss RICE of New York:

H.R. 5667. A bill to establish a Teacher Advisory Committee and a Parents and Families Advisory Committee; to the Committee on Education and Labor.

By Mr. RICE of South Carolina (for himself and Mrs. FLETCHER):

H.R. 5668. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act and any corresponding regulation to extend the period for Federal assistance to individuals and households; to the Committee on Transportation and Infrastructure.

By Mr. SESSIONS:

H.R. 5669. A bill to amend the Controlled Substances Act to authorize physicians, pursuant to an agreement with the Attorney General, to transport controlled substances from a practice setting to another practice setting or to a disaster area; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. STEFANIK:

H.R. 5670. A bill to amend the Hudson River Valley National Heritage Area Act of 1996 (Public Law 104-333; 54 U.S.C. 320101 note) to include all of Saratoga and Washington Counties in the boundaries of the Hudson River Valley National Heritage Area; to the Committee on Natural Resources.

By Mr. TAKANO:

H.R. 5671. A bill to authorize the Secretary of Veterans Affairs to furnish seasonal influenza vaccines to certain individuals, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. TENNEY (for herself, Mr. MANN, Mr. BUDD, Mr. NORMAN, Mr. SMITH of New Jersey, Mr. WEBER of Texas, Mr. LATURNER, Mr. ISSA, Mr. BIGGS, Mr. GOHMERT, Mr. GALLAGHER, and Mrs. MILLER of Illinois):

H.R. 5672. A bill to require an audit of COVID-19 relief funding; to the Committee on Oversight and Reform.

By Ms. TITUS (for herself and Mr. WEBSTER of Florida):

H.R. 5673. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to make technical corrections to the hazard mitigation revolving loan fund program, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. TONKO (for himself and Mr. HUIZENGA):

H.R. 5674. A bill to amend title XVIII of the Social Security Act to eliminate the 190-day lifetime limit on inpatient psychiatric hospital services under the Medicare Program; to the Committee on Ways and Means.

By Ms. VELÁZQUEZ (for herself, Mr. FITZPATRICK, Mr. ESPAILLAT, and Ms. NORTON):

H.R. 5675. A bill to amend the Public Health Service Act to provide for and support liver illness visibility, education, and research, and for other purposes; to the Committee on Energy and Commerce.

By Ms. LEGER FERNANDEZ (for herself, Ms. BARRAGÁN, Ms. VELÁZQUEZ, Mr. GALLEGO, Mr. ESPAILLAT, Ms. ROYBAL-ALLARD, Ms. MOORE of Wisconsin, Mrs. TRAHAN, Ms. LOIS FRANKEL of Florida, Ms. ADAMS, Ms. ESCOBAR, Mr. NADLER, Mr. GRIJALVA, Mrs. CAROLYN B. MALONEY of New York, Ms. GARCIA of Texas, Ms. OCASIO-CORTEZ, Mr. LIEU, Mrs. NAPOLITANO, Ms. SPEIER, Ms. BROWNLEY, Mr. WELCH, Ms. NORTON, Mr. CICILLINE, Ms. SÁNCHEZ, Ms. JACOBS of California, Ms. NEWMAN, Mrs. LAWRENCE, Mr. VARGAS, Mr. VICENTE GONZALEZ of Texas, Mr. DANNY K. DAVIS of Illinois, Mr. CASTRO of Texas, Ms. TLAIB, Mr. NORCROSS, Mr. LEVIN of California, Mr. GARCÍA of Illinois, Mrs. WATSON COLEMAN, Mr. BOWMAN, Mr. RASKIN, Mrs. TORRES of California, Ms. DEAN, Mr. TORRES of New York, Mr. BLUMENAUER, Ms. DELBENE, Mr. AGUILAR, Ms. CHU, Mr. PRICE of North Carolina, Mr. JONES, Ms. BASS, Ms. CASTOR of Florida, Ms. OMAR, Ms. SCHAKOWSKY, Ms. CLARKE of New York, Mrs. HAYES, Ms. LEE of California, Ms. WILLIAMS of Georgia, Mr. CUELLAR, Ms. STRICKLAND, Ms. MENG, Mr. GREEN of Texas, Ms. WILSON of Florida, Mr. SUOZZI, Mr. EVANS, Mr. COSTA, Mr. JOHNSON of Georgia, Mr. CÁRDENAS, Ms. CLARK of Massachusetts, Ms. PRESSLEY, Ms. MATSUI, Mr. RUIZ, Mr. KILMER, Mr. LARSON of Connecticut, Ms. BONAMICI, Ms. SCANLON, Ms. BLUNT ROCHESTER, Ms. JOHNSON of Texas, Mr. GOMEZ, Ms. ROSS, Mr. SOTO, Mr. KAHELE, Mr. VELA, Mr. CARBAJAL, Ms. MCCOLLUM, Ms. TITUS, Mr. PALLONE, Mr. CORREA, and Ms. STANSBURY):

H. Con. Res. 55. Concurrent resolution recognizing the significance of equal pay and the disparity in wages paid to Latina women in comparison to men; to the Committee on Education and Labor.

By Mr. THOMPSON of Mississippi:

H. Res. 730. A resolution recommending that the House of Representatives find Stephen K. Bannon in contempt of Congress for refusal to comply with a subpoena duly issued by the Select Committee to Investigate the January 6th Attack on the United States Capitol; considered and agreed to.

By Mr. PALAZZO (for himself, Mr. WILSON of South Carolina, Mr. ROGERS of Alabama, Mr. CUELLAR, Mr. WALTZ, Mrs. RADEWAGEN, Mr. POSEY,

Mr. RYAN, Mr. CLOUD, Mr. HUDSON, Mrs. HARTZLER, Mrs. CAMMACK, Mr. FLEISCHMANN, Mr. STEWART, Mr. RUTHERFORD, Mr. JOYCE of Ohio, Mr. KELLY of Pennsylvania, Ms. STEFANIK, Mr. BACON, Mr. STEUBE, Mr. KELLY of Mississippi, Mr. HAGEDORN, Mr. BARR, Mr. SIMPSON, Mr. WITTMAN, Mrs. GREENE of Georgia, Mr. MOORE of Alabama, Mr. ALLEN, Mr. LAMALFA, Mr. HUIZENGA, Mr. VELA, Mr. GALLEGO, Mr. TURNER, Mr. BROOKS, Mr. JOHNSON of Louisiana, Mr. C. SCOTT FRANKLIN of Florida, Mr. BANKS, Mr. DUNN, Mr. PALMER, Mr. LAMBORN, Mr. DUNCAN, Mr. MCKINLEY, Mr. LOUDERMILK, Mr. CARTER of Georgia, Mr. ADERHOLT, Ms. VAN DUYNE, Mr. OWENS, Mr. BILIRAKIS, Mr. HIGGINS of Louisiana, Mr. CALVERT, Mr. BABIN, Ms. GRANGER, Mr. BURGESS, Mr. LUCAS, Mr. CRENSHAW, Mr. BENTZ, Mr. ARRINGTON, Mr. NORMAN, Mr. COURTNEY, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. CRIST, Mr. BOST, Mr. GUEST, Mrs. BOEBERT, Mr. MAST, Mr. GREEN of Texas, Mr. WOMACK, Mr. GREEN of Tennessee, Mr. COMER, Mr. CRAWFORD, Mr. AMODEI, Mr. AUSTIN SCOTT of Georgia, Mr. TAYLOR, Mr. PERRY, Mr. WILLIAMS of Texas, Mr. LARSEN of Washington, Mr. NEWHOUSE, Mr. PENCE, Mr. RESCHENTHALER, Mr. CARL, Mr. JOHNSON of Ohio, Mr. ROUZER, Mr. YOUNG, Mr. MOONEY, Mr. SESSIONS, Mr. WEBSTER of Florida, Mr. CARTER of Texas, Mr. WEBER of Texas, Mr. THOMPSON of Pennsylvania, Mr. ESTES, Mr. GUTHRIE, Mr. VALADAO, Mr. MASSIE, Mrs. BICE of Oklahoma, Mr. GRAVES of Louisiana, Mr. GOHMERT, Mr. EMMER, Mr. ZELDIN, Mrs. SPARTZ, Mr. WESTERMAN, Mr. ARMSTRONG, Mr. JOYCE of Pennsylvania, Ms. TENNEY, Mr. RUPPERSBERGER, and Mr. WENSTRUP):

H. Res. 731. A resolution to recognize the centennial of the Tomb of the Unknown Soldier; to the Committee on Armed Services.

By Mr. CAWTHORN (for himself, Mr. WEBER of Texas, Mr. BABIN, and Mrs. LESKO):

H. Res. 732. A resolution expressing the sense of the House of Representatives that it is the duty of Congress to uphold the Constitution and principles on which the United States of America was founded and that nothing in the Constitution or Declaration of Independence is meant to be construed as racist or harmful; to the Committee on the Judiciary.

By Mr. COHEN (for himself and Mr. MOONEY):

H. Res. 733. A resolution congratulating the people of the Republic of Turkey and Turkish Americans nationwide on the 98th anniversary of Turkish Republic Day; to the Committee on Foreign Affairs.

By Ms. CRAIG (for herself, Ms. MCCOLLUM, Mr. PHILLIPS, and Ms. OMAR):

H. Res. 734. A resolution expressing the sense of the House of Representatives that the United States Postal Service should issue a commemorative postage stamp honoring Ralph Samuelson, known as the Father of Waterskiing, to commemorate the upcoming 100-year anniversary of the invention of waterskiing; to the Committee on Oversight and Reform.

By Mr. ISSA (for himself, Mr. CAWTHORN, Ms. TENNEY, Mr. MCCLINTOCK, Mr. GARCIA of California, Mr. BABIN, Mrs. LESKO, Mr. OWENS, Mr. RICE of South Carolina, Mr. WEBSTER of Florida, Mr. GOHMERT, Mr. KELLY of Pennsylvania, Mr. PERRY, Mrs. SPARTZ, Mr. BUDD, Mr. BROOKS, Mr. GUEST, Mr. MULLIN, Mr. CALVERT, Mr. ADERHOLT, Mr. CLINE, Mr. WEBER of Texas, and Mrs. STEEL):

H. Res. 735. A resolution expressing the sense of the House of Representatives that continuous parental engagement in the schooling decisions impacting their children is to be commended, supported, and encouraged, and that current efforts to exclude parents or even label them as domestic terrorists should be condemned; to the Committee on Education and Labor, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROSE (for himself, Mrs. HARSHBARGER, Mr. BURCHETT, Mr. FLEISCHMANN, Mr. DESJARLAIS, Mr. COOPER, Mr. GREEN of Tennessee, Mr. KUSTOFF, and Mr. COHEN):

H. Res. 736. A resolution honoring the Tennessee Farm Bureau Federation on its 100th anniversary; to the Committee on Agriculture.

By Mr. SOTO:

H. Res. 737. A resolution expressing support for the designation of October 25, 2021, as ''National Beauty and Wellness Education Day'' by promoting the importance of the Nation's licensed beauty and wellness professionals and the valued role of institutions of higher education that educate students for careers in the thriving beauty and wellness sector; to the Committee on Education and Labor.

By Mr. STAUBER (for himself, Mr. MCCLINTOCK, Mr. BOST, Mr. GROTHMAN, Ms. HERRELL, Mr. PENCE, Mr. POSEY, Mr. RUTHERFORD, Mr. RICE of South Carolina, Mr. KELLY of Pennsylvania, Mrs. STEEL, Mr. JOYCE of Pennsylvania, Mr. MULLIN, Mr. TONY GONZALES of Texas, Mr. GOOD of Virginia, Mr. HAGEDORN, Mr. THOMPSON of Pennsylvania, Mrs. HARTZLER, Mr. NORMAN, Ms. MALLIOTAKIS, Mr. BALDERSON, Mr. CLINE, Mr. BISHOP of North Carolina, Mr. CHABOT, Mrs. FISCHBACH, Mrs. MILLER-MEEKS, Mr. EMMER, Mr. GOHMERT, and Mr. BABIN):

H. Res. 738. A resolution expressing the sense of the House of Representatives that the First Amendment rights of parents at school board meetings shall not be infringed; to the Committee on the Judiciary.

By Ms. TLAIB (for herself and Mrs. LAWRENCE):

H. Res. 739. A resolution celebrating the 20-year commemoration of the International Underground Railroad Memorial Monument, comprised of the Gateway to Freedom Monument in Detroit, Michigan, and the Tower of Freedom Monument in Windsor, Ontario, Canada; to the Committee on Natural Resources, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. VELÁZQUEZ (for herself, Mr. FITZPATRICK, and Mr. ESPAILLAT):

H. Res. 740. A resolution recognizing October 2021 as Liver Cancer Awareness Month; to the Committee on Energy and Commerce.

MEMORIALS

Under clause 3 of rule XII,

ML-118. The SPEAKER presented a memorial of the Legislature of the State of Oregon, relative to House Joint Memorial 3, urging the Congress of the United States to pass, and the President to sign, legislation promoting cooperative fuel load measurement and management on federal and state lands, and appropriate legislation that is based on the Emergency Wildfire and Public Safety Act of 2020, excluding any provision that exempts forest management activities from environmental or administrative review; which was referred jointly to the Committees on Natural Resources, Transportation and Infrastructure, Education and Labor, Energy and Commerce, and Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. TRONE:

H.R. 5654.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. LATURNER:

H.R. 5655.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the U.S. Constitution (known as the Taxing and Spending Clause) which gives Congress Power To lay and collect Taxes, Duties, Impost and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States.

Article 1, Section 8, Clause 18 of the U.S. Constitution (known as the Necessary and Proper Clause), which gives Congress Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers. vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. LATURNER:

H.R. 5656.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the U.S. Constitution (known as the Taxing and Spending Clause) which gives Congress Power To lay and collect Taxes, Duties, Impost and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States.

Article 1, Section 8, Clause 18 of the U.S. Constitution (known as the Necessary and Proper Clause), which gives Congress Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. BLUMENAUER:

H.R. 5657.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the U.S. Constitution

By Mr. BACON:

H.R. 5658.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8: ''The Congress shall have power to . . . provide for the common defense. . . ''

By Ms. BROWNLEY:

H.R. 5659.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. COLE:

H.R. 5660.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. DANNY K. DAVIS of Illinois:

H.R. 5661.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the US Constitution: The Congress shall have Power To lay and collect Taxes. Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States.

By Mr. GOHMERT:

H.R. 5662.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 17

By Mrs. HARSHBARGER:

H.R. 5663.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. LEVIN of Michigan:

H.R. 5664.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 1 of the Constitution.

By Ms. OMAR:

H.R. 5665.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Ms. PINGREE:

H.R. 5666.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Miss RICE of New York:

H.R. 5667.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII

By Mr. RICE of South Carolina:

H.R. 5668.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article 1 of the Constitution

By Mr. SESSIONS:

H.R. 5669.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 of the U.S. Constitution

By Ms. STEFANIK:

H.R. 5670.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States

By Mr. TAKANO:

H.R. 5671.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, authorized by Congress power to provide for the common Defense and general Welfare of the United States.''

By Ms. TENNEY:

H.R. 5672.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 1

By Ms. TITUS:

H.R. 5673.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 18 of Section 8 of Article I of the United States Constitution.

By Mr. TONKO:

H.R. 5674.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Ms. VELÁZQUEZ:

H.R. 5675.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to . . . provide for the . . . general Welfare of the United States; . . .

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 82: Ms. OMAR.

H.R. 475: Mr. KINZINGER and Ms. STANSBURY.

H.R. 477: Ms. JACKSON LEE and Ms. NORTON.

H.R. 480: Mr. BLUMENAUER.

H.R. 623: Mr. CURTIS and Mr. LAWSON of Florida.

H.R. 769: Ms. UNDERWOOD.

H.R. 877: Mr. PFLUGER.

H.R. 1179: Mr. TIMMONS and Mr. BILIRAKIS.

H.R. 1182: Mr. GARAMENDI.

H.R. 1193: Ms. CHENEY and Ms. ROYBAL-ALLARD.

H.R. 1219: Mr. MCGOVERN.

H.R. 1259: Mr. MULLIN, Mr. LUETKEMEYER, Mr. GRIFFITH, Mr. ADERHOLT, and Mr. BUCK.

H.R. 1297: Mr. TIMMONS and Mr. GARCÍA of Illinois.

H.R. 1332: Ms. STANSBURY, Ms. TLAIB, Mr. KAHELE, and Mr. LOUDERMILK.

H.R. 1348: Mr. FORTENBERRY.

H.R. 1384: Ms. JOHNSON of Texas and Ms. DAVIDS of Kansas.

H.R. 1476: Mrs. RODGERS of Washington.

H.R. 1553: Ms. MOORE of Wisconsin.

H.R. 1577: Mr. HOLLINGSWORTH.

H.R. 1611: Mr. MANN.

H.R. 1661: Ms. LOIS FRANKEL of Florida and Mr. KILDEE.

H.R. 1667: Mr. CROW.

H.R. 1676: Ms. STRICKLAND.

H.R. 1730: Mr. LYNCH.

H.R. 1813: Mr. TONKO and Mr. RUPPERSBERGER.

H.R. 1911: Mr. LYNCH.

H.R. 1946: Mrs. HARTZLER, Mr. LARSON of Connecticut, and Mr. KELLER.

H.R. 1956: Mrs. MILLER-MEEKS.

H.R. 1959: Mr. ALLRED.

H.R. 1978: Mr. FITZPATRICK.

H.R. 2050: Mrs. AXNE.

H.R. 2116: Ms. BONAMICI and Mr. COOPER.

H.R. 2121: Ms. SCHRIER.

H.R. 2125: Mr. MCGOVERN and Mr. TRONE.

H.R. 2171: Mr. KATKO.

H.R. 2184: Mr. LEVIN of California.

H.R. 2230: Ms. NEWMAN.

H.R. 2234: Mr. LARSON of Connecticut and Mr. CORREA.

H.R. 2262: Ms. HOULAHAN.

H.R. 2366: Mr. MORELLE and Mr. WELCH.

H.R. 2558: Mr. CRAWFORD.

H.R. 2586: Ms. KELLY of Illinois, Ms. STANSBURY, and Mr. O'HALLERAN.

H.R. 2600: Mr. GOOD of Virginia.

H.R. 2601: Mr. FLEISCHMANN.

H.R. 2730: Mr. SOTO.

H.R. 2748: Mr. PALAZZO, Mr. FERGUSON, Mr. GALLAGHER, and Mrs. NAPOLITANO.

H.R. 2759: Ms. BLUNT ROCHESTER.

H.R. 2773: Ms. ADAMS.

H.R. 2825: Mr. PAYNE and Mr. LARSEN of Washington.

H.R. 2840: Mr. PASCRELL.

H.R. 2890: Mrs. CAMMACK.

H.R. 2898: Mr. BALDERSON.

H.R. 2920: Mr. KIM of New Jersey, Mr. LOWENTHAL, and Mr. PHILLIPS.

H.R. 3085: Ms. MATSUI.

H.R. 3088: Mr. MFUME.

H.R. 3095: Mr. VALADAO.

H.R. 3100: Mr. RUSH.

H.R. 3109: Mr. AGUILAR.

H.R. 3180: Mr. AUCHINCLOSS.

H.R. 3215: Mr. RASKIN and Mr. DIAZ-BALART.

H.R. 3281: Mr. SOTO.

H.R. 3296: Ms. STANSBURY.

H.R. 3312: Mr. RASKIN, Ms. ROYBAL-ALLARD, and Ms. BARRAGÁN.

H.R. 3355: Mr. LAWSON of Florida, Ms. DAVIDS of Kansas, Mr. PASCRELL, Ms. TENNEY, Mr. PRICE of North Carolina, Ms. JAYAPAL, Mr. GAETZ, Ms. ADAMS, Mr. DOGGETT, Mr. NEAL, Mr. CORREA, Mr. MALINOWSKI, Ms. BASS, and Ms. DEGETTE.

H.R. 3367: Mr. VICENTE GONZALEZ of Texas.

H.R. 3440: Mr. BEYER.

H.R. 3442: Mr. COSTA.

H.R. 3443: Mr. GOTTHEIMER.

H.R. 3461: Mr. CUELLAR, Mr. POCAN, Mrs. KIRKPATRICK, Mr. LOWENTHAL, and Mr. THOMPSON of Mississippi.

H.R. 3508: Ms. OCASIO-CORTEZ.

H.R. 3532: Mr. COSTA.

H.R. 3537: Mrs. LAWRENCE.

H.R. 3541: Mr. FLEISCHMANN.

H.R. 3577: Mrs. WATSON COLEMAN.

H.R. 3602: Ms. ADAMS.

H.R. 3816: Mrs. MILLER-MEEKS.

H.R. 3940: Mrs. HAYES and Mr. MRVAN.

H.R. 3967: Ms. BLUNT ROCHESTER and Ms. BONAMICI.

H.R. 3997: Mr. LARSON of Connecticut.

H.R. 4042: Mr. SOTO.

H.R. 4060: Mrs. CAMMACK.

H.R. 4114: Mr. MOULTON.

H.R. 4141: Mr. MULLIN.

H.R. 4210: Mr. FITZPATRICK.

H.R. 4297: Mr. HILL and Mr. BOST.

H.R. 4312: Mrs. CAMMACK.

H.R. 4328: Mr. BURGESS.

H.R. 4331: Mr. AMODEI.

H.R. 4379: Mr. KAHELE and Ms. SCHRIER.

H.R. 4402: Mr. RASKIN, Mr. QUIGLEY, and Mr. CICILLINE.

H.R. 4429: Mr. TRONE.

H.R. 4433: Mrs. LESKO.

H.R. 4469: Mr. DAVIDSON.

H.R. 4489: Mr. COSTA.

H.R. 4565: Mr. LUETKEMEYER and Mr. RUPPERSBERGER.

H.R. 4571: Mr. BILIRAKIS.

H.R. 4594: Mr. RUSH and Mr. KATKO.

H.R. 4645: Mr. OBERNOLTE.

H.R. 4702: Ms. SALAZAR, Mrs. HINSON, and Mr. DESJARLAIS.

H.R. 4728: Ms. LEE of California.

H.R. 4785: Mr. ARMSTRONG.

H.R. 4794: Ms. HOULAHAN.

H.R. 4810: Mr. KATKO.

H.R. 4880: Mrs. LEE of Nevada.

H.R. 4996: Ms. HERRELL and Mr. SIRES.

H.R. 5012: Mr. KAHELE.

H.R. 5019: Ms. STANSBURY.

H.R. 5048: Mr. CARTWRIGHT.

H.R. 5131: Mr. TRONE and Mr. MORELLE.

H.R. 5136: Mrs. HARTZLER.

H.R. 5142: Mrs. KIRKPATRICK.

H.R. 5163: Mr. SESSIONS.

H.R. 5224: Mr. VAN DREW.

H.R. 5235: Ms. WILD and Mr. VELA.

H.R. 5255: Ms. SCHRIER.

H.R. 5272: Mr. KELLER.

H.R. 5300: Mr. LIEU, Mr. DEFAZIO, and Ms. CASTOR of Florida.

H.R. 5307: Ms. NEWMAN.

H.R. 5340: Mr. MULLIN.

H.R. 5342: Mr. PAYNE, Mr. SOTO, Mr. MORELLE, and Ms. STANSBURY.

H.R. 5360: Mr. ARRINGTON.

H.R. 5379: Mr. MULLIN.

H.R. 5389: Ms. CHU.

H.R. 5390: Mr. RYAN.

H.R. 5402: Mr. RYAN.

H.R. 5441: Mr. SCHIFF.

H.R. 5444: Ms. DELBENE, Mr. BOWMAN, Mr. COHEN, Ms. OMAR, Mr. JOHNSON of South Dakota, and Mr. DEFAZIO.

H.R. 5450: Mrs. MILLER of Illinois, Mr. FITZGERALD, Mr. LAMBORN, and Mr. STEUBE.

H.R. 5451: Mr. CLINE.
H.R. 5469: Ms. MENG and Mr. AUCHINCLOSS.
H.R. 5471: Mr. GOOD of Virginia and Mr. GALLAGHER.
H.R. 5472: Mr. CLINE.
H.R. 5497: Mr. SIRES, Mr. AGUILAR, Ms. TITUS, Mr. SHERMAN, Mr. KEATING, Mr. KIM of New Jersey, and Mr. CARBAJAL.
H.R. 5498: Mr. AMODEI and Mr. THOMPSON of Pennsylvania.
H.R. 5509: Mr. RODNEY DAVIS of Illinois and Mr. CAWTHORN.
H.R. 5529: Ms. SALAZAR.
H.R. 5531: Mr. CICILLINE and Mr. BOWMAN.
H.R. 5543: Ms. SALAZAR.
H.R. 5553: Mr. MULLIN.
H.R. 5556: Mr. CRIST.
H.R. 5572: Mrs. CAMMACK.
H.R. 5577: Mrs. DEMINGS, Mr. CLEAVER, Mr. HORSFORD, Mr. MICHAEL F. DOYLE of Pennsylvania, Mrs. HAYES, Mrs. DINGELL, Ms. MATSUI, Mr. COURTNEY, Mr. ISSA, Mr. ALLRED, Ms. MENG, Mr. CASTEN, Ms. BROWNLEY, Ms. ESHOO, Ms. BLUNT ROCHESTER, Ms. SPANBERGER, Mr. POCAN, Mr. LAMB, Mr. GUTHRIE, Mr. FORTENBERRY, and Mr. AUCHINCLOSS.
H.R. 5586: Mrs. LESKO, Mr. CALVERT, Mr. MURPHY of North Carolina, Mr. SMITH of New Jersey, Mr. JOYCE of Ohio, Mr. BUCSHON, Mrs. HINSON, Mr. JOHNSON of Ohio, Mr. JACOBS of New York, Mr. GOOD of Virginia, Mr. NEWHOUSE, Mr. FLEISCHMANN, Mr. CARTER of Texas, Mrs. BOEBERT, Mr. DIAZ-BALART, Ms. TENNEY, Mr. NORMAN, Mr. YOUNG, Mr. MAST, Mr. HIGGINS of Louisiana, Mr. GALLAGHER, Mr. CAWTHORN, Mr. PALAZZO, Mrs. MILLER of Illinois, Mr. MEIJER, Mr. TIFFANY, Mr. ADERHOLT, Mr. CLINE, Mr. BURGESS, Mr. C. SCOTT FRANKLIN of Florida, Mr. OWENS, Mr. MULLIN, Mr. MCCAUL, Mr. THOMPSON of Pennsylvania, Mr. MOORE of Utah, Ms. FOXX, Mr. GONZALEZ of Ohio, and Mr. ROGERS of Kentucky.
H.R. 5591: Mrs. TRAHAN, Ms. SCANLON, Mr. BOWMAN, Mr. GALLEGO, Mr. AGUILAR, Ms. OMAR, Mr. RUSH, Ms. KUSTER, and Ms. NORTON.
H.R. 5597: Mr. GALLAGHER.
H.R. 5601: Mr. MORELLE.
H.R. 5602: Mr. BUTTERFIELD.
H.R. 5605: Mr. THOMPSON of Mississippi.
H.R. 5606: Mr. THOMPSON of Mississippi.
H.R. 5608: Mr. RODNEY DAVIS of Illinois, Mrs. WALORSKI, and Mr. AUSTIN SCOTT of Georgia.
H.R. 5609: Mr. LAMALFA, Ms. LETLOW, Mrs. CAMMACK, and Mrs. HARSHBARGER.
H.R. 5619: Mr. MANN, Mr. NORMAN, Mr. STEWART, and Mr. GOHMERT.
H.R. 5630: Mr. BIGGS, Ms. STEFANIK, Mr. AUSTIN SCOTT of Georgia, Mr. SCHWEIKERT, Mr. SMITH of Missouri, and Mr. CLYDE.
H.R. 5637: Ms. WILD.
H.R. 5641: Miss GONZÁLEZ-COLÓN.
H.R. 5648: Ms. OMAR and Mr. JONES.
H.R. 5649: Miss GONZÁLEZ-COLÓN.
H.R. 5651: Mrs. WATSON COLEMAN.
H.J. Res. 12: Mr. ELLZEY.
H. Con. Res. 7: Mrs. CAMMACK.
H. Con. Res. 44: Mr. MEIJER, Mr. GONZALEZ of Ohio, Mr. RICE of South Carolina, Mr. BERGMAN, and Ms. BLUNT ROCHESTER.
H. Res. 69: Ms. OMAR.
H. Res. 100: Ms. STANSBURY.
H. Res. 109: Mr. JOYCE of Pennsylvania.
H. Res. 366: Mrs. LESKO and Ms. CRAIG.
H. Res. 404: Ms. CHU.
H. Res. 443: Mr. RODNEY DAVIS of Illinois.
H. Res. 445: Mr. ALLRED.
H. Res. 586: Ms. ESHOO and Mr. COHEN.
H. Res. 720: Mrs. LAWRENCE, Mr. CASTRO of Texas, Mr. DEUTCH, Mr. BERA, Ms. PRESSLEY, Mr. ISSA, Ms. TITUS, and Mr. PHILLIPS.
H. Res. 724: Ms. SPEIER.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

[Omitted from the Record on October 12, 2021]

H.R. 4781: Mr. SUOZZI.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

PT-71. The SPEAKER presented a petition of Gregory D. Watson, a citizen of Austin, Texas, relative to respectfully remonstrate in opposition to any legislation which would result in the United States becoming an cashless society; which was referred to the Committee on Financial Services.

PT-72. Also, a petition of Family Research Counsel, Washington, DC, relative to urging the 117th Congress continues to prohibit taxpayer funding of abortions through the Hyde Amendment and expand this principle to Obamacare and any program that subsidizes abortion; which was referred to the Committee on Energy and Commerce.

PT-73. Also, a petition of City of Sunrise, Florida, relative to Resolution No. 21-111, supporting the people of Cuba in their demand for freedom, condemning the tyrannical communist regime in Cuba, and urging the President of the United States to support the Cuban People who bravely took to the streets; which was referred to the Committee on Foreign Affairs.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 117th CONGRESS, FIRST SESSION

Vol. 167 WASHINGTON, THURSDAY, OCTOBER 21, 2021 No. 185

Senate

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

PRAYER

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

Let us pray.

Shepherd of love, You have been our help in ages past. You are our hope for the years to come. As we begin today's legislative session, we pause to acknowledge Your sovereignty. Lord, You sit enthroned between the cherubim, so shower us with gifts from Your bounty.

Today, lead our lawmakers beside still waters and replenish their spirits with Your power. As they grapple with the challenges we face, give them a faith that will not shrink. Lord, provide our Senators with wisdom to hear Your voice and courage to obey Your counsel. Help them to seek Your wisdom by daily exposing themselves to the guidance of sacred Scripture.

Remind us all that success comes not by might or power but by Your Spirit.

We pray in Your holy 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.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Tana Lin, of Washington, to be United States District Judge for the Western District of Washington.

The PRESIDENT pro tempore. The Senator from Nevada.

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

The PRESIDENT pro tempore. The clerk will call the roll.

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

The PRESIDING OFFICER (Ms. ROSEN). Without objection, it is so ordered.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

VOTING RIGHTS

Mr. SCHUMER. Madam President, on voting rights, yesterday, this Chamber had an opportunity to begin debate on protecting the voting rights of American citizens. That right, essential to any democracy, is under attack in ways we have not seen in generations.

Despite the obvious danger, Senate Republicans crushed any opportunity this Chamber had to even begin a debate on the Freedom to Vote Act. We didn't ask Republicans to sign their names to any policy. We simply asked them to come to the table so the Senate can work as intended, and they refused.

Let there be no mistake, Senate Republicans blocking debate yesterday was their implicit endorsement of the horrid new voter suppression and election subversion laws passed in conservative States across the country. When they wouldn't debate, they said these horrid new laws that suppress voters, that subvert our elections are OK.

It is ludicrous—ludicrous—for Republicans to pretend that the Federal Government has no role to play in defense of our liberties. Of course, it does. They should read the Constitution.

But despite Republican opposition, the fight to protect our democracy is far from over in the U.S. Senate. Voting rights are too precious, too fundamental to abandon because of obstruction from the minority.

As soon as next week, I am prepared to bring another proposal to the floor, the John Lewis Voting Rights Advancement Act.

The Voting Rights Act has historically been bipartisan, but following the gutting of the law by recent Supreme Court rulings, the Voting Rights Act needs to be restored, and the Senate ought to, at a minimum, be permitted to debate.

The reflexive obstruction from Senate Republicans is not—is not—how the Senate is supposed to work. Not long ago, this Chamber operated differently, in a way more befitting the world's greatest deliberative body: debate, compromise, amend, and legislate—all with the purpose of helping the American people, even when people's views of how to do that differed. There was a debate and amendment.

We need to restore that legacy. We need to work to restore the Senate as the world's greatest deliberative body so we can better serve the needs of our Nation. Republicans blocking one bill after another, even from consideration, is not that.

The fight to protect our fundamental liberties is as old as the country itself, and we can take note from the lessons of history. In the aftermath of the Civil War, the majorities in Congress passed transformative measures, like the 14th and 15th Amendments to the Constitution—and other civil rights bills—expanding liberty to tens of millions previously deprived of it.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Printed on recycled paper.

These are some of the crowning achievements of this body, but if you were in Congress back then, that is hardly how they were viewed by some at the time. Back then, the minority party refused to provide even a single vote to pass these laws—not even one. The minority condemned them as partisan tools of the angry, vengeful north; a power grab.

The minority refused to come to the table, so the majority was willing to act alone—act alone—to pass civil rights legislation. It wasn't partisan; it was patriotic. Their actions made our democracy stronger, and they were willing to do what was necessary, including going it alone to defend our freedoms. Today, we feel the same way.

The question now before the Senate is how we will find a path forward on protecting our freedoms in the 21st century. The Members of this Chamber can take inspiration from the great patriots of the past who put country over party, or they can cross their arms and watch as our 240-year-old experiment in democracy falls prey to the specters of authoritarian control.

BUILD BACK BETTER

Madam President, on Build Back Better, it has been a very productive week for Democrats as we inch closer to finalizing an agreement on President Biden's Build Back Better plan.

I want to thank all of my colleagues, especially our committee chairs, the Speaker, the President and his team for their leadership, diligence, and commitment to getting something done.

The progress of this week affirms what we have been saying for months: If we stick together, if we keep working toward a legislative sweet spot, and if we keep our eyes on the ultimate goal of getting something big done for the American people, then we can and will succeed. We are closer to reaching that goal, and we are going to continue working until the job is done.

In the end, Build Back Better is going to be the greatest investment in the American people, in our economy, and in the fight against climate change that we have seen in a long, long time. That is no easy feat, but we remain unshaken in our desire to forge ahead. Let's keep going.

I yield the floor.

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. MCCONNELL. 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 Republican leader is recognized.

KENTUCKY VETERANS

Mr. MCCONNELL. Madam President, yesterday, it was my privilege to welcome a distinguished group of Kentucky veterans from all across the Commonwealth to our Nation's Capital. Representing every branch of the military, more than 60 Kentuckians who served in World War II, Korea, and Vietnam traveled to Washington to visit the memorials built in their honor.

The Honor Flight program, which coordinates these trips, is finally back up and running after the COVID–19 pandemic shut down their operations last year. I couldn't be more thankful for this organization's seamless planning and execution, especially in light of this year's added complications.

The Honor Flight Bluegrass chapter has brought hundreds of veterans to Washington over the years, mirroring the important work of their peer organizations all across the country. Despite the significant logistical and financial hurdles, the Honor Flight program ensures every veteran can travel at no cost to themselves.

I had the opportunity to meet with some of these Kentucky heroes and listen to their incredible stories. Their service spanned generations, continents, and conflicts. But one thread unites them all: a complete dedication to the cause of freedom and a deep love for our great Nation.

As the son of a World War II veteran, I have a special appreciation for these men and women. It was a great honor to stand by their side as they visited the solemn monuments constructed to commemorate their sacrifice. I would like to express my sincere gratitude to those brave servicemembers and to the hard-working Honor Flight organizers and volunteers who made their visit possible.

TERRORISM

Madam President, yesterday also brought a sobering reminder of the dangers a new generation of American servicemembers continue to encounter as they follow in the footsteps of these heroes. U.S. personnel operating in Syria became the latest targets of a drone attack perpetrated by terrorists. Whether the perpetrators turn out to be ISIS or, more likely, loyal Iranian proxies, it is clear that serious threats are growing all across that region.

The terrorists who seek to harm us and the regimes that support them were emboldened—considerably emboldened—by our retreat from Afghanistan. Just this week, the U.S.-designated terrorist and Taliban Interior Minister, Haqqani, praised suicide-bombing Taliban terrorists with American and Afghan blood on their hands and provided—listen to this—cash rewards to their families. They are getting a cash reward for killing Americans. The Taliban also continues to hamper the evacuation of American citizens, Afghans who worked with America, and other vulnerable Afghans who are continuing to be under threat.

Our allies and adversaries alike are wondering whether the Biden administration intends to stand up to those who dare to challenge us or our allies. They are watching—watching closely—to see if America will blink in the face of the Taliban's defiance or Iran's aggression. I hope the President is prepared to settle this question and deliver on our commitments.

HEALTHCARE

Madam President, now on an entirely different matter, there is little confusion about the devastating economic impact Democrats would bring about by ramming through their reckless taxing-and-spending spree: more taxes, more debt, and more painful inflation.

But this isn't some collection of well-intentioned policies whose pricetag has just gotten dangerously out of control; the policies themselves would mean real pain for American families—case in point: the heavyhanded mandates that would restrict choice and access to affordable, lifesaving healthcare.

Democrats want to ax the private insurance plans that millions of Americans have chosen and prefer. They want to build new Federal health programs and expand the ones that exist today, heaping more than $550 billion in new expenses on taxpayers to insure less than 4 million more people. Let me say that again. They want to build new Federal health programs and expand the ones that exist today, heaping more than $550 billion in new expenses—new expenses—on taxpayers. The result: to insure less than 4 million more people.

Here is the truth: The overwhelming majority of Americans today have access to healthcare. Democrats just don't like the private plans that most Americans choose.

Then, there is the plan to heap hundreds of billions of dollars in new programs and huge pools of additional people into a Medicare system that experts say is already—already, right now—dangerously close to insolvency. This is a huge, risky leap toward Medicare for All at the expense of the stability and the security of the actual Medicare system that millions of seniors rely on right now.

Democrats want to pour cold water on America's world-leading medical innovation sector by imposing socialist price caps on prescription medicines. In another example of Democrats' magic math—magic math—the rationale here is apparently that calling something cheaper actually makes it so. Calling something cheaper, they think, actually makes it so.

In reality, research tells us this would mean fewer new treatments and new cures. By one analysis, these price controls would cause up to 20 times—20 times—as much lost life over a decade as the once-in-a-century COVID pandemic already has. I want to say that again. By one analysis, these socialist price controls could cause up to 20 times as much lost life over a decade as the once-in-a-century COVID pandemic already has. Suppressing innovation through drug socialism would literally cost American lives.

Of course, they are planning to leave behind commonsense protections

against taxpayer-funded abortion that had enjoyed consistent bipartisan support for decades.

So, Madam President, this isn't just a runaway pricetag; these policies themselves are terrible—terrible policies—destructive things that would make America's families' lives actually worse. And the end goal, as one liberal House Member said just yesterday, is a Medicare for All system from before you are born until you die—from before you are born until you die.

More government between families and affordable care. More government between sick patients and lifesaving cures. More reckless ideas from Washington Democrats.

U.S. SUPREME COURT

Madam President, now on one final matter, earlier this week during a trip to South America, Secretary of State Blinken said that ''undermining the independence of the courts'' and ''packing courts'' were among ''the ways that democracies can come undone.'' This is the Secretary of State during a trip to South America. His warning was apparently directed to neighbors in our hemisphere, but ironically—ironically—his own fellow Democrats here in Washington, DC, apparently need the same lecture.

Last week, President Biden's much-ballyhooed Commission tasked with studying potential changes to the makeup of the U.S. Supreme Court issued its first findings. In some corners of the radical left, there was predictable disappointment that it had not more explicitly fed the flames.

But let's be clear: The mere creation of this Commission was itself a clumsy act of political thuggery against judicial independence, and what it did seem to support—slapping term limits on Supreme Court Justices—is no less of a radical affront to the principles on which the Court was established.

So, Madam President, curtailing the tenure of our Nation's senior-most judges is such an obvious threat to judicial independence, it has literally been warned about since our Nation's founding. Here is what Alexander Hamilton had to say about it—and he didn't mince any words—in Federalist 78. He warned that the judiciary is ''in continual jeopardy of being overpowered, awed or influenced by its coordinate branches; and that as nothing can contribute so much to its firmness and independence, as permanency in office''—permanency in office—''this quality may therefore be justly regarded as an indispensable ingredient in its constitution.''

This is Alexander Hamilton, Madam President—''an indispensable ingredient''—Alexander Hamilton on life tenure for judges. Our Founders insisted on it because they knew that the branches of government with the powers to write and execute laws would be tempted to undermine the branch that could exercise nothing but its judgment.

To an alarming degree in recent years, we have seen Democrats in both the executive and the legislative succumb to exactly the temptation that Alexander Hamilton warned us about, from the brazen amicus brief from a group of our Senate colleagues warning the Court to ''heal itself'' lest it be ''restructured,'' to the bizarre verbal threats issued by the Democratic leader on the steps of the Court, naming Justices who would ''pay the price'' for failing to rule the way he wanted, to the pseudoacademic Commission the President created to consider reanimating the ugly cadaver of court packing that his party last tried 80 years ago.

So, Madam President, these are nonsense responses to a nonexistent problem. The real problem is the shameful depths to which Democrats are apparently willing to stoop in pursuit of brute power. As I have said before, sensible people of all political stripes have an obligation to condemn this behavior. But the most embarrassing condemnation of these tired tactics? Our Founders saw it coming centuries in advance.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 254, Tana Lin, of Washington, to be United States District Judge for the Western District of Washington.

Charles E. Schumer, Richard J. Durbin, Christopher Murphy, Amy Klobuchar, Debbie Stabenow, Martin Heinrich, Edward J. Markey, Patty Murray, Tina Smith, Tammy Baldwin, Sheldon Whitehouse, Brian Schatz, Tim Kaine, Alex Padilla, Tammy Duckworth, Richard Blumenthal, Jacky Rosen.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Tana Lin, of Washington, to be United States District Judge for the Western District of Washington, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

The PRESIDING OFFICER (Mr. BOOKER). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 52, nays 47, as follows:

[Rollcall Vote No. 421 Ex.]

YEAS—52

Baldwin	Blumenthal	Brown
Bennet	Booker	Cantwell
Cardin	King	Sanders
Carper	Klobuchar	Schatz
Casey	Leahy	Schumer
Collins	Luján	Shaheen
Coons	Manchin	Sinema
Cortez Masto	Markey	Smith
Duckworth	Menendez	Stabenow
Durbin	Merkley	Tester
Gillibrand	Murkowski	Van Hollen
Graham	Murphy	Warner
Hassan	Murray	Warnock
Heinrich	Ossoff	Warren
Hickenlooper	Padilla	Whitehouse
Hirono	Peters	Wyden
Kaine	Reed	
Kelly	Rosen	

NAYS—47

Barrasso	Grassley	Risch
Blackburn	Hagerty	Romney
Blunt	Hawley	Rounds
Boozman	Hoeven	Rubio
Braun	Hyde-Smith	Sasse
Burr	Inhofe	Scott (FL)
Capito	Johnson	Scott (SC)
Cassidy	Kennedy	Shelby
Cornyn	Lankford	Sullivan
Cotton	Lee	Thune
Cramer	Lummis	Tillis
Crapo	Marshall	Toomey
Cruz	McConnell	Tuberville
Daines	Moran	Wicker
Ernst	Paul	Young
Fischer	Portman	

NOT VOTING—1

Feinstein

The PRESIDING OFFICER. On this vote, the yeas are 52, the nays are 47.

The motion is agreed to.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 187, Douglas L. Parker, of West Virginia, to be an Assistant Secretary of Labor.

Charles E. Schumer, Patty Murray, Sheldon Whitehouse, Ben Ray Luján, Martin Heinrich, Cory A. Booker, Jack Reed, Joe Manchin III, Richard J. Durbin, Mazie K. Hirono, Christopher A. Coons, Richard Blumenthal, Jacky Rosen, Kirsten E. Gillibrand, Gary C. Peters, Chris Van Hollen, Robert P. Casey, Jr.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Douglas L. Parker, of West Virginia, to be an Assistant Secretary of Labor, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) and the Senator from Maryland (Mr. VAN HOLLEN) are necessarily absent.

The PRESIDING OFFICER (Mr. SCHATZ). Are there any other Senators in the Chamber desiring to vote or change their vote?

The yeas and nays resulted—yeas 51, nays 47, as follows:

[Rollcall Vote No. 422 Ex.]

YEAS—51

Baldwin	Hickenlooper	Peters
Bennet	Hirono	Portman
Blumenthal	Kaine	Reed
Booker	Kelly	Rosen
Brown	King	Sanders
Cantwell	Klobuchar	Schatz
Cardin	Leahy	Schumer
Carper	Luján	Shaheen
Casey	Manchin	Sinema
Collins	Markey	Smith
Coons	Menendez	Stabenow
Cortez Masto	Merkley	Tester
Duckworth	Murkowski	Warner
Durbin	Murphy	Warnock
Gillibrand	Murray	Warren
Hassan	Ossoff	Whitehouse
Heinrich	Padilla	Wyden

NAYS—47

Barrasso	Graham	Risch
Blackburn	Grassley	Romney
Blunt	Hagerty	Rounds
Boozman	Hawley	Rubio
Braun	Hoeven	Sasse
Burr	Hyde-Smith	Scott (FL)
Capito	Inhofe	Scott (SC)
Cassidy	Johnson	Shelby
Cornyn	Kennedy	Sullivan
Cotton	Lankford	Thune
Cramer	Lee	Tillis
Crapo	Lummis	Toomey
Cruz	Marshall	Tuberville
Daines	McConnell	Wicker
Ernst	Moran	Young
Fischer	Paul	

NOT VOTING—2

Feinstein	Van Hollen

The PRESIDING OFFICER. On this vote, the yeas are 51, the nays are 47.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Douglas L. Parker, of West Virginia, to be an Assistant Secretary of Labor.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 338, Myrna Perez, of New York, to be United States Circuit Judge for the Second Circuit.

Charles E. Schumer, Patty Murray, Sheldon Whitehouse, Ben Ray Luján, Martin Heinrich, Cory A. Booker, Jack Reed, Richard J. Durbin, Mazie K. Hirono, Christopher A. Coons, Richard Blumenthal, Jacky Rosen, Kirsten E. Gillibrand, Gary C. Peters, Chris Van Hollen, Robert P. Casey, Jr., Michael F. Bennet.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Myrna Perez, of New York, to be United States Circuit Judge for the Second Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

The PRESIDING OFFICER (Mr. KING). Are there any other Senators in the Chamber desiring to vote or change their vote?

The yeas and nays resulted—yeas 51, nays 48, as follows:

[Rollcall Vote No. 423 Ex.]

YEAS—51

Baldwin	Hickenlooper	Peters
Bennet	Hirono	Reed
Blumenthal	Kaine	Rosen
Booker	Kelly	Sanders
Brown	King	Schatz
Cantwell	Klobuchar	Schumer
Cardin	Leahy	Shaheen
Carper	Luján	Sinema
Casey	Manchin	Smith
Coons	Markey	Stabenow
Cortez Masto	Menendez	Tester
Duckworth	Merkley	Van Hollen
Durbin	Murkowski	Warner
Gillibrand	Murphy	Warnock
Graham	Murray	Warren
Hassan	Ossoff	Whitehouse
Heinrich	Padilla	Wyden

NAYS—48

Barrasso	Fischer	Portman
Blackburn	Grassley	Risch
Blunt	Hagerty	Romney
Boozman	Hawley	Rounds
Braun	Hoeven	Rubio
Burr	Hyde-Smith	Sasse
Capito	Inhofe	Scott (FL)
Cassidy	Johnson	Scott (SC)
Collins	Kennedy	Shelby
Cornyn	Lankford	Sullivan
Cotton	Lee	Thune
Cramer	Lummis	Tillis
Crapo	Marshall	Toomey
Cruz	McConnell	Tuberville
Daines	Moran	Wicker
Ernst	Paul	Young

NOT VOTING—1

Feinstein

The PRESIDING OFFICER. The yeas are 51, the nays are 48.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Myrna Perez, of New York, to be United States Circuit Judge for the Second Circuit.

The PRESIDING OFFICER. The Senator from Massachusetts.

VOTING RIGHTS

Mr. MARKEY. Mr. President, yesterday, the U.S. Senate was once again presented with the opportunity to protect the will and the voices of the American people. We had a chance to protect the sanctity of our electoral processes and to preserve our democracy. We had a chance to extend voting rights. But yesterday, for the second time this year, Republicans unanimously chose obstruction over debate, suppression over representation.

All Democrats agree: The Freedom to Vote Act is commonsense legislation. It would enhance access to the ballot for all Americans—a right enshrined in our Constitution. It would enact badly needed election integrity reforms and eliminate emerging threats to our democracy. The Freedom to Vote Act would put in place key voter protections, such as automatic voter registration, making election day a holiday, and uniform early voting. It includes provisions that are broadly popular with the American people: ending partisan gerrymandering and removing special interest money from our politics.

Every single Democrat voted for this bill. Democrats are united behind voting rights. Yesterday, we came to the floor together, ready to start the debate.

My Republican colleagues have said that Democrats are attempting to frame voting restrictions as voter suppression, implying that voter suppression is some figment of our imagination, a figment of the imagination of those across the country who are suffering from these practices. Well, to my Republican colleagues, look around. Nineteen States have passed 33 new laws this year that make it harder to vote. We know that these laws disproportionately disenfranchise Black voters, Brown voters, immigrant voters; voters like a mother in Georgia, who can't vote because she can't take time off from the job she works to cover the bills in the midst of a pandemic; or the poll worker in Arizona, who was arrested—arrested—for giving a bottle of water to a woman waiting in extreme heat to vote; or the person in Texas, who couldn't vote because he didn't have a ride to the polls.

Stories like these are not exaggerations. They are facts, and they are unconscionable facts. If Congress does not step up to the plate on voting rights, then we are signaling to every person in this country that their voice does not matter. We are telling them that we are a country that cares about representation for some but not for all in our country.

Ensuring voting rights is how we show, no matter a person's background or race or hometown or economic status, that their voice can be heard and represented. Not just the wealthy, not just big corporations, not just White Americans—everybody in our country is fully protected so that they can vote, so they can express that central right in our country.

Inaction on voting rights is not an option. Voting rights are the people's power, and the people's power is how we unlock opportunity, representation, and justice for everyone in our Nation. Ensuring the right to vote is how we restore faith in our democracy and how we turn popular opinion into legislative action here on the floor of the Senate.

This is how we take action to save our planet from the existential threat of the climate crisis that is impacting us right now. This is how we take action to respond to the ongoing COVID–

19 pandemic. This is how we take action to address racial injustice across our country. This is how we create the future for our children that we want to see for them.

Republican obstruction does not mean this fight is over. Next week, the Senate will prepare for a vote on the John Lewis Voting Rights Advancement Act, and here is how we can get this done: abolish the filibuster. Abolish the filibuster. We must abolish the filibuster so that Democrats who were elected into the majority can begin to operate like a majority.

The filibuster is yet another Jim Crow-era relic that silences the voices of disenfranchised people in our country, and this antiquated, parliamentary rule is halting progress in our country.

As legislators, our job is to both listen to the people of this country and act on what we have heard from our country. Democrats have listened, and we are working toward action.

So, to my Republican colleagues, for the sake of your constituents, I urge you to join us in taking action.

If they do not, then, in the face of continued obstruction, we must abolish the filibuster and pass voting rights legislation.

The Republicans can no longer be allowed to stand behind the filibuster—a Jim Crow-era policy, a set of rules that is used on the floor of the Senate to actually deny progress for every single part of our society. The time has passed. These rules are antiquated. They are used in a discriminatory way to deliberately minimize the political power of those who are most vulnerable, and it must end. We must abolish the filibuster.

The message we are receiving from the Republican leadership is that they are going to stand fast as a party, and that their political strategy is, in fact, disenfranchisement. It is, in fact, obstructing our ability to hear every single voice in our country.

So this is the time. This is the body that must act. We have to change these rules. These rules do not work for everyone. We know that this is our constitutional time.

Back when the first Constitution was being drafted, they excluded women, and they excluded the slave population, the Black population, from being able to vote. It was a deliberate plan that had to be rectified. It was rectified by the suffrage movement for women, and it was rectified by the Civil War so that former slaves would be given the right to vote.

Well, this is our time. We see this moment for us to act on the filibuster. In the same way that the Civil War was the impediment, it has to be removed because we can see who is harmed if it is not.

So I call upon everyone to begin this action to repeal the filibuster to ensure that everyone's voice is heard in our country.

I thank the Presiding Officer for this opportunity.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

FILTER BUBBLE TRANSPARENCY ACT AND PLATFORM ACCOUNTABILITY AND CONSUMER TRANSPARENCY ACT

Mr. THUNE. Mr. President, social media has become a big part of a lot of Americans' lives: TikTok, Twitter, Facebook, YouTube, Instagram.

People turn to social media for connection, for entertainment, to stay on top of the news, for pictures of the grandkids, for workout routines, and new recipes.

Social media offers a lot of benefits and opportunities, but it is becoming ever more clear that social media has a darker side as well. Social media use can have a negative effect on mental health. It can foster negative and divisive engagement and serve as an outlet for illegal activity, from child pornography to human trafficking. It can have a particularly detrimental effect on the still-developing psyches of teenagers.

The Wall Street Journal recently published a series of disturbing reports based on the information of a Facebook whistleblower provided that highlighted everything from the use of Facebook for criminal activity in developing countries to the company's own research showing the negative impact Instagram can have on teenager girls.

Two weeks ago, the Senate Commerce Committee held a hearing where we heard firsthand from the Facebook whistleblower about the concerns that led her to come forward. And next week, the Commerce Committee will be holding a hearing with witnesses from Snapchat, TikTok, and YouTube, examining how these companies treat younger users.

A recent Wall Street Journal investigation into TikTok revealed how easy it is for younger users to be bombarded with wildly inappropriate content, from videos promoting drug use to disturbing sexual content.

One major problem with social media that came through, once again, in the recent Commerce hearing and in the Wall Street Journal's recent revelations is social media platforms' use of algorithms to shape users' experiences.

Gone are the days when you logged into Facebook and just consumed content that had been posted chronologically since your previous login. Now Facebook and other social media platforms use algorithms to shape your news feed and suggestions for additional content, emphasizing posts the platforms think you will be interested in and de-emphasizing other posts.

Now, algorithms can be useful, of course. If you are looking for YouTube videos on how to build a bookshelf, you will probably appreciate it if YouTube suggests additional videos on how to build a bookshelf rather than videos on how to roast a turkey or sink the perfect jump shot.

But algorithms have a problematic aspect as well. For starters, many people aren't aware just how much their experiences on these platforms are being manipulated and the negative emotional effects that that manipulation can have.

Disclosure on these platforms can be confusing or nonexistent, so individuals can be largely unaware that the immense amount of personal data that social media platforms collect is being used to decide what posts they are being shown, what ads they are being offered, and more.

Individuals end up being trapped in what has been termed the ''filter bubble''—their own world of filtered search results and tailored content. This can lead to everything from political polarization, as users are presented with a narrow, one-sided view of current affairs, to addictive behavior, as the platform doubles down on troubling content that users have shown an interest in.

As the Wall Street Journal's recent articles on Facebook and TikTok demonstrate, the filter bubble can be particularly troubling in the case of younger social media users who may watch an inappropriate video and soon find that their feed is filled with similar material. In many ways, the filter bubble can and does shape a user's choices and behavior.

As the former Commerce Committee chairman and current ranking member of the Commerce Subcommittee on Communications, Media, and Broadband, I have been following these issues for a while and have developed two bipartisan bills—the Filter Bubble Transparency Act and the PACT Act—that I think would go a long way toward addressing the problems posed by social media platforms.

My Filter Bubble Transparency Act, which is cosponsored by Senators BLUMENTHAL and BLACKBURN, among others, would allow social media users to opt out of the filter bubble. In other words, it would allow them to opt out of the filtered experience tailored for them by opaque algorithms and, instead, see an unfiltered social media feed or search results that aren't based on the vast amount of information a platform has on them.

Facebook, for example, would be required to provide a clear notification to users that their content is being shaped by algorithms. Then Facebook would be required to provide users with an easily accessible option to see a chronological news feed instead of a news feed powered by opaque algorithms that emphasize the posts that Facebook wants you to see.

My Platform Accountability and Consumer Transparency Act—or the PACT Act—which I introduced with Senator SCHATZ, would also increase social media transparency. It would require sites to provide an easily digestible disclosure of their content moderation practices for users, and it would address censorship concerns by requiring sites to explain their decisions to remove material to consumers.

Until relatively recently, sites like Facebook and Twitter would remove a user's post without explanation and without an appeals process. Even as platforms start to shape up their act with regard to transparency and due process, it is still hard for users to get good information about how content is being moderated.

Under the PACT Act, if a site chooses to remove your post, it has to tell you why it decided to remove your post and explain how your post violated the site's terms of use. Then it has to provide a way for you to appeal that decision. The PACT Act would also explore the viability of a Federal program for Big Tech employees to blow the whistle on wrongdoing inside the companies where they work.

We learned a lot from Frances Haugen, the Facebook whistleblower who spoke to the Commerce Committee 2 weeks ago, and I believe that we should encourage employees in the tech sector to speak up about questionable practices of Big Tech companies so that we can, among other things, ensure Americans are fully aware of how social media platforms are making use of artificial intelligence and individuals' personal data to keep them hooked on their platforms.

As I said earlier, social media offers a lot of benefits—I think we all acknowledge that—but with the ever-increasing role that it plays in Americans' lives, it is essential that consumers understand exactly how social media platforms are using their information and shaping the news that they see and the content that they interact with.

And I am hopeful that the recent troubling revelations about Facebook and TikTok published by the Wall Street Journal will create an impetus for bipartisan action on social media transparency.

I am grateful to have bipartisan cosponsors for both the Filter Bubble Transparency Act and the PACT Act, and I look forward to working with my cosponsors to get these bills passed in the near future.

Big Tech has operated in the dark for too long. It is time to shed some light on content moderation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

BORDER SECURITY

Mr. CORNYN. Mr. President, earlier this week, one of President Biden's nominees for a very important office testified before the Finance Committee. Actually, I was a little surprised. It is the nominee for Customs and Border Protection, but, apparently, according to the arcane rules of the Senate, rather than the Homeland Security and Governmental Affairs Committee or the Judiciary Committee, it was the Finance Committee that conducted that hearing. Perhaps there will be sequential referrals, but that surprised me a little bit.

But I met, at least over the phone, Chris Magnus, who is currently the police chief in Tucson, AZ, who had been nominated to lead—who has been nominated to lead U.S. Customs and Border Protection, the Agency responsible for managing security and trade and commerce at the border, among other places.

Suffice it to say the Customs and Border Protection are overwhelmed, given the current numbers of migrants making their way to the southwestern border. In the last year, CBP has encountered more than 1.7 million migrants along the southern border, the highest number on record.

To be clear, this is not the fault of the dedicated law enforcement officials who are putting their lives on the line to protect our children and our country from the influx of illegal drugs but to also enforce our immigration laws. By the way, these are not policies that they make, these are policies that Congress makes.

These men and women make incredible sacrifices to secure our border and try to keep our communities safe, and we owe them our gratitude. But we also owe them responsible policies and other support to give them a fighting chance to succeed at the difficult job we have asked them to do.

Unfortunately, the current crisis is a direct result of Biden administration words and actions and outright refusal to fix the policies that are being manipulated by the transnational criminal organizations that smuggle people and drugs into our country.

We have seen a steady parade of messages and policies and inactions and some actions in some cases, all of which crystalize into a clear message to migrants that if you come to the southwestern border and enter the country illegally, you will be likely able to stay.

I am reminded of the widespread shoplifting issues that we have seen in San Francisco. Under State law, which has recently changed, if someone is caught stealing merchandise for $950 or less, it is only a misdemeanor, and rarely are those cases prosecuted.

But—surprise—people paid attention, and there is no shortage of videos online showing individuals committing criminal offenses, filling garbage bags full of items and walking right out the front door. This is what happens if you send the message that you can violate the law with impunity.

This problem in San Francisco became so expensive that a number of businesses, including Walgreens, for example, started closing stores in the city because they just couldn't afford the loss due to these thefts.

The message is that if leaders send a message that says the law won't be enforced, more people will break the law because there are no repercussions, and that is exactly what is happening today at the southern border.

The administration has essentially given the playbook to the migrants and the cartels—the transnational criminal organizations that smuggle people and drugs into the United States. It boils down to this: Cross the border, surrender to Border Patrol, repeat these specific lines, and you will be released to the interior of the country with virtually no supervision.

And it doesn't surprise anybody that a huge percentage of those individuals never show up for their future court hearing.

Earlier this week, I asked Mr. Magnus if he agreed that the administration's stated policy of nonenforcement is a pull factor, encouraging more illegal immigration.

We talked about the push factors: violence, crime, a desire for a better life, maybe the smugglers whispering in your ear, ''For a few bucks you can go stay with your family in the interior of the United States.'' But he agreed that the nonenforcement policy of the Department of Homeland Security was a pull factor that actually encouraged more illegal immigration.

I was surprised but honestly grateful to hear the President's nominee admit the truth. It is obvious. But it is still somehow a taboo statement—taboo statement for the Biden administration officials to make.

It is undeniable that the administration's actions have encouraged the surge of illegal immigration and the humanitarian crisis that exists on our border.

One example is the process by which migrants undergo—the process they undergo before they are returned or released. Before the Biden administration existed, there was a clear process for migrants who crossed the border to claim asylum.

The individual would be processed by Border Patrol and undergo a credible fear assessment. That is to see if they qualify for the statutory definition of asylum, which essentially determines, at least in a preliminary fashion, whether they qualify.

If the asylum officer determines the applicant had a credible fear of persecution, that person would then be issued a notice to appear for a future court hearing. That is a critical document that formally commences immigration court proceedings because if they don't show up, a default order of deportation will issue.

Well, I have heard concerns from a number of folks in my State about the fact that huge numbers of migrants are now being released without a notice to appear. Thousands of migrants have been released with what is called a notice to report. This is a document that says when you get where you are going, turn yourself in to the local Immigration and Customs Enforcement office to start your removal proceedings.

These migrants haven't undergone a credible fear screening. We have no information on the validity of their asylum claims, and it is unclear whether the administration has given any teeth to the warning that failure to contact the local ICE office may result in your arrest.

So the Biden administration has made it easier for migrants to disappear and melt into the great American landscape.

Last month, Secretary Mayorkas, the Secretary of the Department of Homeland Security, made things worse. He issued a directive, new guidance, at the end of September that strongly discourages Immigration and Customs Enforcement removal proceedings officers from carrying out their duties unless a migrant meets specific criteria.

You can read it yourself. It talks about mitigating factors and aggravating factors, and somehow an ICE officer, a Border Patrol agent, is supposed to make an individualized determination whether this individual migrant qualifies or does not qualify to be admitted into the United States.

According to Secretary Mayorkas, recent border crossers should be a priority, but it is only if they have been apprehended for some other reason. He has basically said if your only crime is illegally entering into the United States, we are not going to detain you. We are not going to deport you.

The Secretary's guidance says that individuals convicted of serious criminal conduct should be a priority for removal, but it is unclear what crimes meet the criteria.

For example, is distributing or receiving child pornography considered a serious criminal conduct? What about crimes like wire fraud, racketeering, embezzlement, a whole host of other crimes that you or I might think of?

It defies common sense to ask these law enforcement officers, charged with enforcing our laws, to turn a blind eye when they encounter individuals who have come here illegally and committed other crimes because those crimes just aren't serious enough in the opinion of the bureaucracy at the Department of Homeland Security or in the Biden administration.

I am reminded of the controversial directive issued by another one of President Biden's nominees to enforce our Nation's laws.

Rachael Rollins has been nominated to serve as the U.S. attorney for Massachusetts and is currently the district attorney for Suffolk County, Boston.

Shortly after taking her job as DA in Suffolk County, she released a memo outlining a dozen crimes that should be ignored by law enforcement. According to Ms. Rollins—this is a district attorney—according to Ms. Rollins, individuals who commit offenses like trespassing, shoplifting, larceny—which is essentially stealing—wanton or malicious destruction of property or even possession with intent to distribute drugs should not be prosecuted in Suffolk County.

Now, I have no issue with law enforcement using limited resources to prioritize the threats to the community. But they can't exempt wholesale classes of crimes from enforcement, and they certainly should not tip their hat to the criminals as to what crimes can be committed free of any consequence.

But under the Biden administration, unfortunately, we are seeing similar action.

We are also seeing a record low number of deportations. In April, as border crossings hit the highest level in 2 years—excuse me—two decades, ICE removed the lowest number of illegal immigrants on record. So not only are more people coming at historic numbers, but historic numbers of people are—low numbers of people are being deported.

This, again, is part of an overall message that sends an unequivocal message to the world that if you come to the United States illegally, you are likely to be able to get away with it. There is a good chance migrants will be released with a flimsy notice to report, and once that happens, they won't be removed unless they are caught committing another crime.

The Department of Homeland Security is charged with safeguarding the American people and enforcing our laws. But its employees are largely handcuffed because of the Department's own leadership and the guidance they have handed down.

Again, there is no problem in my book with prioritizing the removal of dangerous criminals who are in the United States illegally. But it is another thing to send a message that if you break some of our laws, we are going to enforce them; if you break other laws, we won't enforce them—and thus encourage more and more people to come to the United States illegally.

It isn't clear that enforcement and removal operations officers will truly retain the discretion they need to remove illegal immigrants who don't fall under some of the categories laid out by the Secretary and his guidance that he issued in late September.

Considering everything we have heard from our friends across the aisle when it comes to immigration enforcement, this radical action by the administration is not completely surprising.

Vice President HARRIS, who was appointed by the President to deal with the crisis at the border, once compared ICE to the Ku Klux Klan. And a number of our colleagues have sided with radical activists who want to defund the police.

With violent crime and murder rates on the rise across the country, it is no surprise that the American people overwhelmingly disagree with this idea of defunding the police.

I was gratified to see after this defund movement hit—had its heyday, that a year later, most of the jurisdictions around the country had restored the funding because of the disastrous consequences of defunding the police. But it is harder to resurrect a police department to recruit new people and train them than it is to defund them and shrink the size of the department.

But now we have gone from defunding law enforcement to defanging law enforcement. Slowly, we have seen the tools law enforcement needs to keep our communities safe being taken away from them, and our law enforcement officers are being told: You cannot do your job.

Liberal activists can throw out their ''Abolish ICE'' posters because the administration is effectively nullifying the policy from the inside.

The reality of the situation, however inconvenient it may seem, is that by entering the United States illegally, migrants are violating U.S. law. Again, it is not something that is dictated by the Department of Homeland Security or by Border Patrol; these are laws that Congress has passed and previous Presidents have signed into law.

As I said at the beginning, we are fortunate to have the hard-working men and women of ICE and CBP who are committed to enforcing our laws and safeguarding the American people, but this policy of nonenforcement and of providing additional pull factors to encourage people to illegally enter the United States has to be demoralizing to the very people we are depending upon to keep our country safe.

Make no mistake, the President bears full responsibility for this crisis. He is the one who could make the difference. He could change it with the stroke of a pen.

January was the only full month this year that President Biden was not President of the United States. It is also no coincidence that it was the only month in which fewer than 100,000 migrants crossed our southern border. The Biden administration has made nonenforcement the de facto response to the border crisis, and as a result, annual apprehensions have hit an alltime high. Until the Biden administration changes the playbook, migrants will continue to flood the zone using the very plays that the administration has laid out for them.

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

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

UNANIMOUS CONSENT AGREEMENT—S. RES. 134

Mr. LEE. Mr. President, I would like to call up S. Res. 134, as amended, my resolution urging the President to bring negotiations on a free-trade agreement between the United States and the United Kingdom to a mutually advantageous conclusion.

I have been working on the Senate floor and behind the scenes for several years now trying to get this measure adopted and a trade deal signed. Things are finally moving. The message to the President, if approved with unanimous consent of the Senate, could not be any more timely.

President Biden recently announced that after a delay of more than a year, we are finally going to resume trade negotiations with the United Kingdom. It is not often these days that I am really excited about all the news coming from the White House, but this one is absolutely thrilling to hear. I am very pleased with it.

For more than 100 years, throughout times of great change, tumult, and uncertainty, our partnership between the United States and the United Kingdom—sometimes referred to as the ''special relationship''—has been constant. Through two world wars and the Cold War, through centuries of economic partnership that have forged the world's single-largest bilateral trade and investment relationship, the UK has been our staunchest and our most loyal ally.

Now, with the UK's newfound ability to negotiate independent free-trade deals and the President's commitment to resume negotiations on that front, the stars are aligned, and we have the opportunity to grow that relationship even further. This Senate resolution is the next step, calling on the President to bring those negotiations to the finish line. What could be better for American jobs, American prosperity, and American security than securing such a deal? This is what our country needs. This is what my home State of Utah needs.

Let me tell you a little bit about what that relationship means for the people back in my State, back in Utah. Almost 11,000 Utahns are employed directly by UK companies and their subsidiaries, and nearly 40,000 jobs are supported by exports from Utah to the United Kingdom. The United Kingdom is our largest export market, and we sent over $9 billion worth of exports just in 2019 alone.

Our credit and financial services industries also thrive from our trade relationships with the UK. Imagine what it would do for Utah and for the rest of the country if we made that trade even easier.

In this age of great power competition with China, we need to work closely with our allies renewing old friendships and crafting new ones.

As we have seen, our supply chains are in a precarious position, and they need to be redoubled and reinforced before we face the next calamity. Whatever you might have heard, trade is one of the best ways to reinforce our supply chains, and so what we need is a proliferation of free-trade agreements with countries around the globe. The United Kingdom would certainly be on that list, and, in fact, it should be chief among them.

So now I ask my colleagues to join me, using the full voice and the authority of the U.S. Senate, to urge the President to proceed full steam ahead on a deal. Throughout history, the partnership between our countries has steadied the world through some of its greatest perils, and it can continue to do so today if only we let it. The American and British peoples have the opportunity to once again join forces and emerge from the challenges we face today and to do so stronger than ever for the benefit of our countries and nations across the globe.

To that end, Mr. President, as if in legislative session, I ask unanimous consent that the Finance Committee be discharged from further consideration and the Senate now proceed to S. Res. 134. I further ask that the Lee substitute amendment to the resolution be considered and agreed to; the resolution, as amended, be agreed to; the Lee amendment to the preamble be considered and agreed to; the preamble, as amended, be agreed to; that the Lee amendment to the title be considered and agreed to; the title, as amended, be agreed to; and that the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. MURPHY. Mr. President.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, reserving the right to object, Senator LEE is right—the relationship between the United States and Britain is unique, and it is special. They are often the first to come to our aid when we are in need, when we need partners around the globe. So it brings me no pleasure to come to the floor to object to this resolution being passed at this time, partly because I think there will be a right time for the Senate to come together unanimously and express our support for a U.S.-Britain free-trade agreement. But I want to spend 1½ minutes telling you why this is not the time.

We are having this debate because Britain has chosen to leave the European Union. Previous to Britain's departure, we were pushing for a U.S.-EU trade agreement that would have brought benefits to Britain but also to the rest of the continent.

Today, we are talking about a bilateral agreement because Britain is leaving the European Union, but they have not yet fully left in the sense that there is an agreement connected to their exit that Britain has not yet fulfilled. One of the most important aspects of that agreement relates to the Good Friday Agreement, the Good Friday Agreement being a seminal achievement of American diplomacy that brought to an end decades of troubles and violence in and around Northern Ireland.

The UK and EU negotiated what is called the Northern Ireland Protocol as part of the EU withdrawal agreement. That arrangement was intended to preserve the Good Friday Agreement and to ensure that you would never have a hard border between the Republic of Ireland and Northern Ireland. Under the protocol, it was agreed that Northern Ireland would continue to follow EU rules on food safety and other products standards to prevent those customs checks across the border. The checks, instead, would take place on goods entering Northern Ireland from England, Scotland, or Wales.

The problem is that the British Government right now wants to change the deal and to get rid of most of the checks, to reduce customs procedures in order to allow goods to move more freely. But this has created a political crisis because it threatens to reerect that hard border that could unfortunately stimulate a reemergence of conflict. It has already been incredibly destabilizing in Northern Ireland. The leader of the largest unionist party has threatened to quit the government if the current protocol is not replaced.

This is not an insignificant risk, and our priority should be, before cheerleading and championing a free-trade agreement, to make sure that Britain's commitment to protect the Good Friday Agreement as part of their departure from the European Union is fulfilled.

So I look forward to the time when we can come together, Republicans and Democrats, and support the entering into of discussions for a free-trade agreement between the United States and Britain, but I would submit that this is not the right time. Right now, we need to be firm in our commitment to make sure that the conditions of withdrawal from the European Union specifically with respect the Good Friday Agreement are fulfilled, and only once those conditions are fulfilled should we as a body make that full commitment to this free-trade agreement.

Let's make sure that we not do anything to jeopardize what has been decades of productive peace and peace discussions in and around Northern Ireland.

For that reason, I would object.

Mr. LEE. Mr. President.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. I appreciate the insights shared by my friend and distinguished colleague, the Senator from Connecticut, with whom I enjoy working on countless issues, but I want to offer a little bit of additional context here.

Senator MENENDEZ and I have worked together for some time now to address how any such trade agreement with the United Kingdom might take into account the obligations we have to Ireland under the Good Friday Agreement.

Just to be very clear, our resolution does not make any statement on elements of the transatlantic relationship outside the jurisdiction of U.S. sovereignty. So this shouldn't affect that. Those two things shouldn't be tied together.

Brexit and the debate surrounding the Northern Ireland Protocol are issues exclusively between the UK and the EU. This resolution is interested only, exclusively, in making a statement on working closely with a longstanding and stalwart ally and trade

partner. So we certainly would welcome a similar resolution on U.S.-EU trade, and I would be happy to work collaboratively with my friend from Connecticut or with any other colleague on either side of the aisle on that project.

If there are additional concerns here, I would love to know what those are immediately so that we can resolve this expeditiously. As I said earlier, I have been working on this resolution for at least 2 years now, and I would hate to see it blocked because of a quibble that we have already worked with the Foreign Relations Committee, the staff across the aisle on that committee, to address. I mentioned that this is important to my State of Utah. It is also important to Connecticut.

In Connecticut, the United Kingdom is directly responsible for over 22,000 jobs, and it supports another 12,000 through Connecticut goods and services that cross between those two countries.

So I think this would be good for Connecticut. It would be good for Utah. It would be good for the entire country, and I hope we can get it done. I am disappointed we weren't able get it done today. I am going to keep moving ahead on this because it needs to happen.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I ask unanimous consent to speak for up to 2 minutes.

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

NOMINATION OF TANA LIN

Ms. CANTWELL. Mr. President, I come to the floor to support the nomination of Tana Lin to serve as judge for the U.S. District Court for the Western District of Washington.

If confirmed, Lin would be the first Asian American appointed as a Federal judge in the State of Washington. Western Washington has one of the largest Asian-American populations in the country, so it is very important that we have her voice on the Federal bench to show the diversity of our country.

As an Asian-American woman, the barriers Ms. Lin faced have inspired her to fight for equal justice access to promote diversity within the legal field, and she has had a passion for public service for a long time. She started her legal career as a public defender and served as a mentor to economically disadvantaged youth and mothers interested in pursuing law for many years.

So she is extremely well qualified and supported by many, including the National Asian Pacific American Bar Association, the National Asian Pacific American Women's Forum, the National Legal Aid & Defender Association, and many others; and I urge my colleagues to support her.

VOTE ON LIN NOMINATION

The PRESIDING OFFICER. Under the previous order, all postcloture time is expired.

The question is, Will the Senate advise and consent to the Lin nomination?

Ms. CANTWELL. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wisconsin (Mr. JOHNSON) and the Senator from North Carolina (Mr. TILLIS).

The result was announced—yeas 52, nays 45, as follows:

[Rollcall Vote No. 424 Ex.]

YEAS—52

Baldwin	Hickenlooper	Reed
Bennet	Hirono	Rosen
Blumenthal	Kaine	Sanders
Booker	Kelly	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Leahy	Sinema
Carper	Luján	Smith
Casey	Manchin	Stabenow
Collins	Markey	Tester
Coons	Menendez	Van Hollen
Cortez Masto	Merkley	Warner
Duckworth	Murkowski	Warnock
Durbin	Murphy	Warren
Gillibrand	Murray	Whitehouse
Graham	Ossoff	Wyden
Hassan	Padilla	
Heinrich	Peters	

NAYS—45

Barrasso	Fischer	Portman
Blackburn	Grassley	Risch
Blunt	Hagerty	Romney
Boozman	Hawley	Rounds
Braun	Hoeven	Rubio
Burr	Hyde-Smith	Sasse
Capito	Inhofe	Scott (FL)
Cassidy	Kennedy	Scott (SC)
Cornyn	Lankford	Shelby
Cotton	Lee	Sullivan
Cramer	Lummis	Thune
Crapo	Marshall	Toomey
Cruz	McConnell	Tuberville
Daines	Moran	Wicker
Ernst	Paul	Young

NOT VOTING—3

Feinstein	Johnson	Tillis

The nomination was confirmed.

The PRESIDING OFFICER (Mr. VAN HOLLEN). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will immediately be notified of the Senate's action.

The majority leader.

LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 339.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Jia M. Cobb, of Virginia, to be United States District Judge for the District of Columbia.

CLOTURE MOTION

Mr. SCHUMER. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 339, Jia M. Cobb, of Virginia, to be United States District Judge for the District of Columbia.

Charles E. Schumer, Ben Ray Luján, Richard J. Durbin, Christopher A. Coons, Elizabeth Warren, John Hickenlooper, Jacky Rosen, Brian Schatz, Tammy Baldwin, Patrick J. Leahy, Kirsten E. Gillibrand, Richard Blumenthal, Benjamin L. Cardin, Catherine Cortez Masto, Cory A. Booker, Raphael G. Warnock, Alex Padilla.

LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 342.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Karen McGlashan Williams, of New Jersey, to be United States District Judge for the District of New Jersey.

CLOTURE MOTION

Mr. SCHUMER. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 342, Karen McGlashan Williams, of New Jersey, to be United States District Judge for the District of New Jersey.

Charles E. Schumer, Ben Ray Luján, Richard J. Durbin, Christopher A. Coons, Elizabeth Warren, John Hickenlooper, Jacky Rosen, Brian Schatz, Tammy Baldwin, Patrick J. Leahy, Kirsten E. Gillibrand, Richard Blumenthal, Benjamin L. Cardin, Catherine Cortez Masto, Cory A. Booker, Raphael G. Warnock, Alex Padilla.

LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 364.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Patricia Tolliver Giles, of Virginia, to be United States District Judge for the Eastern District of Virginia.

CLOTURE MOTION

Mr. SCHUMER. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 364, Patricia Tolliver Giles, of Virginia, to be United States District Judge for the Eastern District of Virginia.

Charles E. Schumer, Mazie K. Hirono, Tammy Duckworth, Martin Heinrich, Christopher A. Coons, Jack Reed, Benjamin L. Cardin, Angus S. King, Jr., Alex Padilla, Jeff Merkley, Christopher Murphy, Sheldon Whitehouse, Tina Smith, Jeanne Shaheen, Richard J. Durbin, Richard Blumenthal, Robert P. Casey, Jr.

LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 365.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Michael S. Nachmanoff, of Virginia, to be United States District Judge for the Eastern District of Virginia.

CLOTURE MOTION

Mr. SCHUMER. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 365, Michael S. Nachmanoff, of Virginia, to be United States District Judge for the Eastern District of Virginia.

Charles E. Schumer, Ben Ray Luján, Richard J. Durbin, Christopher A. Coons, Elizabeth Warren, John Hickenlooper, Jacky Rosen, Brian Schatz, Tammy Baldwin, Patrick J. Leahy, Kirsten E. Gillibrand, Richard Blumenthal, Benjamin L. Cardin, Catherine Cortez Masto, Cory A. Booker, Raphael G. Warnock, Alex Padilla.

LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 366.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Sarala Vidya Nagala, of Connecticut, to be United States District Judge for the District of Connecticut.

CLOTURE MOTION

Mr. SCHUMER. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 366, Sarala Vidya Nagala, of Connecticut, to be United States District Judge for the District of Connecticut.

Charles E. Schumer, Ben Ray Luján, Richard J. Durbin, Christopher A. Coons, Elizabeth Warren, John Hickenlooper, Jacky Rosen, Brian Schatz, Tammy Baldwin, Patrick J. Leahy, Kirsten E. Gillibrand, Richard Blumenthal, Benjamin L. Cardin, Catherine Cortez Masto, Cory A. Booker, Raphael G. Warnock, Alex Padilla.

Mr. SCHUMER. Finally, I ask unanimous consent that the mandatory quorum calls for the cloture motions filed today, October 21, be waived and that the cloture motions ripen at 11 a.m. on Tuesday, October 26.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SCHUMER. I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

PANDORA PAPERS

Mr. CARDIN. Mr. President, I rise today to sound the alarm on the national security threat that corruption represents and to echo the determination President Biden made earlier this year that corruption constitutes a core national security threat to the United States.

Along with many of my colleagues in this body, I have worked long and hard to fight corruption, which undermines democracy, human rights, and the rule of law and is behind so many of the persistent problems that we seek to solve.

The International Consortium of Investigative Journalists—involving 150 media outlets, including the Washington Post and the Organized Crime and Corruption Reporting Project—conducted an investigation of corruption leading to the publication of the Pandora Papers.

The Pandora Papers reveal the astonishing extent to which questionable financial flows are entering our country and that of our allies. Those warrant further review. Although we had known that such a system of offshore financing exists, it is still shocking to see the scale of the corruption, documented in great detail by emails, contracts, and other documents.

Foreign dictators, their associates, and other foreign officials have stolen untold sums—billions of dollars—and moved that dirty money into our democracies, into our real estate, bank accounts, trusts, and other financial instruments. This is a profound threat to our national security. It hollows out the rule of law abroad and now threatens to hollow out the rule of law at home.

Foreign kleptocrats cannot do this alone. Although the kleptocrats may steal abroad, to taint our political system with that money requires the assistance of enablers—American lawyers, accountants, trust and company service providers, real estate professionals, and the like—who put aside any moral qualms that they may have

about working for the enemies of democracy to obtain a small slice of ill-gotten gains.

The Pandora Papers make clear that U.S. enablers apparently play an outsized role in helping to move stolen assets from dictatorships and struggling democracies into consolidated democracies—an appalling and corrupt transfer of wealth from those who need it the most to those who have no need for it at all.

All told, the Papers include documents from 206 U.S. trusts in 15 States and Washington, DC, and 22 trustee companies.

While there is obviously much legitimate business to be done in creating and managing trusts and investments—and we should be careful about overstating or generalizing without careful examination of each case—it appears that some Americans have knowingly played a significant role in facilitating corruption.

The Papers include 300 political leaders and public officials from more than 90 countries and territories—although no Americans and exceedingly few Western Europeans. This comes as no surprise. The movement of corrupt money runs east to west, not west to east. It is the tragedy of the post-Cold War world that corruption has come west along with dirty money rather than democracy going east.

There are names in the Papers that also come as no surprise, such as Vladimir Putin's cronies Konstantin Ernst and Gennady Timchenko. Both are included on Alexei Navalny's list of 35 human rights abusers and kleptocrats. Timchenko is already under U.S. sanctions, although Ernst is not. Now would be a good time to consider imposing sanctions on him. The Aliyevs of Azerbaijan also make an appearance. They collectively own a real estate empire in London worth $700 million. A Chinese Communist Party official also was found to have used an offshore company to trade in U.S. stocks.

Now, here is the good news. It doesn't have to be this way. The triumph of global kleptocracy is not inevitable. We can fight back, and we are.

Never before has there been an American administration so focused on countering such corruption or a Congress so creative and aggressive in facing down the threat. President Biden is the first President ever to declare countering corruption to be a core U.S. national security interest.

Congress has formed a bipartisan Caucus against Foreign Corruption and Kleptocracy. The House recently passed no fewer than six different counterkleptocracy measures in the National Defense Authorization Act, which included bills I authored in the Senate. Now, it is incumbent upon us to do the same in the Senate and pass these bills.

First is the Combating Global Corruption Act, S. 14, which would create a public and tiered country-by-country reporting requirement on compliance with international anti-corruption norms and standards. Those countries in the lowest tier of this report would have their leadership evaluated for Global Magnitsky sanctions. Then there is the Global Magnitsky Reauthorization Act, S. 93, which would reauthorize and enhance these critical sanctions for targeting global kleptocrats and human rights abusers—exactly the sort of people identified by the Pandora Papers.

Just before the recess, I introduced S. 2986, a new measure with Senator WICKER, that would require the administration to evaluate the Navalny 35 for Global Magnitsky Sanctions. Russian opposition leader Alexei Navalny's Anti-Corruption Foundation, in a letter addressed to President Joe Biden earlier this year, called for the United States to impose sanctions on dozens of Russian oligarchs and government officials, whom it credibly accuses of political persecution, human rights abuses, and corruption. I agree with the Navalny team and urge the administration to move forward on this request.

All three of these measures have been included in the House version of the NDAA—the National Defense Authorization Act—and I urge my colleagues to include them in the Senate version as well.

The Pandora Papers are a wake-up call to all who care about the future of democracy. Thirty years after the end of the Cold War, it is time for democracies to band together and demand an end to these unprecedented corruptions that has come to the defining feature of the global order. We must purge the dirty money from our system and deny kleptocrats safe haven. It will take hard decisions and difficult reforms, but we can get this done. We already have a bipartisan commitment momentum in order to accomplish these results. Now it is time that we see this through in the U.S. Senate.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

WELFARE

Mr. GRASSLEY. Mr. President, a little over 25 years ago, a Democrat President and a Republican Congress came together, to quote former President Clinton, ''end welfare as we know it.''

On a bipartisan basis, Congress passed, and President Clinton signed into law, a bill called the Personal Responsibility and Work Opportunity Reconciliation Act. Amongst other things, this landmark law established the Temporary Assistance for Needy Families—what we go by here in Washington, called the TANF Program. That program was replacing the previous family assistance program.

TANF was specifically designed to promote work and to help struggling parents back onto their own two feet. It was very successful—about 40 percent less people on welfare than before 1996.

The new program did this by creating work requirements and promoting skill development through education and job training. While critics at the time contended dire consequences would result—particularly for single mothers—in the end, all these critics were proven fantastically wrong. Welfare reform immediately led to a precipitous decline in welfare caseloads and usage. At the same time, the single mother labor force participation rate rose, and their incomes climbed—a step toward getting out of poverty.

A recent research shows the gains were not only short term but led to an improvement in the material well-being of single mothers throughout the following decades. Additional studies show welfare reform has contributed to higher education attainment and improved food security for the following generation.

The 1996 welfare reforms helped families to enjoy the dignity of self-sufficiency. It helped end the cycle of poverty. It gave parents the hope of seeing their children grow up to be better off than they had been—exactly what every parent dreams of for their family, particularly for their children.

This was achieved thanks to a Democrat President and a Republican Congress working together for the benefit of those that were elected to serve.

Now, President Biden and Senate Democrats want to effectively end welfare reform as we know it and reconstitute failed policies of the past—in other words, end helping people in poverty by helping them get out of poverty—guaranteeing a life in poverty, rejecting a successful reform, signed by Democratic President Clinton.

So you can understand why they don't want to tell the American people that is what they are doing. They know that trying to sell their proposal as the largest expansion of welfare history isn't going to fly with the American people who know how well the 1996 reform has worked up to and including now.

As an end-run around welfare reform—and in an attempt to garner broad public support—they want to co-opt a popular tax program for their own political ends or what they ideologically believe in; that the government ought to assume a more prominent role in people's lives and in the economy.

That program that they are co-opting is the child tax credit. This credit was established on a bipartisan basis in 1997 as a complement to welfare reform, with the idea of assisting parents as they left the welfare rolls to go to productive employment.

Since then, Republicans have taken the lead in improving the credit as an anti-poverty tool that partially offset the burden of payroll taxes on the working poor. And remember, payroll taxes on the working poor is a regressive tax.

In 2001, as then-chairman of the Senate Finance Committee, I worked with

fellow Republicans to increase the credit that was set in 1997 at $500 to move it to $1,000. Moreover, the credit was made partially refundable for the very first time.

This made low-income working families eligible to receive a tax refund, even if they had paid no income tax—though they paid the payroll tax. And, obviously, the child tax credit helped offset the regressive impact on the working—low-income working people.

Then, in 2017, Republicans went even further in improving this credit because we doubled the credit, and we increased the amount that those who pay no Federal income tax can receive a tax refund. But a key feature of the child tax credit through these 25 years has always been that it is a work incentive.

In order to benefit them, the tax filer must have at least a minimal amount of earned income, which basically means wages from employment. As you earn more, a larger share of the credit becomes refundable, partially offsetting the payroll taxes.

So, now, this is what the Democrats have in mind: They want to turn this broadly popular, this bipartisan, this pro-work tax incentive into a government assistance program akin to the old, pre-Clinton welfare program.

What Democrats propose can no longer be considered a tax credit in any traditional sense of the word. The benefit is entirely divorced from the tax system in every way except how the tax system is going to give out the benefits.

To qualify, no one in the household needs to work, needs to have income, or needs to pay any sort of Federal tax at all. Now, even more alarming, there are no job search requirements, no job skill development assistance, and no educational assistance—the foundation of the welfare reform of 1996, when the whole idea was to help people help themselves by either schooling or productive employment.

All the requirements then that apply to those receiving TANF under the 1996 welfare reforms would be gone. In other words, their proposal provides no help to getting struggling parents back on their feet or to tackle the root causes of generational poverty.

The bipartisan 1996 reform bill—everything I just said they propose is contrary to that basic Federal reform of 1996. In other words, this is a big step back to encouraging people into a lifetime in poverty. I fear the Democrats' proposal will be a poverty trap for far too many needy families.

We would be reversing the gains made since we had this bipartisan welfare reform of 1996 signed by a Democratic President. That is exactly what a recent University of Chicago analysis of the Democrats' proposal suggests will occur.

According to this study, the Democrats' child tax credit proposal would result in 1.5 million parents leaving the workforce at a time when everybody is crying that we need to get people back into the workforce if you want to keep inflation under control, if you want to keep the supply chain moving smoothly.

This analysis directly contradicts Democrats' claims that their proposal will cut poverty in half. In fact, according to the University of Chicago authors, ''deep child poverty would not fall at all.'' I will bet the Democrats are trying to sell this on the proposition that it is going to reduce child poverty, but not according to the University of Chicago scholars. In fact, it might even make things worse.

That is exactly why Democrats and Republicans came together to reform welfare in 1996, because it became self-evident that child poverty could not be solved simply through money alone.

If money alone is a solution, why are my Democratic colleagues willing to settle for only reducing child poverty by half?

Why don't they simply dedicate more of their foreign $4.2 trillion tax-and-spending spree to completely end child poverty?

Is it that they believe subsidizing individuals to buy electric vehicles, as their bill would do, is more important than eradicating child poverty?

I fully support lending a hand to families in need of support, but our policies must be focused on providing a hand up, not a handout. Providing assistance untethered from any work or job promotion requirement or education or work training requirement is not a compassionate approach to helping people. You want to help people get in the world of work because only in the world of work can you work yourself up the ladder and get out of poverty. But being on government programs is a certainty of a lifetime of poverty.

No, it is not compassionate. It is just the opposite. It sets up a generation of Americans being trapped in soul-crushing government dependencies.

I urge my colleagues to abandon their ill-conceived, ''no strings attached'' child tax credit proposal. They would get a lot of Republican support—bipartisan support—for improving the child tax credit, but not this way. Do not yank away the ladder of opportunity from struggling Americans. Take a page out of former President Clinton's playbook. Work with Republicans to find a bipartisan solution that will actually help low-income families together.

EAGLES ACT

On another point, Mr. President, I would like to talk about preventing acts of mass violence.

Yesterday, the shooter at the Marjory Stoneman Douglas High School tragedy in Parkland, FL, a few years ago, pled guilty to multiple counts of first-degree murder.

There were 14 students and 3 school staff senselessly losing their lives in just a few minutes when a former student struggling with clear behavior problems and mental health issues indiscriminately opened fire.

I hope that his guilty plea brings at least some sense of closure and justice for the victims' families. While there is nothing that we can do to take back the terrible events of that day, we need to do what we can to make sure such horrific acts don't ever happen again.

That is why earlier this year, in a bipartisan approach, I, along with Senators CORTEZ MASTO, COLLINS, MANCHIN, HASSAN, RUBIO, and SCOTT of Florida, introduced what we called the EAGLES Act.

The EAGLES Act will help fund and reauthorize the U.S. Secret Service's National Threat Assessment Center. It goes by the nickname of NTAC. An identical bill was introduced in the House by Representatives DEUTCH and DIAZ-BALART.

NTAC studies targeted violence and helps proactively identify and manage threats before they result in more tragedies. The EAGLES Act also establishes a Safe School Initiative, a national program on school violence prevention that will include expanded research on school violence.

When the Secret Service reviewed school shootings, it found that all attackers exhibited concerning behaviors before engaging in the act of violence. If these signs were recognized early enough, these attacks could have been stopped.

The father of one of the Parkland victims and the president of Stand with Parkland—that is an organization—said that NTAC has been ''essential to thwarting mass shooters and targeted violence.'' He also said that ''the EAGLES Act is a critical expansion of the program that prioritizes school safety and directs key funding to prevent the next mass school shooting.''

The EAGLES Act is a commonsense bill to fund and reauthorize the Secret Service's NTAC that is supported by over 40 State attorneys general and representatives from both sides of the aisle. It is a bill that, hopefully, honors the lives and memories of the Parkland victims by ensuring that such tragedies don't happen again.

I ask and encourage all of my Senate colleagues to support the bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

CONFIRMATION OF TANA LIN

Mrs. MURRAY. Mr. President, I rise today to commend the confirmation of Tana Lin—a trailblazing civil rights lawyer and former public defender—to serve as U.S. District Court judge for the Western District of Washington in the Seattle courthouse.

Ms. Lin has led a tremendous career fighting for civil and human rights, and I am very proud to have recommended her to President Biden.

There are many reasons to be excited about Tana Lin's confirmation. One of them that is extremely important to me is she will be the first-ever public defender serving as U.S. District Court judge in Washington State, and that really matters.

It matters when we put a former public defender and civil rights lawyer on the Federal bench. It matters quite a bit, I think, when a Federal judge has represented clients who couldn't afford to hire their own lawyer. It matters that Ms. Lin has represented Washington State farmworkers dealing with wage theft. It matters that Ms. Lin stood up for refugees and immigrants against unconstitutional Executive actions, and that she had successfully challenged discriminatory hiring practices, and has a long career of standing shoulder to shoulder with working people at every turn in her career.

Ms. Lin's legal qualifications are excellent. She graduated from Cornell University and New York University School of Law, working multiple jobs during both college and law school. She began her career as a public defender in the District of Columbia. She went on to work at the Civil Rights Division at the Department of Justice, and later the United States Equal Employment Opportunity Commission. She spent multiple years at the Michigan Poverty Law Program until she finally moved to Seattle.

In Washington State, Ms. Lin currently serves as president of the Board of Directors of the American Civil Liberties Union, and also works in private practice where she fights for the rights of employees and consumers.

She is deeply involved in our local community, mentoring the next generation of lawyers and dedicating her time to a range of pro bono projects in the region.

Ms. Lin's legal experience is unquestionable, but I also believe it is important that judges who sit on our Federal bench are reflective of the communities that they serve.

Our State is home to more than 1 million immigrants and nearly 1 million Asian Americans and Pacific Islanders, and Ms. Lin, who emigrated here with her family from Taiwan at the age of 3, will proudly serve as Washington State's first-ever Asian-American judge to sit on the Federal bench. That is a big deal.

Ms. Lin will bring integrity, independence, and compassion to the Seattle courthouse. Americans deserve a justice system that will uphold the rights of everyone, not just the wealthy and well-connected. Let's build a more fair court system and let's do that by appointing more public defenders and more civil rights lawyers like Ms. Lin as Federal judges.

NOMINATION OF DOUGLAS L. PARKER

Mr. President, I would also like to speak about President Biden's nominee to serve as Assistant Secretary of Occupational Safety and Health, Doug Parker.

This pandemic has put OSHA's critical work in the spotlight and underscored the Agency's responsibility to act and keep our workers safe. I am so glad President Biden has called on the Agency to take the critical step of setting forward an emergency temporary standard to require large employers to use appropriate tools, like vaccines and testing, to keep our workers safe from COVID–19.

I hope to see progress on this front soon. Actions like that can save countless lives and are a reminder of why it is so critical we have an experienced leader at OSHA who will do everything in their power to champion worker safety.

Mr. Parker's record shows he has been doing that his entire career. Mr. Parker has worked to protect workers in his State throughout this pandemic as chief of California's Division of Occupational Safety and Health, starting with his move to swiftly issue health guidance back in February of 2020, when there were only 13 cases of COVID–19 in the entire country.

Even well before this pandemic, he had an established record fighting for worker safety as an attorney of the United Mine Workers, a partner at a labor and employment law firm in Washington, DC; and senior official at the Department of Labor's Mine Safety and Health Administration during one of the best streaks of safety in the industry's history.

When he previously left the Department of Labor, he went on to serve as the executive director of Worksafe. That is a legal aid nonprofit focused on worker health and safety.

At every step in his career, Mr. Parker has been a dogged advocate for worker safety. I have no doubt he will continue when he is confirmed to lead OSHA. Given the urgency of this pandemic and the clear qualifications of this nominee, I hope all of our colleagues will join me in voting in support of Mr. Parker's nomination.

APPROPRIATIONS

Mr. President, today, while I am here, I would also like to discuss the fiscal year 2022 appropriations bill for the Department of Labor, Health and Human Services, and Related Agencies, which we released this week.

A budget is a reflection of values. This bill shows exactly where Democrats' values are when it comes to help our working families and communities. This bill will help us respond to this pandemic and other health challenges by increasing funding for mental health and substance abuse disorders; maternal health and family planning; preventive care services; biomedical research, including a cutting-edge research agency; and public health, with the largest increase to CDC's budget authority in nearly two decades. This bill would also take the long overdue step of repealing the Hyde and Weldon amendments, which restrict people's ability to exercise their constitutional right to abortion just based on how they get their insurance.

It would invest in our children and students by increasing funding for childcare programs, early education programs, HBCUs and other minority-serving institutions, and Pell grants, and even doubling key funding for our public schools, helping to close those important achievement gaps and making a quality public education available to every single child in our country.

As we work now to rebuild our economy, this bill would strengthen our workforce and support workers across the country with increased investments in workers' safety, the protection of workers' rights and wages, and virtually every workforce development program.

In short, this bill would support the health of our economy, our communities, and our families.

I will be pushing to make sure we get this across the finish line, and I hope Republicans will work with us to make these critical, commonsense investments.

I yield the floor.

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. LEE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. CORTEZ MASTO). Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—S. 2988

Mr. LEE. Madam President, as if in legislative session, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be discharged from further consideration of S. 2988 and that the Senate proceed to its immediate consideration. I further ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Washington.

Mrs. MURRAY. Madam President, reserving the right to object, once again, I am here to oppose a bill that would undermine our efforts to end this pandemic.

There are already State laws that address parental consent for vaccines, but this bill would trample on those laws and the rights of young adults across the country who are currently able to get vaccinated.

This bill does not take into account the rights of children who are experiencing homelessness but want to get vaccinated nor does it consider children who are emancipated and want to get vaccinated, and it could make getting vaccinated even harder for children who can currently make that decision for themselves under their States' laws.

We are trying to safely open schools, protect our communities, and end this pandemic that has killed over 700,000 people. Making it harder for anyone to get vaccinated and protect themselves is not helpful.

Therefore, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Utah.

Mr. LEE. Madam President, I am here on the Senate floor today, for the eighth time now, to oppose President Biden's sweeping vaccine mandate. I have introduced a dozen bills to, one way or another, limit, clarify, or counteract this still unpublished mandate.

Now, make no mistake. I am opposed to the mandate categorically. I strongly dispute even the contention that one man—the President of the United States—has the authority to do this. He doesn't. I also fundamentally push back on the idea, the basic moral premise, that it is acceptable to put people in this position—to tell people that they have to choose between having a job and being able to put bread on the table for their children, on the one hand, or, on the other hand, accepting a medical procedure that they don't want either because of a religious objection or a specific medical condition or otherwise.

I am categorically opposed to this being done. It shouldn't be done through the Federal Government. It certainly shouldn't be done by one person, the President of the United States, who doesn't have the authority to do that.

And to highlight how concerned I am about this, I am coming down to the floor day after day to offer a different legislative proposal that, at a minimum, would make some of the effects of the mandate less severe, less painful, less cruel, less draconian.

Each time I have come to ask the Senate to pass what would, frankly, be uncontroversial measures—that should be uncontroversial—and each time I have done that, one of my colleagues or another from the other side of the aisle has objected.

This is unfortunate for a number of reasons. His mandate—which is still unavailable to be examined by the public, by the way—is already showing the terrible power that even the threat of a government-imposed vaccine mandate wields.

Businesses across the country are suspending, punishing, or firing employees who haven't had the COVID shot. Even without government enforcement, the mere threat, the mere talk of the possibility of a threat of the mandate is making it harder for everyday American families to put food on the table in increasingly difficult economic times, times fraught with uncertainty.

This isn't fair. This isn't right. Deep down, we know it.

Now, lest anyone try to dismiss the victims of this misguided and ill-founded effort, these aren't people you can just otherize. These aren't people you could just imagine to be someone you don't like, no.

These are mothers and fathers. They are our neighbors. They are people who, like far too many Americans these days, are just trying to get by. I am going to continue to fight this for them. I am going to continue to push back on this unlawful, misguided effort for them.

And, you know, in the meantime, it is important that we be very clear and that we be very consistent. In this effort, I have been supremely clear. I am not, in any way, shape, or form against the COVID–19 vaccine. I have been fully vaccinated. Every member of my family has been fully vaccinated with my encouragement. I encourage people all the time, and I repeat that encouragement this very moment from the U.S. Senate floor, that I encourage people to get vaccinated.

I see the development of these vaccines as a miracle; one that is helping, and has already helped, countless Americans to avoid the harms of COVID–19.

That doesn't undercut the fact that this mandate is pushing government and government control far beyond constitutional limits and into distinctively private decisions, decisions that belong to the American people and not to their government. It is why I am fighting against the mandate, and that is why I have come to the Senate floor eight times now, to help.

So, today, I offered up a bill that should have itself been supremely uncontroversial. It is a reaffirmation of parental rights that our government has respected and honored from the very beginning.

My Parental Consent for Vaccination Act would simply require that any COVID–19 vaccine mandate issued by the Federal Government must include a requirement that informed parental consent be provided before the shot is administered to a minor.

What would be controversial about that? On what planet would we not want to have parents involved in that decision? On what planet would it be OK to administer a shot to a child without parental notification and consent?

Allow me to put this in some context. Parental consent is required for field trips. Your child is going to the zoo or the park or anywhere else for a field trip, parental consent form. Parental consent forms are familiar to every parent and every child and every teacher in America. It is what we do. You are going to go on a field trip? You have got to have your consent form. No parental consent form, no field trip.

Parental consent is required for extracurricular activities, for sports, student government, club activities, all sorts of things.

Parental consent is required before most schools can administer a Tylenol to a child; and that is, after all, the right approach.

Despite what some candidates have said in recent political campaigns, parents are people who should be informed, and they should be involved in their children's education and in their health decisions.

There is good reason for this. Through thousands of years of human civilization, we have come to an understanding, quite appropriately, that parents are simply better equipped to make these decisions than are other people; certainly better than the impersonal arm of a government.

Parents are people who know their children. Parents are people who know their children's medical history. Parents also love their children. Parents have their children's best interests at heart when they make decisions regarding involving or affecting them.

Government cannot do any of these things like parents can—not in any way, shape, or form.

There is a good reason for this, and it is because government doesn't love their children. It is not that government categorically always means them harm. That is not it. Government isn't a person. It is not a being. Government doesn't have arms with which to embrace or shelter or protect their children. Government doesn't have a heart with which to love their children.

Government, when reduced to its core, when we really break it down to what it is, government is simply force—politically permissible, officially sanctioned, coercive force. It is violence or the threatened use of violence with a badge under the cover of official authority.

Now, we need government—we need government to protect life, liberty, and property. We need government to protect people from harm. But we have got to use it carefully. When we misapprehend what government is and we lose sight of this relationship between the people and the government, with the understanding that the government is there to serve the people and not the other way around, when we lose sight of the fact that government is just the official use of coercive force, when we start to revere it as some sort of benevolent, omnipotent, omniscient presence, bad things happen.

Because government, while necessary, is also dangerous; no less so than other things that are necessary, like water and like fire, like electricity, like wind, like oxygen. All these things, if not controlled, if not managed in one way or another, if not accounted for, can become dangerous and inevitably can prove deadly.

So thank Heaven above that Almighty God assigned primary care of children to parents and not to government. And thank Heaven above that Almighty God endowed each and every human being with these inalienable rights and with the understanding that government is there to serve and protect them and not the other way around.

Unfortunately, in some places, like right here in our Nation's Capital, the government seems almost to have completely lost the plot.

Right here in the District of Columbia, the DC Public Schools system is one in which minors can receive medical procedures without the school obtaining the consent of the parents or even informing the parents.

In other places across the Nation, this slippery slope is already leading governments to consider life-changing, school-provided medical procedures without parental notice or consent.

As a parent and, for that matter, as a human being, as a citizen of this country, this thought sends shivers down my spine, and not at all in a good way.

You see, while the Federal Government has almost no legitimate role in making decisions in our primary and secondary education systems, these are to be left for States and local governments. Very, very little role for the Federal Government to play in that area at all. It is an area that should be left to parents and students and teachers; and where government is involved, it nearly always is supposed to be State and local officials, not Federal ones.

With this bill, we make sure that the Federal Government doesn't endorse or, Heaven forbid, mandate this dangerous approach to medical decisions for minors. It is not something that we should do.

And so that is why I came here, to ask precisely that. I came here to ask that we provide assurances for parents and for children—once again, make no mistake, I am for the vaccine. I am categorically against the mandate. The mandate should not happen. The mandate is wrong. The mandate is without legal foundation. It is constitutionally indefensible, especially when exercised by one person at a level of government not equipped to deal with these things who are constitutionally authorized to do so.

But more than anything, the mandate is itself immoral. It is telling American moms and dads that they have to choose between getting a vaccine—even if to do so would cause significant problems for them because of a unique health condition, a religious objection or otherwise, they have got to choose between getting that unwanted vaccine on the one hand and losing their job on the other.

Are we really going to tell them that to honor their own personal autonomy, their own ability to decide what is best for them, we are going to order their employer to fire them, rendering them unemployed, for the time being unemployable?

And in some cases, because of the way some of these companies—in anticipation of the yet-to-be-announced mandate, some of these companies that have already started firing people are actually putting them on unpaid administrative leave, such that they can't even collect unemployment.

This is just mean. It is mean-spirited. So when you peel back all the layers of all the constitutional arguments, of which there are many, you are left with some policy arguments. But more than anything else, we are left with some basic moral arguments, arguments involving fundamental fairness. This is not who we are.

Look, when we disagree, we can be—we should be able to disagree without getting someone fired. But we should certainly be able to disagree without subjecting potentially hundreds of millions of people to unemployment based on a personal medical decision, one that may have profound health consequences or religious consequences to them personally.

I didn't think any of these things were all that controversial. I still don't believe they are. If any of us could talk to people at random from our home States, whether they are from communities or families or households that lean left or right or somewhere else, most people have a basic sense of fairness that transcends political ideology and partisan affiliation.

That basic shared sense of fundamental fairness is utterly at odds with doing this. We are better than this.

President Biden, you are better than this. President Biden, you and I don't agree on everything, but I know that you know, President Biden, that this isn't fair. Let's not do this to the people.

So all I was asking today in trying to pass this legislation is that we reaffirm our commitment to supporting parents in making decisions for their children. I tried to pass that uncontroversial measure, and it is a source of great disappointment and even some surprise that we couldn't even pass that. There has got to be something that is a bare minimum.

I appreciate the insights provided by my friend and distinguished colleague, the Senator from Washington, who, in objecting to the passage of this measure, shared her thoughts on why she opposes it. But I don't agree with her. Among the arguments she raised was a suggestion that under existing State laws, there are already ways of figuring out when, whether, and in what circumstances parental consent might be required. Now, this is—this is great.

I love federalism arguments. I am happy anytime someone raises a federalism argument. I think that is the kind of argument that doesn't get made nearly enough around here because it is kind of a watershed structural issue within the Constitution, one that outlines the difference between Federal power and State power.

You see, our constitutional Republic is one in which multiple layers of sovereignty exist. States and their subdivisions enjoy what we call general police powers, the power to enact legislation, generally, as States and their subdivisions deem appropriate for the protection of health, safety, and welfare. States, in the absence of an expressed U.S. constitutional prohibition or in the absence of some restriction in their State constitution—States are presumed to have general police powers. They may enact legislation as they deem fit to benefit their citizens.

We, as lawmakers in the Federal Government, have a narrower view. We have a narrower task. We have a narrower area of authority. We can't just enact something as Federal law simply because we think it is a good idea. We have to connect it to one of the enumerated powers made Federal by the Constitution. Most of those powers—not all of them but most of them—can be found in one portion of the Constitution written in relatively plain English nearly two and a half centuries ago, still easy to read today, still makes sense today—article I, section 8 makes that clear. We are in charge of national defense, regulating trade or commerce between the States and with foreign nations and with the Tribes; trademarks, copyrights and patents, bankruptcy laws, immigration laws, naturalization laws. There are a few others, but that is the basic gist of it—things that are distinctively national and designated as such by the Constitution. That is within our power. And everything else, as the 10th amendment reaffirms, stating again what the original Constitution made clear implicitly and was made explicitly in the 10th amendment, that powers not made Federal by the Constitution and not prohibited to the States by the Constitution ''are reserved [for] the States respectively, or to the people.''

That is no accident that they put that phrase in there in the 10th amendment, ''or to the people.''

When you reserve power to the States, you are, in a sense, reserving it for the people, and the people are the ultimate sovereigns. We are authorized to act as a Federal sovereign only in those narrow areas.

So I get back to the argument that my friend and distinguished colleague, the Senator from Washington, made moments ago. She referred to the existence of State laws delineating circumstances in which parental consent for a medical procedure, including a vaccine, might be acceptable or appropriate. I appreciate the federalism argument. We ought to have more of those. There are far too few of them here. The great irony here is that this focuses on the fact that we shouldn't be operating in this space in the first place.

To the degree that she is right, as she absolutely is to be focusing on the distinction between State power and Federal power, that same principle argues a fortiori in favor of us not deciding this on a national level. In other words, if it is true, as it is, that we ought to be focused on State law and what State law requires or allows or contemplates or permits, heavens, yes, let State law apply.

But you can't have it both ways. If you are going to make this Federal, as the President of the United States has purported to do, even though it isn't, then we not only may, I believe, we must weigh in. We must weigh in as the people's elected lawmakers. It is our job to make policy, and it is our job to decide when, whether, and to what extent Federal policy is unacceptable and needs to be curtailed. So, absolutely, the Senator from Washington

is absolutely right that we should be concerned about what State law says. And State law should be the beginning and the end of the inquiry here.

You see, this is what is different between this vaccine mandate and others that have been mandated in the past. We have never seen one that is Federal—not applied to the American population as a whole, not as to the general public. We have never seen one done federally, and there are good reasons for this. It isn't a Federal beast.

So my friend from Washington has expressed concern for not trampling on those laws. She couldn't be more right in the fact that we should respect State sovereignty and the sovereignty of the people. That is all the more reason why we should have passed S. 2988 today.

S. 2988 is yet another example of a simple modification, that if—if—we are going to go down this road of a Federal vaccine mandate—which we should not, but if we were going to, at bare minimum, we ought to be making this a decision that has to be done in consultation and with the approval of—not just the notice but also the consent of parents. That is not too much to ask.

The American people have been asked over and over again, especially over the last 18 months with the COVID–19 pandemic, they have been asked to settle. They have been asked to settle for this brooding omnipresence in Washington that tells them what to do. They have been asked to settle for multitrillion-dollar annual deficits. They have been asked to settle for limited freedoms.

The American people shouldn't have to settle for those things. They certainly shouldn't have to settle for a Federal Government acting without authority through one person who has the ability to take away one of the most sacred, one of the most fundamental, one of the most cherished God-given rights, which is the right to make decisions involving and uniquely affecting their own children.

For anyone within the sound of my voice or reading this, I implore you, don't settle—don't. Don't settle for multitrillion-dollar annual deficits. Expect Congress to start to care about the inflation that it is causing through reckless spending.

Don't settle for this brooding omnipresence of a Federal Government that is purporting to have the ability to dictate every aspect of your lives. No. Expect a government that operates within the space carved out by the Constitution. Don't settle for a government that knows no boundaries around its authority. Expect the government to respect its own limitations. It is time to expect more, and it is time to expect freedom.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

INTERNAL REVENUE SERVICE

Mr. CASSIDY. Madam President, the IRS should not have the right to spy on American bank accounts, period.

We all know the list of reasons why the Democrats' $3.5 trillion tax-and-spend spree is a disaster. It will bury the American people in a mountain of debt, crushing inflation, and require new taxes. The Committee for a Responsible Federal Budget, nonpartisan, warns that this spree could exceed $5 trillion in terms of the deficit.

But aside from the economic disaster of this tax-and-spending spree, the White House and congressional Democrats want to force banks to report details of every American's bank account to the IRS. This is nothing less than mass, indiscriminate government surveillance of Americans, giving IRS bureaucrats unfettered access to Americans' personal private finances, which is a gross invasion of privacy and an abuse of power.

Democrats said that this reporting requirement will only target the rich. But, according to the New York Times, the Biden administration's original plan was to have banks ''provide data for accounts with total annual deposits or withdrawals worth more than $600.'' That is $600 over the course of a year.

I don't know if I can think of anyone other than maybe the 8-year-old child whose parents opens an account for them to have an account. No one else who has an account will have less than $600 in transactions over the course of a year. This would lead to almost every American's financial banking information being transferred to the IRS, and this is what the Biden administration is advocating for.

If you are a small business owner, it will be as if you are spied upon. If you are a family looking to buy your first home, you will be as if spied upon. If you sell your neighbors some fishing rods, hey, the IRS is going to know about it. If you are a single working mom trying to take care of your children paying for daycare, they will know about it.

But now some are saying we will raise the cutoff to $10,000. But that doesn't mean that they will limit their espionage, if you will, to transactions over $10,000. No, this will say that anyone with more than $10,000 transactions on an annual basis, cumulatively, out of a single bank account, that will have to be reported. And there is the rub. It changes almost nothing. Most Americans still fall within this category and will be caught within the surveillance scheme.

If you pay rent, you will be spied upon. If you buy a new car to drive your child safely to and from school, the IRS will know it. This is wrong. On top of a clear violation to our right to privacy, it is also just terrible policy. The reporting requirements in the $3.5 trillion Democratic only, no Republicans, tax-and-spend spree will create an unreasonable burden on banks and credit unions to report and record massive amounts of debt.

Lastly, let's think about why this bill—reconciliation, Democrat-only play—why it wants keys to your bank account. They need it to help spend for the $3.5 trillion tax-and-spending spree—3.5 trillion, with a ''t'', dollars. They say they are only going to catch ultrawealthy tax cheats. That will be a good thing, but that is not what this legislation does. This legislation doesn't look at the ultrawealthy. It looks at all of us.

Now, no one wants people to cheat on their taxes. The people who are cheating should be caught. Republicans have always supported people paying the taxes they owe. What we oppose is a bill with not a single substantive committee hearing in the Senate, which will be pushed through on a strictly party-line vote, in which the American people's concerns about this level of surveillance of their bank accounts goes without comment and in which the bill directs the IRS to know details of almost every single American's bank account. That is what we object to.

Democrats are showing us the harm government can do when they don't care about citizens' privacy. They are showing their real priority. It is having an ability to look into our lives on a scale previously unimaginable. It is unacceptable, un-American, and should be opposed.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. HICKENLOOPER). The Senator from Nevada.

LEGISLATIVE SESSION

MORNING BUSINESS

Ms. CORTEZ MASTO. Mr. President, I ask unanimous consent that the Senate proceed to legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

NOTICE OF A TIE VOTE UNDER S. RES. 27

Mr. DURBIN. Mr. President, I ask unanimous consent to print the following letter in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

To the Secretary of the Senate:

PN807, the nomination of Jennifer Sung, of Oregon, to be United States Circuit Judge for the Ninth Circuit, having been referred to the Committee on the Judiciary, the Committee, with a quorum present, has voted on the nomination as follows—

(1) on the question of reporting the nomination favorably with the recommendation that the nomination be confirmed, 10 ayes to 10 noes; and

In accordance with section 3, paragraph (1)(A) of S. Res. 27 of the 117th Congress, I hereby give notice that the Committee has not reported the nomination because of a tie vote, and ask that this notice be printed in the Record pursuant to the resolution.

60TH ANNIVERSARY OF THE NATIONAL RECONNAISSANCE OFFICE

Mr. WARNER. Mr. President, I rise today to recognize the 60th anniversary of the National Reconnaissance Office, NRO.

Born in September 1961, the present day National Reconnaissance Office was formed by agreement between the Secretary of Defense and the Director of Central Intelligence during the height of the Cold War. In the first decade of the Cold War, American ingenuity and engineering had enabled significant advances to meet the demand for better reconnaissance as new, high-altitude aircraft like the U–2 and its high-speed successors, the A–12 and SR–71, were developed. However, even this new technology had its limitations. This became acutely clear with the shoot-down of CIA pilot Francis Gary Powers' U–2 in 1960. Thankfully, American aerospace engineers were also maturing new rocket and sensor technologies that enabled the United States to meet the increasing national security challenge of how to analyze Soviet forces to avert a nuclear war.

Carrying over from the Eisenhower to Kennedy administrations, a group of remarkable Americans brought the foresight of combining a number of government satellite efforts into a single U.S. intelligence organization that would become the modem NRO. These optical experts, chemists, physicists, engineers, military officers, mathematicians, and photography entrepreneurs recognized the value of a national policy of peacetime strategic reconnaissance in addressing the Soviet threat as well as future, unforeseen, national security challenges.

Assuming control of the previously initiated Corona photoreconnaissance program and following up with the Gambit, Hexagon, and signals intelligence programs, the NRO was able to supply the essential intelligence information needed to understand Soviet missile capabilities. The intelligence information the NRO provided to analysts and policymakers was critical in keeping nuclear tensions in check at the most tense points of the Cold War.

With the arms limitation treaties of the 1970s, the need for the verification of Soviet military capabilities posed a new challenge for policymakers. The scientists and engineers of the NRO would once again rise to the challenge by designing and building the Kennen digital imagery satellite and other unique overhead technological capabilities to respond to these daunting intelligence requirements.

In recent times, the capabilities of the NRO have been vital to helping us better understand and react to our Nation's toughest challenges, helping to see the unseen across the globe, from the hunt for Osama bin Laden and supporting counterterrorism operations around the globe, to helping us recover from natural disasters like hurricanes and wildfires here at home.

While this 60th anniversary is an appropriate time to celebrate the rich history and innovations of the NRO of the past, I think it is also important to recognize where the NRO is moving today and into the future and for the American people to understand why the NRO is so vital to our security.

Our colleagues on the Senate Select Committee on Intelligence and I have challenged the NRO to move faster in building and acquiring the next generation of space reconnaissance capabilities, including commercial technologies, as the great power competition with Russia and China takes shape.

NRO is rising to this challenge. Even as the COVID–19 pandemic has impacted so many parts of our society, economy, and supply chain, the NRO's workforce has stayed on task. In the last 18 months the NRO has not only maintained 100 percent of its mission capability, but the NRO also has had a record series of launches and payload deliveries into orbit, with 8 launches and 16 payloads in 2020 and 2021, including a launch from Wallops Island, in the Commonwealth of Virginia. I am also pleased to point out that the NRO also delivered its 12th consecutive clean financial audit during this pandemic period.

The NRO of today and tomorrow is growing its partnerships in both the private and public sectors. Within the Department of Defense, the NRO is partnering with the U.S. Space Force and U.S. Space Command to integrate national space operations with the combatant commander and Federal decision-maker requirements and to protect and defend our Nation's assets in space.

Likewise, the NRO is increasing engagement with allies, and particularly the Five Eyes nations, to better leverage capabilities and take advantage of new opportunities, such as the NRO's first satellite launch from an overseas location in 2020 from New Zealand. The NRO works side by side with intelligence community partners such as the National Geospatial-Intelligence Agency to support the NGA's imagery analysis mission and the National Security Agency to support the NSA's analysis of signals and radio frequency signatures.

In the private sector arena, the NRO is building off a 60-year history of working with U.S. industry by embracing the benefits of the growing U.S. commercial space industry and delivering more capabilities at a lower cost to the taxpayers, taking advantage of a full range of services from commercial imagery and commercial cloud services to commercial launch.

Speeding innovation in anticipation of tomorrow's intelligence needs, the NRO is working with universities and research institutions across the Nation, looking for new ways to adapt existing capabilities and to bring online new technologies, The NRO is pushing the boundaries of advanced science and technology for new phenomenology and applications that will improve and enhance the NRO's ability to provide policymakers and warfighters with advanced warning of events and provide critical insights into the capabilities and intentions of our adversaries.

None of this work could be done without the women and men of the NRO. The NRO workforce, a blend of military, civilian, and contract employees, is one of the most technical and highly skilled in the government. They are engineers, scientists, IT professionals, space system operators, and acquisition and program managers, with advanced degrees and a diversity of backgrounds and experiences. They are some of the best our Nation has to offer. They are the vital piece that makes the NRO not only a great place to work but makes the NRO the best place to work if you want to build the satellites, rockets, and ground systems that support our national security.

From the NRO pioneers to the workforce of today, the women and men of the NRO can always be counted on to stand true to their motto, ''Supra Et Ultra,'' always going Above and Beyond. I offer my congratulations to the NRO on an exceptional 60 years, and I look forward to seeing how the NRO will lead us into the next 60 years of space reconnaissance.

ADDITIONAL STATEMENTS

RECOGNIZING LAD N' LASSIE CHILDREN'S BOUTIQUE

• Mr. PAUL. Mr. President, as ranking member of the Senate Committee on Small Business and Entrepreneurship, each week, I recognize an outstanding Kentucky small business that exemplifies the American entrepreneurial spirit. This week, it is my privilege to recognize a woman-owned small business, Lad n' Lassie Children's Boutique of Prestonsburg, KY, as the Senate Small Business of the Week.

In 1965, Dorothy Marshal founded Lad n' Lassie Children's Boutique. Noticing the lack of children's clothing retailers, Dorothy seized the opportunity to fill a gap in the local market. Over the next 32 years, Dorothy's boutique sold the finest children's clothing, shoes, and toys to her customers. She retired from Lad n' Lassie in 1997, selling the business to longtime family friend and Prestonsburg native, Cheryl Leslie.

In 2021, Lad n' Lassie Children's Boutique continues serving Floyd County. The store moved to a new location in downtown Prestonsburg in 1999, where it remains today. Under Cheryl's leadership, inventory expanded to include educational products and gifts. Lad n' Lassie supports small businesses, featuring locally and regionally made items. Customers are regularly greeted by name and treated like family. The store hosts community events, including workshops with visiting artists, and participates in downtown holiday

events and festivals. Lad n' Lassie is a go-to for local baby shower gift registries, supporting generations of Kentuckians as they grow their families and welcome children into the world.

Like many small business owners, Cheryl is actively involved in her community. She is a member of the chamber of commerce and regularly meets with local merchants to discuss business development. For years, Lad n' Lassie has contributed to a wide range of local philanthropic organizations, sponsoring events such as the Appalachian Hospice Care's Annual Veterans' Appreciation Luncheon. They regularly support local school district events and organizations, including the sponsorship of dance, cheerleading, and sports teams. During the holiday season, Lad n' Lassie sponsors the annual Prestonsburg Police Department's ''Shop with a Cop'' event, providing holiday care packages and gift for children in need. Additionally, they sponsored Mountain Comprehensive Care Center's—MCCC—Royal Christmas Ball, which helps children impacted by behavioral health issues, developmental and intellectual disabilities, and addiction. Over the years, the boutique's outstanding service and community involvement have been recognized by local publications and organizations. Most recently, Lad n' Lassie was named the ''Best of the Best'' children's clothing store in 2021 by the local newspaper, the Floyd County Chronicle & Times.

Lad n' Lassie Children's Boutique is an outstanding example of the critical role small businesses play in uplifting and advocating for their communities. Congratulations to Cheryl and the entire team at Lad n' Lassie. I wish them the best of luck and look forward to watching their continued growth and success in Kentucky.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Swann, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

In executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 11:20 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 654. An act to provide the Administrator of the Drug-Free Communities Support Program the authority to waive the Federal fund limitation for the Drug-Free Communities Support Program, and for other purposes.

H.R. 767. An act to designate the facility of the United States Postal Service located at 40 Fulton Street in Middletown, New York, as the ''Benjamin A. Gilman Post Office Building''.

H.R. 960. An act to designate the facility of the United States Postal Service located at 3493 Burnet Avenue in Cincinnati, Ohio, as the ''John H. Leahr and Herbert M. Heilbrun Post Office''.

H.R. 1170. An act to designate the facility of the United States Postal Service located at 1 League in Irvine, California, as the ''Tuskegee Airman Lieutenant Colonel Robert J. Friend Memorial Post Office Building''.

H.R. 1444. An act to designate the facility of the United States Postal Service located at 132 North Loudoun Street, Suite 1 in Winchester, Virginia, as the ''Patsy Cline Post Office''.

H.R. 1508. An act to require a guidance clarity statement on certain agency guidance, and for other purposes.

H.R. 2044. An act to designate the facility of the United States Postal Service located at 17 East Main Street in Herington, Kansas, as the ''Captain Emil J. Kapaun Post Office Building''.

H.R. 2379. An act to amend the 21st Century Cures Act to reauthorize and expand a grant program for State response to the opioid use disorders crisis, and for other purposes.

H.R. 3175. An act to designate the facility of the United States Postal Service located at 135 Main Street in Biloxi, Mississippi, as the ''Robert S. McKeithen Post Office Building''.

H.R. 3210. An act to designate the facility of the United States Postal Service located at 1905 15th Street in Boulder, Colorado, as the ''Officer Eric H. Talley Post Office Building''.

H.R. 3419. An act to designate the facility of the United States Postal Service located at 66 Meserole Avenue in Brooklyn, New York, as the ''Joseph R. Lentol Post Office''.

H.R. 3635. An act to amend the Public Health Service Act with respect to the Strategic National Stockpile, and for other purposes.

H.R. 3919. An act to ensure that the Federal Communications Commission prohibits authorization of radio frequency devices that pose a national security risk.

H.R. 4028. An act to require the Secretary of Commerce, acting through the Assistant Secretary of Commerce for Communications and Information, to report on and develop a whole-of-Government strategy with respect to the economic competitiveness of the information and communication technology supply chain, and for other purposes.

H.R. 4032. An act to provide outreach and technical assistance to small providers regarding Open RAN networks, and for other purposes.

H.R. 4067. An act to direct the Federal Communications Commission to establish a council to make recommendations on ways to increase the security, reliability, and interoperability of communications networks, and for other purposes.

H.R. 4611. An act to direct the Secretary of Homeland Security to issue guidance with respect to certain information and communications technology or services contracts, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 654. An act to provide the Administrator of the Drug-Free Communities Support Program the authority to waive the Federal fund limitation for the Drug-Free Communities Support Program and for other purposes; to the Committee on the Judiciary.

H.R. 767. An act to designate the facility of the United States Postal Service located at 40 Fulton Street in Middletown, New York, as the ''Benjamin A. Gilman Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 960. An act to designate the facility of the United States Postal Service located at 3493 Burnet Avenue in Cincinnati, Ohio, as the ''John H. Leahr and Herbert M. Heilbrun Post Office''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1170. An act to designate the facility of the United States Postal Service located at 1 League in Irvine, California, as the ''Tuskegee Airman Lieutenant Colonel Robert J. Friend Memorial Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1444. An act to designate the facility of the United States Postal Service located at 132 North Loudoun Street, Suite 1 in Winchester, Virginia, as the ''Patsy Cline Post Office''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 2044. An act to designate the facility of the United States Postal Service located at 17 East Main Street in Herington, Kansas, as the ''Captain Emil J. Kapaun Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 2379. An act to amend the 21st Century Cures Act to reauthorize and expand a grant program for State response to the opioid use disorders crisis, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 3175. An act to designate the facility of the United States Postal Service located at 135 Main Street in Biloxi, Mississippi, as the ''Robert S. McKeithen Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3210. An act to designate the facility of the United States Postal Service located at 1905 15th Street in Boulder, Colorado, as the ''Officer Eric H. Talley Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3419. An act to designate the facility of the United States Postal Service located at 66 Meserole Avenue in Brooklyn, New York, as the ''Joseph R. Lentol Post Office''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3635. An act to amend the Public Health Service Act with respect to the Strategic National Stockpile, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 4028. An act to require the Secretary of Commerce, acting through the Assistant Secretary of Commerce for Communications and Information, to report on and develop a whole-of-Government strategy with respect to the economic competitiveness of the information and communication technology supply chain, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 4032. An act to provide outreach and technical assistance to small providers regarding the benefits of Open RAN networks, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 4067. An act to direct the Federal Communications Commission to establish a council to make recommendations on ways to increase the security, reliability, and interoperability of communications networks, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 4611. An act to direct the Secretary of Homeland Security to issue guidance with respect to certain information and communications technology or services contracts, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–89. A concurrent resolution adopted by the Legislature of the State of Texas urging the United States Congress to pass the I am Vanessa Guillen Act, legislation ensuring that necessary changes are made, such as preventing conflicts of interest, requiring independent investigations that are conducted by trained investigators, establishing a confidential reporting option for sexual harassment that can convert to a formal complaint, and directing the Government Accountability Office to evaluate response procedures related to missing service members; to the Committee on Armed Services.

HOUSE CONCURRENT RESOLUTION NO. 51

Whereas, The brutal murder of Vanessa Guillén and the reaction on social media highlight the needed support to the military's response to sexual harassment, sexual assault, and missing persons; and

Whereas, Fort Hood soldier Vanessa Guillén had been missing for more than two months before her remains were discovered, and the investigation received widespread attention when law enforcement identified the suspect, a fellow military member whom Guillén was planning to formally accuse of sexual harassment; this prompted countless members of the U.S. military to share their personal experiences of sexual harassment and sexual assault on social media with the hashtag #IAmVanessaGuillen; and

Whereas, A close look at current military laws and policies reveals concerns, including conflicts of interest and limited options for reporting sexual harassment; too many military members have been failed by this system, and immediate action is imperative to avoid another tragedy; and

Whereas, To correct these issues, the I am Vanessa Guillén Act has been introduced in the U.S. House of Representatives; and

Whereas, The brave men and women who fight for our nation deserve access to justice, and Congress should listen to the service members calling for change in the aftermath of Vanessa Guillén's murder; now, therefore, be it

Resolved, That the 87th Legislature of the State of Texas hereby respectfully urge the Congress of the United States to pass the I am Vanessa Guillén Act, legislation ensuring that necessary changes are made, such as preventing conflicts of interest, requiring independent investigations that are conducted by trained investigators, establishing a confidential reporting option for sexual harassment that can convert to a formal complaint, and directing the Government Accountability Office to evaluate response procedures related to missing service members; and, be it further

Resolved, That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the president of the Senate and the speaker of the House of Representatives of the United States Congress, and to all the members of the Texas delegation to Congress with the request that this resolution be entered in the Congressional Record as a memorial to the Congress of the United States of America.

POM–90. A concurrent resolution adopted by the Legislature of the State of Texas urging the Unite States Congress to repeal the Government Pension Offset and the Windfall Elimination Provision of the Social Security Act; to the Committee on Finance.

SENATE CONCURRENT RESOLUTION NO. 17

Whereas, Social Security is the foundation for retirement for tens of millions of American workers and their families, with many reporting that they rely on the program as their sole source of income; and

Whereas, Two Social Security provisions, however, the Government Pension Offset (GPO), enacted in 1977, and the Windfall Elimination Provision (WEP), enacted in 1983, severely and unfairly penalize recipients of public pensions; and

Whereas, The GPO effectively prohibits some government retirees from collecting both their own pension and full Social Security benefits as a surviving spouse; an estimated 9 out of 10 public employees affected by the GPO lose their entire spousal benefit, even though their spouses paid Social Security taxes for many years; and

Whereas, The WEP reduces the Social Security benefit for public employees who did not participate in Social Security while working for the government, but who at some time in their careers were in jobs where they paid Social Security taxes for the period required to qualify for retirement benefits; the WEP can deprive a retiree of nearly $450 a month in Social Security benefits duly earned by that individual; and

Whereas, Although these provisions were intended to curtail the payment of windfall benefits to highly paid government employees, in practice they have had and continue to have devastating consequences for low-income employees who worked for many years as public servants; more than two million government employees and retirees are affected by either the GPO or the WEP or both, and the repercussions are felt most acutely in Texas and 14 other states where a high proportion of public employees participate in state or municipal retirement systems that do not include Social Security; and

Whereas, These punitive and discriminatory provisions target hundreds of thousands of teachers, police officers, firefighters, and other public servants; although the vast majority of Texas school employees participate in the state's teacher retirement system, and therefore are not required to and do not participate in the Social Security system, many Texas teachers and other public school employees nonetheless have earned Social Security benefits on their own behalf through other employment, the WEP notwithstanding, or would be entitled to spousal Social Security benefits based on their spouses' lifetime earnings were it not for the GPO penalty; these provisions cause veteran teachers to retire prematurely and discourage qualified individuals from entering the teaching profession at precisely the time that Texas and the nation face a severe shortage of highly qualified educators; and

Whereas, The GPO and WEP as applied to public employees are unreasonable and unjust and will cause tens of thousands of government retirees to experience a diminished quality of life or be forced to return to work to make up for the effects of these provisions; now, therefore, be it

Resolved, That the 87th Legislature of the State of Texas hereby respectfully urge the Congress of the United States to repeal the Government Pension Offset and the Windfall Elimination Provision of the Social Security Act; and, be it further

Resolved, That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the president of the Senate and the speaker of the House of Representatives of the United States Congress, and to all the members of the Texas delegation to Congress with the request that this resolution be officially entered in the Congressional Record as a memorial to the Congress of the United States of America.

POM–91. A concurrent resolution adopted by the Legislature of the State of Texas urging the federal government to halt and reverse, effective immediately, its practice of assuming powers and imposing mandates and laws upon the states for purposes not enumerated by the Constitution of the United States of America; to the Committee on the Judiciary.

SENATE CONCURRENT RESOLUTION NO. 12

Whereas, Each member of the legislature has sworn a solemn oath to defend our United States and Texas Constitutions and takes great pride in being a citizen of the United States of America, where citizens have the right to petition their government for redress of grievances; and

Whereas, Section 1, Article I, Texas Constitution, states that ''the perpetuity of the Union depend[s] upon the preservation of the right of local self-government, unimpaired to all the States''; Section 2, Article I, declares, ''All political power is inherent in the people, and all free governments are founded on their authority, and instituted for their benefit. The faith of the people of Texas stands pledged to the preservation of a republican form of government, and, subject to this limitation only, they have at all times the inalienable right to alter, reform or abolish their government in such manner as they may think expedient''; and

Whereas, The Tenth Amendment to the Constitution of the United States of America reads as follows: ''The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people''; and

Whereas, The Tenth Amendment to the Constitution of the United States of America defines the total scope of federal power as being that specifically granted by the U.S. Constitution and no more; and

Whereas, The Tenth Amendment to the Constitution of the United States of America means that the federal government was created by the states specifically to be an agent of the states with powers both limited and enumerated; and

Whereas, Today, in 2021, the states are demonstrably treated as agents of the federal government; and

Whereas, Many powers assumed by the federal government as well as federal laws and mandates are in direct violation of the Tenth Amendment to the Constitution of the United States of America; and

Whereas, The Tenth Amendment assures that we, the people of the United States of America and each sovereign state in the Union of States, have always had rights that the federal government may not usurp; and

Whereas, Section 4, Article IV, of the United States Constitution says, ''The United States shall guarantee to every State in this Union a Republican Form of Government,'' and the Ninth Amendment states, ''The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people''; and

Whereas, The United States Supreme Court has ruled in New York v. United States, 505 U.S. 144 (1992), that Congress may not simply commandeer the legislative and regulatory processes of the states; and

Whereas, A number of proposals from previous administrations, as well as from Congress, may further violate the Constitution of the United States of America: Now, therefore, be it

Resolved, That the 87th Legislature of the State of Texas hereby claim sovereignty under the Tenth Amendment to the Constitution of the United States of America over all powers not otherwise enumerated and granted to the federal government by the Constitution of the United States of America; and, be it further

Resolved, That this serve as notice and demand that the federal government, as our agent, halt and reverse, effective immediately, its practice of assuming powers and imposing mandates and laws upon the states for purposes not enumerated by the Constitution of the United States of America; and, be it further

Resolved, That all compulsory federal legislation not necessary to ensure rights guaranteed the people under the Constitution of the United States that directs states to comply under threat of civil or criminal penalties or sanctions or that requires states to pass legislation or lose federal funding be prohibited and repealed; and, be it further

Resolved, That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the president of the Senate and the speaker of the House of Representatives of the United States Congress, and to all members of the Texas delegation to Congress with the request that this resolution be officially entered in the Congressional Record as a memorial to the Congress of the United States of America.

POM–92. A resolution adopted by the House of Representatives of the State of Texas urging the United States Congress to pass the ''CHIPS for America Act'' or any legislation that substantially increases the United States' investments in semiconductor manufacturing and research; to the Committee on Commerce, Science, and Transportation.

HOUSE RESOLUTION NO. 1993

Whereas, Semiconductors, often referred to as ''integrated circuits'' or ''microchips,'' are an essential component of nearly all electronic devices, including cell phones, televisions, computers, automobiles, and advanced medical devices; and

Whereas, Texas has been a world leader in the development of semiconductors since 1958, when Texas Instruments engineer Jack Kilby invented the world's first integrated circuit; and

Whereas, The semiconductor workforce of Texas is the second largest in the United States, and it is the sixth largest manufacturing sector in Texas, employing 41,500 Texans with an average annual salary of $95,021; and

Whereas, The United States' share of global semiconductor manufacturing capacity has decreased from 37 percent in 1990 to 12 percent today, despite a global semiconductor shortage that has significantly increased demand; and

Whereas, On June 11, 2020, United States Senator John Cornyn and Congressman Michael McCaul introduced the Creating Helpful Incentives to Produce Semiconductors for America Act or the ''CHIPS for America Act,'' which proposes investments for semiconductor manufacturing facilities, matches funds for local incentives for semiconductor facility construction, and supports semiconductor research and development; and

Whereas, On March 31, 2021, President Joseph Biden announced his support for the ''CHIPS for America Act,'' or any proposal to invest $50 billion in semiconductor manufacturing and research; and

Whereas, Semiconductor manufacturing and research have played an instrumental role in the economy of both Texas and the United States, and Congress should take swift action to ensure that the nation remains at the forefront of this vital industry; now, therefore, be it

Resolved, That the House of Representatives of the 87th Texas Legislature hereby respectfully urge the Congress of the United States to pass the ''CHIPS for America Act'' or any legislation that substantially increases the United States' investments in semiconductor manufacturing and research; and, be it further

Resolved, That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the president of the Senate and the speaker of the House of Representatives of the United States Congress, and to all the members of the Texas delegation to Congress with the request that it be entered into the Congressional record as a memorial to the Congress of the United States of America.

POM–93. A resolution adopted by the Legislature of Rockland County, New York, urging the United States Congress to refrain from entering into any trade deals with the United Kingdom until its government investigates and prosecutes legacy killings as outlined in the Stormont House Agreement; to the Committee on Finance.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. PETERS, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 2520. A bill to amend the Homeland Security Act of 2002 to provide for engagements with State, local, Tribal, and territorial governments, and for other purposes (Rept. No. 117–42).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. REED for the Committee on Armed Services.

*Rachel Jacobson, of the District of Columbia, to be an Assistant Secretary of the Army.

*Gabriel Camarillo, of Texas, to be Under Secretary of the Army.

*Andrew Philip Hunter, of Virginia, to be an Assistant Secretary of the Air Force.

*Corey Hinderstein, of Virginia, to be Deputy Administrator for Defense Nuclear Nonproliferation, National Nuclear Security Administration.

*David A. Honey, of Virginia, to be Deputy Under Secretary of Defense.

*Alex Wagner, of the District of Columbia, to be an Assistant Secretary of the Air Force.

Air Force nomination of Brig. Gen. Randall E. Kitchens, to be Major General.

Army nomination of Brig. Gen. William S. Lynn, to be Major General.

Mr. REED. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Air Force nomination of Gloria A. Eze, to be Major.

Air Force nomination of Travis J. Burns, to be Lieutenant Colonel.

Air Force nomination of Christian M. Bergtholdt, to be Colonel.

Army nominations beginning with Derrick H. Dunlap and ending with Rosilyn C. Woodard, which nominations were received by the Senate and appeared in the Congressional Record on October 5, 2021.

Army nomination of Michelle S. McCarroll, to be Lieutenant Colonel.

Army nomination of Marcus S. Snow, to be Colonel.

Army nomination of Augustine A. Dimoh, to be Major.

Marine Corps nomination of Joseph J. Endreola, to be Major.

Marine Corps nomination of John C. Morgan, to be Lieutenant Colonel.

Space Force nomination of Brian P. Moore, to be Lieutenant Colonel.

Space Force nominations beginning with Christina N. Gillette and ending with D S. Rogers, which nominations were received by the Senate and appeared in the Congressional Record on October 4, 2021.

Space Force nominations beginning with James W. Crossley and ending with Brendon P. Smeresky, which nominations were received by the Senate and appeared in the Congressional Record on October 4, 2021.

By Mr. DURBIN for the Committee on the Judiciary.

Beth Robinson, of Vermont, to be United States Circuit Judge for the Second Circuit.

*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.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

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. PETERS (for himself and Mr. PORTMAN):

S. 3035. A bill to establish the Artificial Intelligence Hygiene Working Group, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. ROSEN (for herself and Ms. LUMMIS):

S. 3036. A bill to require the Administrator of the National Oceanic and Atmospheric Administration to maintain a program that improves wildfire forecasting and detection, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. COTTON:

S. 3037. A bill to require elementary schools and secondary schools that receive Federal funds to obtain parental consent before facilitating a child's gender transition in any form, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KENNEDY:

S. 3038. 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; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. YOUNG (for himself and Ms. STABENOW):

S. 3039. A bill to amend title XI of the Social Security Act to establish an interagency council on social determinants of health, and for other purposes; to the Committee on Finance.

By Mr. TOOMEY:

S. 3040. A bill to prohibit Fannie Mae and Freddie Mac from purchasing or otherwise acquiring investor property loans, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. DUCKWORTH:

S. 3041. A bill to amend the Public Health Service Act to provide for and support liver illness visibility, education, and research, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. SHAHEEN:

S. 3042. A bill making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2022, and for other purposes; to the Committee on Appropriations.

By Mr. DURBIN:

S. 3043. A bill to promote minimum State requirements for the prevention and treatment of concussions caused by participation in school sports, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY:

S. 3044. A bill to amend the Internal Revenue Code of 1986 to include individuals receiving Social Security Disability Insurance benefits under the work opportunity credit and to increase the work opportunity credit for vocational rehabilitation referrals, qualified SSI recipients, and qualified SSDI recipients; to the Committee on Finance.

By Mr. SCHATZ:

S. 3045. A bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2022, and for other purposes; to the Committee on Appropriations.

By Mr. DAINES (for himself and Mrs. FEINSTEIN):

S. 3046. A bill to codify the authority of the Secretary of Agriculture and the Secretary of the Interior to conduct certain landscape-scale forest restoration projects, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. PORTMAN (for himself and Ms. SINEMA):

S. 3047. A bill to establish a pilot program to support medical residency and fellowship programs that assist veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CASEY (for himself, Mr. KAINE, Ms. SMITH, Mr. BLUMENTHAL, Ms. KLOBUCHAR, and Mr. PADILLA):

S. 3048. A bill to authorize the Secretary of Education to establish an Advisory Commission on Serving and Supporting Students with Mental Health Disabilities in Institutions of Higher Education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. VAN HOLLEN (for himself and Mr. CASEY):

S. 3049. A bill to establish a grant program for States for purposes of modernizing criminal justice data infrastructure to facilitate automatic record expungement and sealing, and for other purposes; to the Committee on the Judiciary.

By Mr. MARKEY (for himself, Mr. MERKLEY, Mr. BROWN, Mr. DURBIN, Mr. BOOKER, Mr. PADILLA, and Ms. BALDWIN):

S. 3050. A bill to remove limitations under Medicaid, Medicare, CHIP, and the Department of Veterans Affairs on benefits for persons in custody pending disposition of charges; to the Committee on Finance.

By Mr. ROUNDS (for himself, Mr. HEINRICH, Ms. SMITH, Mr. LUJÁN, and Mr. INHOFE):

S. 3051. A bill to assist Tribal governments in the management of buffalo and buffalo habitat and the reestablishment of buffalo on Indian land; to the Committee on Indian Affairs.

By Mr. MARKEY (for himself, Mr. RUBIO, Mr. DURBIN, Mr. TILLIS, Ms. WARREN, and Mrs. FEINSTEIN):

S. 3052. A bill to promote free and fair elections, democracy, political freedoms, and human rights in Cambodia, and for other purposes; to the Committee on Foreign Relations.

By Mr. BOOKER (for himself and Mr. WICKER):

S. 3053. A bill to amend the Weather Research and Forecasting Innovation Act of 2017 to require the Administrator of the National Oceanic and Atmospheric Administration to develop a plan and national guidance document to improve precipitation estimates, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. LEE:

S. 3054. A bill to require the Secretary of Transportation to modify certain regulations relating to hours of service requirements for drivers of property-carrying commercial motor vehicles, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. SCOTT of Florida (for himself and Ms. SINEMA):

S. 3055. A bill to extend the customs waters of the United States from 12 nautical miles to 24 nautical miles from the baselines of the United States, consistent with Presidential Proclamation 7219; to the Committee on Finance.

By Mr. SCOTT of South Carolina (for himself, Mr. CRAPO, Mr. TOOMEY, Mr. MCCONNELL, Mr. THUNE, Mr. CORNYN, Mr. MARSHALL, Mr. TILLIS, Ms. LUMMIS, Mr. DAINES, Mr. KENNEDY, Mr. MORAN, Mr. CRAMER, Mr. SHELBY, Mr. ROUNDS, Mr. GRASSLEY, Mr. BURR, Mr. BARRASSO, Mr. YOUNG, Mr. HOEVEN, Mrs. HYDE-SMITH, Mr. WICKER, Mrs. BLACKBURN, Mr. RISCH, Mr. BRAUN, Mrs. CAPITO, Mr. SASSE, Mr. COTTON, Ms. ERNST, Mr. ROMNEY, Mr. LANKFORD, Mr. BLUNT, Mr. INHOFE, Mr. CRUZ, Mr. HAWLEY, Mr. SULLIVAN, Mr. RUBIO, Mr. HAGERTY, Mr. SCOTT of Florida, Mr. TUBERVILLE, Mr. GRAHAM, Mr. JOHNSON, Mr. PAUL, Mr. BOOZMAN, Mr. LEE, Ms. COLLINS, Mrs. FISCHER, and Mr. PORTMAN):

S. 3056. A bill to prohibit the implementation of new requirements to report bank account deposits and withdrawals; to the Committee on Banking, Housing, and Urban Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. KLOBUCHAR (for herself and Ms. SMITH):

S. Res. 426. A resolution expressing the sense of the Senate that the United States Postal Service should issue a commemorative postage stamp honoring Ralph Samuelson, known as the Father of Waterskiing, to commemorate the upcoming 100-year anniversary of the invention of waterskiing; to the Committee on Homeland Security and Governmental Affairs.

ADDITIONAL COSPONSORS

S. 172

At the request of Mr. CORNYN, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 172, a bill to authorize the National Medal of Honor Museum Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes.

S. 285

At the request of Ms. BALDWIN, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 285, a bill to amend title XIX of the Social Security Act to allow States to make medical assistance available to inmates during the 30-day period preceding their release.

S. 350

At the request of Ms. HASSAN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 350, a bill to amend the Public Health Service Act to reauthorize certain programs under part A of title XI of such Act relating to genetic diseases, and for other purposes.

S. 634

At the request of Ms. COLLINS, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from Iowa (Ms. ERNST) were added as cosponsors of S. 634, a bill to support and expand civic engagement and political leadership of adolescent girls around the world, and other purposes.

S. 697

At the request of Ms. ROSEN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 697, a bill to require the Secretary of the Treasury to mint commemorative coins in recognition of the Bicentennial of Harriet Tubman's birth.

S. 749

At the request of Ms. HASSAN, the names of the Senator from New Jersey (Mr. MENENDEZ) and the Senator from North Carolina (Mr. BURR) were added as cosponsors of S. 749, a bill to amend the Internal Revenue Code of 1986 to enhance tax benefits for research activities.

S. 864

At the request of Mr. KAINE, the names of the Senator from North Carolina (Mr. TILLIS) and the Senator from Alabama (Mr. TUBERVILLE) were added as cosponsors of S. 864, a bill to extend Federal Pell Grant eligibility of certain short-term programs.

S. 1061

At the request of Mr. PORTMAN, the name of the Senator from Florida (Mr. SCOTT) was added as a cosponsor of S. 1061, a bill to encourage the normalization of relations with Israel, and for other purposes.

S. 1404

At the request of Mr. MARKEY, the names of the Senator from Kansas (Mr. MARSHALL) and the Senator from Virginia (Mr. KAINE) were added as cosponsors of S. 1404, a bill to award a Congressional Gold Medal to the 23d Headquarters Special Troops and the 3133d Signal Service Company in recognition of their unique and distinguished service as a ''Ghost Army'' that conducted deception operations in Europe during World War II.

S. 1488

At the request of Ms. DUCKWORTH, the name of the Senator from Georgia (Mr. OSSOFF) was added as a cosponsor of S. 1488, a bill to amend title 37, United States Code, to establish a basic needs allowance for low-income regular members of the Armed Forces.

S. 1596

At the request of Mr. ROUNDS, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 1596, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National World War II Memorial in Washington, DC, and for other purposes.

S. 1613

At the request of Ms. DUCKWORTH, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 1613, a bill to require the Administrator of the Small Business Administration to establish a grant program for certain fitness facilities, and for other purposes.

S. 1692

At the request of Mrs. CAPITO, the names of the Senator from North Dakota (Mr. HOEVEN) and the Senator from Arizona (Ms. SINEMA) were added as cosponsors of S. 1692, a bill to provide better care and outcomes for Americans living with Alzheimer's disease and related to dementias and their caregivers, while accelerating progress toward prevention strategies, disease modifying treatments, and, ultimately, a cure.

S. 1725

At the request of Mr. ROUNDS, the names of the Senator from Texas (Mr. CORNYN) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 1725, a bill to grant a Federal charter to the National American Indian Veterans, Incorporated.

S. 1813

At the request of Mr. COONS, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 1813, a bill to direct the Secretary of Health and Human Services to support research on, and expanded access to, investigational drugs for amyotrophic lateral sclerosis, and for other purposes.

S. 1873

At the request of Mr. CRAPO, the names of the Senator from New Hampshire (Ms. HASSAN) and the Senator from North Dakota (Mr. CRAMER) were added as cosponsors of S. 1873, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of multi-cancer early detection screening tests.

S. 1909

At the request of Mr. TESTER, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 1909, a bill to amend title XVIII of the Social Security Act to reform requirements with respect to direct and indirect remuneration under Medicare part D, and for other purposes.

S. 2233

At the request of Mr. BLUMENTHAL, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2233, a bill to establish a grant program for shuttered minor league baseball clubs, and for other purposes.

S. 2646

At the request of Mr. CASEY, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 2646, a bill to provide Medicaid assistance to individuals and families affected by a disaster or emergency, and for other purposes.

S. 2658

At the request of Mr. CASEY, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 2658, a bill to ensure that older adults and individuals with disabilities are prepared for disasters, and for other purposes.

S. 2683

At the request of Mrs. GILLIBRAND, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 2683, a bill to amend title XXXIII of the Public Health Service Act with respect to flexibility and funding for the World Trade Center Health Program, and for other purposes.

S. 2734

At the request of Mr. LEE, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 2734, a bill to require Senate confirmation of the Director of the Centers for Disease Control and Prevention.

S. 2879

At the request of Mr. LANKFORD, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 2879, a bill to provide that Executive Orders 14042 and 14043 shall have no force or effect.

S. 2964

At the request of Ms. BALDWIN, the names of the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Michigan (Mr. PETERS), the Senator from Michigan (Ms. STABENOW), the Senator from Massachusetts (Mr. MARKEY), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Minnesota (Ms. SMITH) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of S. 2964, a bill to clarify the status of the North Country, Ice Age, and New England National Scenic Trails as units of the National Park System, and for other purposes.

S. 2966

At the request of Mr. BROWN, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from New Jersey (Mr. BOOKER), the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from California (Mr. PADILLA) were added as cosponsors of S. 2966, a bill to provide additional benefits to American workers whose employment has been impacted as a result of the transition to a clean energy economy.

S. 2994

At the request of Mr. PADILLA, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 2994, a bill to list certain perfluoroalkyl and polyfluoroalkyl substances as hazardous air pollutants, and for other purposes.

S. 3026

At the request of Mr. COTTON, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 3026, a bill to amend the Higher Education Act of 1965 to ensure that public institutions of higher education eschew policies that improperly constrain the expressive rights of students, and to ensure that private institutions of higher education are transparent about, and responsible for, their chosen speech policies.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. SHAHEEN:

S. 3042. A bill making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2022, and for other purposes; to the Committee on Appropriations.

Mrs. SHAHEEN. Mr. President, I rise today to introduce the fiscal year 2022 Commerce, Justice, Science and Related Agencies, CJS, Appropriations Act. As chair of the CJS Appropriations Subcommittee, I developed this bill in partnership with my vice chairman, the Senator from Kansas, JERRY MORAN. In order to draft this bill, the CJS Subcommittee held substantive hearings, considered 2,084 individual and group requests from 88 Senators, and worked in a bipartisan way to meet the needs of the Nation and our individual States.

The end result is legislation that provides $79.7 billion to invest in important priorities for New Hampshire and the Nation, including funding for key Federal programs that respond to the substance use disorder crisis, help domestic and sexual violence survivors, invest in law enforcement programs, and assist Granite Staters in recovering from the far-reaching consequences of the pandemic.

I am particularly pleased that the bill delivers the greatest funding ever

to Violence Against Women Act programs, as well as substantial funding to help communities and first responders address substance misuse and the climate crisis. But we can't limit our action to the immediate problems of today; we also need an eye towards the future. That is why this bill also invests in American competitiveness on the global stage—ensuring our workforce is poised to lead in scientific innovation and space exploration in the years to come. These priorities are all essential to the success of families and communities across New Hampshire and our Nation, and I look forward to working with my colleagues on both sides of the aisle and the administration to see this bill signed into law.

I would like to highlight a few specific items included in this legislation.

Highest, funding level ever for Violence Against Women Act Programs. Once again, this subcommittee has provided increases to law enforcement and grant programs that fight gun violence and violent crime. For the fifth year in a row during my tenure on this subcommittee, the CJS bill provides the highest funding level ever for Violence Against Women Act programs, totaling $760 million for the Office on Violence Against Women, OVW. This is a 48-percent increase from last year's funding level and will support training officials to improve services for victims, rape prevention programs, college campus violence prevention programs, domestic violence hotlines and women's shelters, and transitional housing support services. Funding is provided for several new initiatives, including a restorative justice program, a National Deaf Services Line, and special assistant U.S. attorneys to address violence against women in Indian Country.

Critical funding for Department of Justice anti-opioid grants. To combat the substance use disorder epidemic, the bill provides $615 million to help communities and first responders respond to substance crises, including opioid addiction and drug trafficking. This is $73.5 million higher than the fiscal year 2021 funding level and includes $447 million for Comprehensive Addiction and Recovery Act, CARA, grants. These grants support programs like drug, mental health and veteran treatment courts and substance use disorder treatment programs administered by State and local correctional facilities.

Bolstered funding to support victims of violent crimes and bolstered legal services. This year, we have heard from Crime Victims Fund, CVF, State administrators and victim service providers about the impacts of lower CVF funding. That is why we provided $2.65 billion of spending from the fund this year—$635 million more than last year. This fund provides direct assistance and programs to survivors of domestic violence, sexual assault, child abuse, human trafficking, and other violent crimes. But I remain concerned that receipts into the fund will not be able to sustain this needed level of spending. That is why the passage of the VOCA Fix to Sustain the Crime Victims Fund Act earlier this year was so important.

The bill also provides $515 million for the Legal Services Corporation, which is the largest funder of civil legal aid in the country with counsel on family law, domestic violence, housing and financial fraud.

Support for law enforcement and to enhance police-community relations. Department of Justice law enforcement agencies are funded in the bill $23.8 billion—$1.1 billion more than last year. This increased funding will allow the hiring of additional agents, deputy marshals, intelligence analysts, and other personnel to help keep our communities safe. There is also $640 million for the Byrne-JAG Program, which helps law enforcement agencies in New Hampshire and across the country, strengthens the criminal justice system, and bolsters services for victims of crime. Within Byrne-JAG, $416 million will go to support State and local criminal justice systems, an increase of $56 million more than last year. Additionally, $248 million is allocated for community oriented policing services, COPS, hiring, an increase of $11 million from the fiscal year 2021 level. This program supports State, local, and Tribal law enforcement agencies' ability to hire, preserve, and/or rehire law enforcement officers and increases community policing efforts.

The bill provides $283 million for State and local law enforcement assistance and COPS Office grant programs to support programs that improve police-community relations. This is an 84-percent increase from last year's funding levels and will support programs on deescalation, implicit bias, crisis intervention, and training to respond to situations where individuals are mentally ill or disabled.

Increased funding for the Economic Development Administration and trade. The bill provides $10.7 billion for the Department of Commerce, of which $395 million is for the Economic Development Administration, EDA, which awards infrastructure and planning grants to communities around the country. This level is an increase of $49 million above the prior year. It is estimated this funding will generate $3.5 billion in local and private investment and support more than 30,000 American jobs this year. EDA has recently awarded grants to Granite State communities for a wide variety of projects ranging from flood control infrastructure in Plymouth to economic development projects in the Monadnock region. The EDA funding also includes $5 million to assist communities recovering from biomass plant closures.

The bill includes $1.5 million for the Bureau of Economic Analysis to continue the annual assessment of the economic value of the outdoor recreation industry—a key sector supporting local economies across New Hampshire. This report, which was created as a result of the enactment of my bipartisan legislation, the Outdoor Recreation Jobs and Economic Impact Act, provides a comprehensive assessment of the role that outdoor recreation plays in supporting jobs and economic growth, allowing policymakers to craft legislation to further support the sector. The bill also provides $584 million for the International Trade Administration, ITA, which promotes American exports, supports small and medium-sized businesses, and ensures fair trade practices on the global stage. This marks a $43 million increase above fiscal year 2021.

Investments in science and to advance U.S. space exploration, The National Science Foundation, NSF, is funded at $9.49 billion—$1 billion higher than last year's level. This funding will support U.S. competitiveness in key areas like quantum computing, artificial intelligence, and climate science, as well as help build an innovative workforce fueled by a diverse pipeline of scientists and engineers. The bill supports the creation of a new technology directorate, similar to what the Senate endorsed in the U.S. Innovation and Competition Act, to ensure that research is translated into the technologies and products that will drive economic growth for the next several decades. There is also $1.49 billion for the National Institute of Standards and Technology, NIST, to invest in STEM programs that improve the competitiveness of U.S. manufacturers and strengthen domestic supply chains, which is a 35-percent increase above fiscal year 2021.

The bill also provides $3 million for NIST to continue research into the prevalence of per- and polyfluoroalkyl substances, PFAS, n firefighter personal protective equipment—marking a $1 million increase from last year's funding. This research is a key component of my legislation, the Guaranteeing Equipment Safety for Firefighters Act, which was signed into law last year and will help to address concerns regarding firefighters' occupational exposure to PFAS chemicals.

To support America's continued leadership in space, NASA is funded at $24.8 billion. This is $1.5 billion higher than the fiscal year 2021 level and will support climate research, space missions, and the launch of the powerful James Webb Space Telescope. The bill also includes funding to support the International Space Station and returning humans to the Moon. Additionally, within the $7.9 billion for NASA Science, $825.7 million is for NASA Heliophysics, an increase of $74.7 million above the fiscal year 2021 level. The University of New Hampshire is a leading heliophysics research institution, with instruments on 16 of 22 operating heliophysics missions.

Support for ocean research and conservation efforts and weather satellites. The bill provides $730 million to

support National Oceanic and Atmospheric Administration, NOAA, research, including critical research to combat the climate crisis, marking a 19-percent increase from 2021. This funding will help coastal communities in New Hampshire and across the Nation bolster their resilience to changing climate, as well as support ocean health and research. In addition, the bill invests in successful job-creating programs, sustainable economic development, and environmental restoration. The bill provides full funding to cover the full cost of at-sea monitoring in the New England groundfish fishery and an increase of $14 million for research and conservation efforts to protect the endangered North Atlantic right whale, including $10 million to help defray costs paid by the lobster fishing industry to protect right whales. The bill includes $6.5 million specifically targeted for research related to key New England seafood species, including to study the effects of climate change.

Finally, there is $405 million to continue construction of polar weather satellites, which help forecast weather to protect property and economic security for families in New Hampshire and across Nation. One-third of U.S. GDP is affected by climate and weather—from farmers in the North Country trying to protect livestock and crops to climate disasters costing billions of dollars of damage.

Mr. President, these are just a few of the highlights of the fiscal year 2022 CJS bill. While I wish we could consider this bill under regular order, have a conference with the House, and enact it into law, I know the reality is that to finish the work on all 12 appropriations bills by the time the continuing resolution runs out, we will likely be negotiating an omnibus. I urge my colleagues across the aisle to come to agreement with us soon on how to allocate funding among the bills so the Appropriations Committee can get to work. I look forward to working with Senator MORAN and our House colleagues to craft a final CJS bill that will assist crime victims, invest in scientific research, and spur innovation in our communities—critical needs that we all support.

By Mr. DURBIN:

S. 3043. A bill to promote minimum State requirements for the prevention and treatment of concussions caused by participation in school sports, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

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. 3043

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 ''Protecting Student Athletes from Concussions Act of 2021''.

SEC. 2. MINIMUM STATE REQUIREMENTS.

(a) MINIMUM REQUIREMENTS.—Each State that receives funds under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) and does not meet the requirements described in this section, as of the date of enactment of this Act, shall, not later than the last day of the fifth full fiscal year after the date of enactment of this Act (referred to in this Act as the ''compliance deadline''), enact legislation or issue regulations establishing the following minimum requirements:

(1) LOCAL EDUCATIONAL AGENCY CONCUSSION SAFETY AND MANAGEMENT PLAN.—Each local educational agency in the State, in consultation with members of the community in which such agency is located, shall develop and implement a standard plan for concussion safety and management that—

(A) educates students, parents, and school personnel about concussions, through activities such as—

(i) training school personnel, including coaches, teachers, athletic trainers, related services personnel, and school nurses, on concussion safety and management, including training on the prevention, recognition, and academic consequences of concussions and response to concussions; and

(ii) using, maintaining, and disseminating to students and parents—

(I) release forms and other appropriate forms for reporting and record keeping;

(II) treatment plans; and

(III) prevention and post-injury observation and monitoring fact sheets about concussion;

(B) encourages supports, where feasible, for a student recovering from a concussion (regardless of whether or not the concussion occurred during school-sponsored activities, during school hours, on school property, or during an athletic activity), such as—

(i) guiding the student in resuming participation in athletic activity and academic activities with the help of a multi-disciplinary concussion management team, which may include—

(I) a health care professional, the parents of such student, a school nurse, relevant related services personnel, and other relevant school personnel; and

(II) an individual who is assigned by a public school to oversee and manage the recovery of such student; and

(ii) providing appropriate academic accommodations aimed at progressively reintroducing cognitive demands on the student; and

(C) encourages the use of best practices designed to ensure, with respect to concussions, the uniformity of safety standards, treatment, and management, such as—

(i) disseminating information on concussion safety and management to the public; and

(ii) applying uniform best practice standards for concussion safety and management to all students enrolled in public schools.

(2) POSTING OF INFORMATION ON CONCUSSIONS.—Each public elementary school and each public secondary school shall post on school grounds, in a manner that is visible to students and school personnel, and make publicly available on the school website, information on concussions that—

(A) is based on peer-reviewed scientific evidence (such as information made available by the Centers for Disease Control and Prevention);

(B) shall include information on—

(i) the risks posed by sustaining a concussion;

(ii) the actions a student should take in response to sustaining a concussion, including the notification of school personnel; and

(iii) the signs and symptoms of a concussion; and

(C) may include information on—

(i) the definition of a concussion;

(ii) the means available to the student to reduce the incidence or recurrence of a concussion; and

(iii) the effects of a concussion on academic learning and performance.

(3) RESPONSE TO CONCUSSION.—If an individual designated from among school personnel for purposes of this Act, one of whom must be in attendance at every school-sponsored activity, suspects that a student has sustained a concussion (regardless of whether or not the concussion occurred during school-sponsored activities, during school hours, on school property, or during an athletic activity)—

(A) the student shall be—

(i) immediately removed from participation in a school-sponsored athletic activity; and

(ii) prohibited from returning to participate in a school-sponsored athletic activity on the day that student is removed from such participation; and

(B) the designated individual shall report to the parent or guardian of such student—

(i) any information that the designated school employee is aware of regarding the date, time, and type of the injury suffered by such student (regardless of where, when, or how a concussion may have occurred); and

(ii) any actions taken to treat such student.

(4) RETURN TO ATHLETICS.—If a student has sustained a concussion (regardless of whether or not the concussion occurred during school-sponsored activities, during school hours, on school property, or during an athletic activity), before such student resumes participation in school-sponsored athletic activities, the school shall receive a written release from a health care professional, that—

(A) states that the student is capable of resuming participation in such activities; and

(B) may require the student to follow a plan designed to aid the student in recovering and resuming participation in such activities in a manner that—

(i) is coordinated, as appropriate, with periods of cognitive and physical rest while symptoms of a concussion persist; and

(ii) reintroduces cognitive and physical demands on such student on a progressive basis only as such increases in exertion do not cause the reemergence or worsening of symptoms of a concussion.

(b) NONCOMPLIANCE.—

(1) FIRST YEAR.—If a State described in subsection (a) fails to comply with subsection (a) by the compliance deadline, the Secretary of Education shall reduce by 5 percent the amount of funds the State receives under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) for the first fiscal year following the compliance deadline.

(2) SUCCEEDING YEARS.—If the State fails to so comply by the last day of any fiscal year following the compliance deadline, the Secretary of Education shall reduce by 10 percent the amount of funds the State receives under that Act for the following fiscal year.

(3) NOTIFICATION OF NONCOMPLIANCE.—Prior to reducing any funds that a State receives under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) in accordance with this subsection, the Secretary of Education shall provide a written notification of the intended reduction of funds to the State and to the appropriate committees of Congress.

SEC. 3. RULE OF CONSTRUCTION.

Nothing in this Act shall be construed to affect civil or criminal liability under Federal or State law.

SEC. 4. DEFINITIONS.

In this Act:

(1) CONCUSSION.—The term ''concussion'' means a type of mild traumatic brain injury that—

(A) is caused by a blow, jolt, or motion to the head or body that causes the brain to move rapidly in the skull;

(B) disrupts normal brain functioning and alters the mental state of the individual, causing the individual to experience—

(i) any period of observed or self-reported—

(I) transient confusion, disorientation, or impaired consciousness;

(II) dysfunction of memory around the time of injury; or

(III) loss of consciousness lasting less than 30 minutes; or

(ii) any 1 of 4 types of symptoms, including—

(I) physical symptoms, such as headache, fatigue, or dizziness;

(II) cognitive symptoms, such as memory disturbance or slowed thinking;

(III) emotional symptoms, such as irritability or sadness; or

(IV) difficulty sleeping; and

(C) can occur—

(i) with or without the loss of consciousness; and

(ii) during participation in any organized sport or recreational activity.

(2) HEALTH CARE PROFESSIONAL.—The term ''health care professional''—

(A) means an individual who has been trained in diagnosis and management of concussion in a pediatric population; and

(B) is registered, licensed, certified, or otherwise statutorily recognized by the State to provide such diagnosis and management.

(3) LOCAL EDUCATIONAL AGENCY; STATE.—The terms ''local educational agency'' and ''State'' have the meanings given such terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(4) RELATED SERVICES PERSONNEL.—The term ''related services personnel'' means individuals who provide related services, as defined under section 602 of the Individuals with Disabilities Education Act (20 U.S.C. 1401).

(5) SCHOOL-SPONSORED ATHLETIC ACTIVITY.—The term ''school-sponsored athletic activity'' means—

(A) any physical education class or program of a school;

(B) any athletic activity authorized during the school day on school grounds that is not an instructional activity;

(C) any extra-curricular sports team, club, or league organized by a school on or off school grounds; and

(D) any recess activity.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 426—EXPRESSING THE SENSE OF THE SENATE THAT THE UNITED STATES POSTAL SERVICE SHOULD ISSUE A COMMEMORATIVE POSTAGE STAMP HONORING RALPH SAMUELSON, KNOWN AS THE FATHER OF WATERSKIING, TO COMMEMORATE THE UPCOMING 100-YEAR ANNIVERSARY OF THE INVENTION OF WATERSKIING

Ms. KLOBUCHAR (for herself and Ms. SMITH) submitted the following resolution; which was referred to the Committee on Homeland Security and Governmental Affairs:

S. RES. 426

Whereas Ralph Samuelson invented waterskiing on Lake Pepin in Lake City, Minnesota;

Whereas the 100th anniversary of this historic event is July 2, 2022;

Whereas, as documented in letters of support from the USA Water Ski & Wake Sports Foundation, Ralph Samuelson was the first person to successfully water-ski;

Whereas this momentous event happened on July 2, 1922, on Lake Pepin in Lake City, Minnesota, the hometown of Ralph Samuelson;

Whereas Lake Pepin is a picturesque 30-mile long, 3-mile wide section of the Mississippi River that is 60 miles southeast of the Twin Cities;

Whereas a Sports Illustrated article dated August 10, 1987 also credited Mr. Samuelson as ''The Father of Waterskiing'' and described him as a thrill-seeker who spent much of his time on Lake Pepin; and

Whereas waterskiing is a hugely popular sport enjoyed by millions world-wide and those millions of people have Ralph Samuelson to thank: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the United States Postal Service should issue a commemorative postage stamp honoring Ralph Samuelson, known as the Father of Waterskiing, to commemorate the upcoming 100-year anniversary of the invention of waterskiing; and

(2) the Citizens' Stamp Advisory Committee should recommend to the Postmaster General that such a stamp be issued.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3867. Mr. REED submitted an amendment intended to be proposed by him to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3867. Mr. REED submitted an amendment intended to be proposed by him to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Defense Authorization Act for Fiscal Year 2022''.

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

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

(1) Division A—Department of Defense Authorizations.

(2) Division B—Military Construction Authorizations.

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

(4) Division D—Funding Tables.

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

Sec. 1. Short title.
Sec. 2. Organization of Act into divisions; table of contents.
Sec. 3. Congressional defense committees.
Sec. 4. Budgetary effects of this Act.

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

Sec. 101. Authorization of appropriations.

Subtitle B—Army Programs

Sec. 121. Multiyear procurement authority for AH–64E Apache helicopters.
Sec. 122. Multiyear procurement authority for UH–60M and HH–60M Black Hawk helicopters.
Sec. 123. Report and limitations on acquisition of Integrated Visual Augmentation System.
Sec. 124. Modification of deployment by the Army of interim cruise missile defense capability.

Subtitle C—Navy Programs

Sec. 131. Extension of prohibition on availability of funds for Navy port waterborne security barriers.
Sec. 132. Analysis of certain radar investment options.
Sec. 133. Extension of report on Littoral Combat Ship mission packages.
Sec. 134. Extension of procurement authorities for certain amphibious shipbuilding programs.
Sec. 135. Limitation on decommissioning or inactivating a battle force ship before the end of expected service life.
Sec. 136. Acquisition, modernization, and sustainment plan for carrier air wings.
Sec. 137. Improving oversight of Navy contracts for shipbuilding, conversion, and repair.

Subtitle D—Air Force Programs

Sec. 141. Required minimum inventory of tactical airlift aircraft.
Sec. 142. Extension of inventory requirement for Air Force fighter aircraft.
Sec. 143. Prohibition on use of funds for retirement of A–10 aircraft.
Sec. 144. Requirements relating to reports on fighter aircraft.
Sec. 145. Prohibition on additional F–35 aircraft for the Air National Guard.
Sec. 146. Prohibition on availability of funds for reducing the number of KC–135 aircraft of the Air National Guard designated as primary mission aircraft inventory.
Sec. 147. Authority to divest 18 KC–135 aircraft.
Sec. 148. Prohibition on use of funds for a follow-on tanker aircraft to the KC–46 aircraft.
Sec. 149. Maintenance of B–1 bomber aircraft squadrons.

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

Sec. 161. Prohibition on duplication of efforts to provide air- and space-based ground moving target indicator capability.
Sec. 162. Limitation on funds for armed overwatch aircraft.
Sec. 163. Transition of F–35 program sustainment from Joint Program Office to Air Force and Navy.

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. Increase in allowable rate of basic pay for certain employees of Defense Advanced Research Projects Agency.
Sec. 212. Additional mission areas for mechanisms for expedited access to technical talent and expertise at academic institutions by Department of Defense.
Sec. 213. Modification of other transaction authority for research projects.
Sec. 214. Artificial intelligence metrics.
Sec. 215. Modification of the Joint Common Foundation Program.
Sec. 216. Executive education on emerging technologies for senior civilian and military leaders.
Sec. 217. Improvements relating to national network for microelectronics research and development.
Sec. 218. Activities to accelerate domestic quantum computing capabilities.
Sec. 219. Pilot programs for passive telecommunications infrastructure to facilitate installation 5G deployment.
Sec. 220. National Guard participation in microreactor testing and evaluation.
Sec. 221. Limitation on transfer of certain operational flight test events and reduction in operational flight test capacity.
Sec. 222. Limitation on availability of funds for the High Accuracy Detection and Exploitation System.

Subtitle C—Codification and Technical Corrections

Sec. 231. Codification of direct hire authority at personnel demonstration laboratories for advanced degree holders.
Sec. 232. Codification of authorities relating to Department of Defense science and technology reinvention laboratories.
Sec. 233. Codification of requirement for Defense Established Program to Stimulate Competitive Research.
Sec. 234. Technical correction to pilot program for enhancement of research, development, test, and evaluation centers of Department of Defense.

Subtitle D—Plans, Reports, and Other Matters

Sec. 241. Study on efficient use of Department of Defense test and evaluation organizations, facilities, and laboratories.
Sec. 242. Analysis of potential modifications to Department of Defense unmanned aerial systems categorization.
Sec. 243. Digital development infrastructure plan and working group.
Sec. 244. Optionally Manned Fighting Vehicle requirements analysis.
Sec. 245. Making permanent requirement for annual report by Director of Operational Test and Evaluation.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

Sec. 301. Authorization of appropriations.

Subtitle B—Energy and Environment

Sec. 311. Expansion of purposes of Sentinel Landscapes Partnership program to include resilience.
Sec. 312. Maintenance of current analytical tools in evaluating energy resilience measures.
Sec. 313. Military Aviation and Installation Assurance Clearinghouse matters.
Sec. 314. Exemption from prohibition on use of open-air burn pits in contingency operations outside the United States.
Sec. 315. Demonstration program on domestic production of rare earth elements from coal byproducts.
Sec. 316. Authority to transfer amounts derived from energy cost savings.
Sec. 317. Sense of Senate on energy independence and diversification.

Subtitle C—National Security Climate Resilience

Sec. 331. Short title.
Sec. 332. Definitions.
Sec. 333. Climate resilience in planning, engagement strategies, infrastructure, and force development of Department of Defense.
Sec. 334. Climate Resilience Infrastructure Initiative of the Department of Defense.
Sec. 335. Assessment of climate risks to infrastructure of Department of Defense.

Subtitle D—Treatment of Perfluoroalkyl Substances and Polyfluoroalkyl Substances

Sec. 351. Treatment by Department of Defense of perfluoroalkyl substances and polyfluoroalkyl substances.
Sec. 352. Public disclosure of testing and results of Department of Defense testing for perfluoroalkyl or polyfluoroalkyl substances and additional requirements for testing.
Sec. 353. Extension of transfer authority for funding of study and assessment on health implications of per- and polyfluoroalkyl substances contamination in drinking water by Agency for Toxic Substances and Disease Registry.
Sec. 354. Report on remediation of perfluoroalkyl substances and polyfluoroalkyl substances at certain military installations.
Sec. 355. Report on schedule for completion of remediation of perfluoroalkyl substances and polyfluoroalkyl substances.

Subtitle E—Other Matters

Sec. 371. Extension of temporary authority to extend contracts and leases under the ARMS Initiative.
Sec. 372. Incident reporting requirements for Department of Defense regarding lost or stolen weapons.
Sec. 373. Repeal of sunset for naval vessel examination report.
Sec. 374. Report on ammunition organic industrial base modernization by Department of the Army.
Sec. 375. Annual report by Secretary of the Navy on ship maintenance.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

Sec. 401. End strengths for active forces.
Sec. 402. Authority with respect to authorized strengths for general and flag officers within the Armed Forces for emerging requirements.
Sec. 403. Additional authority to vary Space Force end strength.
Sec. 404. Temporary exemption from end strength grade restrictions for the Space Force.

Subtitle B—Reserve Forces

Sec. 411. End strengths for Selected Reserve.
Sec. 412. End strengths for Reserves on active duty in support of the reserves.
Sec. 413. End strengths for military technicians (dual status).
Sec. 414. Maximum number of reserve personnel authorized to be on active duty for operational support.

Subtitle C—Authorization of Appropriations

Sec. 421. Military personnel.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy

Sec. 501. Increase in authorized lieutenant commander billets in the Navy.
Sec. 502. Time in grade requirements.

Subtitle B—General Service Authorities and Correction of Military Records

PART I— SELECTIVE SERVICE REFORM

Sec. 511. Modernization of the Selective Service System.
Sec. 512. Report on exemptions and deferments for a possible military draft.
Sec. 513. Report on processes and procedures for appeal of denial of status or benefits for failure to register for Selective Service.
Sec. 514. Responsibilities for national mobilization; personnel requirements.
Sec. 515. Enhancements to national mobilization exercises.

PART II—OTHER MATTERS

Sec. 518. Military service independent racial disparity review.
Sec. 519. Appeals to Physical Evaluation Board determinations of fitness for duty.
Sec. 520. Extension of paid parental leave.
Sec. 520A. Bereavement leave for members of the Armed Forces.

Subtitle C—Prevention and Response to Sexual Assault, Harassment, and Related Misconduct, and Other Military Justice Matters

Sec. 521. DoD Safe Helpline authorization to perform intake of official restricted and unrestricted reports for eligible adult sexual assault victims.
Sec. 522. Assessment of relationship between command climate and the prevention and adjudication of military sexual misconduct.
Sec. 523. Policy for ensuring the annual report regarding sexual assaults involving members of the Armed Forces includes information on race and ethnicity of victims.
Sec. 524. Department of Defense tracking of allegations of retaliation by victims of sexual assault or sexual harassment and related persons.
Sec. 525. Special Victim's Counsel representation of civilian victims of sex-related offenses.
Sec. 526. Notice to victims of further administrative action following a determination not to refer to trial by court-martial.
Sec. 527. Recommendations on separate punitive article in the Uniform Code of Military Justice on violent extremism.

Sec. 528. Determination and reporting of missing, absent unknown, absent without leave, and duty status-whereabouts unknown service members.
Sec. 529. Conduct unbecoming an officer.
Sec. 530. Analysis of the use of non-judicial punishment.
Sec. 530A. Sexual Assault Response Coordinator Military Occupational Specialty.
Sec. 530B. Implementation of recommendations of the Independent Review Commission on Sexual Assault in the Military.

Subtitle D—Military Justice Reform and Sexual Assault Prevention

PART I—MILITARY JUSTICE MATTERS

Sec. 531. Special victim prosecutors.
Sec. 532. Policies with respect to special victim prosecutors.
Sec. 533. Definition of military magistrate, special victim offense, and special victim prosecutor.
Sec. 534. Clarification of applicability of domestic violence and stalking to dating partners.
Sec. 535. Clarification relating to who may convene courts-martial.
Sec. 536. Inclusion of sexual harassment as general punitive article.
Sec. 537. Determinations of impracticability of rehearing.
Sec. 538. Plea agreements.
Sec. 539. Opportunity to obtain witness and other evidence in trials by court-martial.
Sec. 540. Former jeopardy.
Sec. 541. Advice to convening authority before referral for trial.
Sec. 542. Preliminary hearing.
Sec. 543. Detail of trial counsel.
Sec. 544. Sentencing reform.
Sec. 545. Uniform, document-based data system.
Sec. 546. Primary prevention workforce.
Sec. 547. Annual primary prevention research agenda.
Sec. 548. Full functionality of certain advisory committees and panels.
Sec. 549. Military defense counsel parity.
Sec. 550. Resourcing.
Sec. 551. Applicability to the United States Coast Guard.
Sec. 552. Effective date.

PART II—MILITARY JUSTICE IMPROVEMENT AND INCREASING PREVENTION

Sec. 561. Short title.
Sec. 562. Improvement of determinations on disposition of charges for certain offenses under UCMJ with authorized maximum sentence of confinement of more than one year.
Sec. 563. Modification of officers authorized to convene general and special courts-martial for certain offenses under UCMJ with authorized maximum sentence of confinement of more than one year.
Sec. 564. Discharge using otherwise authorized personnel and resources.
Sec. 565. Monitoring and assessment of modification of authorities by Defense Advisory Committee on Investigation, Prosecution, and Defense of Sexual Assault in the Armed Forces.
Sec. 566. Limitation on modifications to sexual assault reporting procedures.
Sec. 567. Professionalization of military prosecutors.
Sec. 568. Increased training and education on military sexual assault.
Sec. 569. Increasing the physical security of military installations.
Sec. 570. Effective date and applicability.

Subtitle E—Member Education, Training, and Transition

Sec. 571. Modification of grant program supporting science, technology, engineering, and math education in the Junior Reserve Officers' Training Corps to include quantum information sciences.
Sec. 572. Allocation of authority for nominations to the military service academies in the event of the death, resignation, or expulsion from office of a member of Congress.
Sec. 573. Troops-to-Teachers Program.
Sec. 574. Combating foreign malign influence.
Sec. 575. Prohibition on implementation by United States Air Force Academy of civilian faculty tenure system.

Subtitle F—Military Family Readiness and Dependents' Education

Sec. 581. Certain assistance to local educational agencies that benefit dependents of military and civilian personnel.
Sec. 582. Pilot program to establish employment fellowship opportunities for military spouses.

Subtitle G—Other Matters and Reports

Sec. 591. Amendments to additional Deputy Inspector General of the Department of Defense.
Sec. 592. Inclusion of Senior Reserve Officers' Training Corps data in diversity and inclusion reporting.
Sec. 593. Modified deadline for establishment of special purpose adjunct to Armed Services Vocational Aptitude Battery test.
Sec. 594. Reports on Air Force personnel performing duties of a Nuclear and Missile Operations Officer (13N).
Sec. 595. Reports on security force personnel performing protection level one duties.

TITLE VI—MILITARY COMPENSATION

Sec. 601. Basic needs allowance for members on active service in the Armed Forces.
Sec. 602. Equal incentive pay for members of the reserve components of the Armed Forces.
Sec. 603. Extension of expiring travel and transportation authorities.
Sec. 604. Repeal of expiring travel and transportation authorities.
Sec. 605. One-year extension of certain expiring bonus and special pay authorities.
Sec. 606. Requirements in connection with suspension of retired pay and retirement annuities.

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE and Other Health Care Benefits

Sec. 701. Addition of preconception and prenatal carrier screening coverage as benefits under TRICARE program.
Sec. 702. Coverage of overseas subacute and hospice care for eligible overseas dependents of members of the uniformed services.
Sec. 703. Modification of pilot program on receipt of non-generic prescription maintenance medications under TRICARE pharmacy benefits program.

Subtitle B—Health Care Administration

Sec. 721. Revisions to TRICARE provider networks.
Sec. 722. Implementation of an integrated TRICARE program through effective market management.
Sec. 723. Establishment of centers of excellence for enhanced treatment of ocular injuries.
Sec. 724. Mandatory training on health effects of burn pits.
Sec. 725. Removal of requirement for one year of participation in certain medical and lifestyle incentive programs of the Department of Defense to receive benefits under such programs.
Sec. 726. Authority of Secretary of Defense and Secretary of Veterans Affairs to enter into agreements for planning, design, and construction of facilities to be operated as shared medical facilities.
Sec. 727. Consistency in accounting for medical reimbursements received by military medical treatment facilities from other Federal agencies.

Subtitle C—Reports and Other Matters

Sec. 741. Access by United States Government employees and their family members to certain facilities of Department of Defense for assessment and treatment of anomalous health conditions.
Sec. 742. Extension of authority for Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund.
Sec. 743. Comptroller General study on implementation by Department of Defense of recent statutory requirements to reform the military health system.

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

Subtitle A—Acquisition Policy and Management

Sec. 801. Repeal of preference for fixed-price contracts.
Sec. 802. Improving the use of available data to manage and forecast service contract requirements.
Sec. 803. Assessment of impediments and incentives to improving the acquisition of commercial technology, products, and services.
Sec. 804. Pilot program on acquisition practices for emerging technologies.
Sec. 805. Annual report on highest and lowest performing acquisition programs of the Department of Defense.
Sec. 806. Systems engineering determinations.

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

Sec. 811. Recommendations on the use of other transaction authority.
Sec. 812. Modified condition for prompt contract payment eligibility.
Sec. 813. Exclusion of certain services from intergovernmental support agreements for installation-support services.
Sec. 814. Modification of prize authority for advanced technology achievements.
Sec. 815. Cost or pricing data reporting in Department of Defense contracts.
Sec. 816. Authority to acquire innovative commercial products and services using general solicitation competitive procedures.

Sec. 817. Reporting requirement for defense acquisition activities.
Sec. 818. Department of Defense contractor professional training material disclosure requirements.
Sec. 819. Report on place of performance requirements.
Sec. 820. Multiyear contract authority for defense acquisitions specifically authorized by law.

Subtitle C—Industrial Base Matters

Sec. 831. Addition of certain items to list of high priority goods and services for analyses, recommendations, and actions related to sourcing and industrial capacity.
Sec. 832. Prohibition on acquisition of personal protective equipment from non-allied foreign nations.
Sec. 833. Further prohibition on acquisition of sensitive materials.
Sec. 834. Requirement for industry days and requests for information to be open to allied defense contractors.
Sec. 835. Assessment of requirements for certain items to address supply chain vulnerabilities.
Sec. 836. Requirement that certain providers of systems to Department of Defense disclose the source of printed circuit boards when sourced from certain countries.
Sec. 837. Employment transparency regarding individuals who perform work in the People's Republic of China.

Subtitle D—Small Business Matters

Sec. 841. Clarification of duties of Director of Small Business Programs.
Sec. 842. Data on Phase III Small Business Innovation Research and Small Business Technology Transfer program awards.
Sec. 843. Pilot program to incentivize employee ownership in defense contracting.

Subtitle E—Other Matters

Sec. 851. Technology protection features activities.
Sec. 852. Independent study on technical debt in software-intensive systems.
Sec. 853. Determination with respect to optical fiber transmission equipment for Department of Defense purposes.
Sec. 854. Two-year extension of Selected Acquisition Report requirement.
Sec. 855. Military standards for high-hardness armor in combat vehicle specifications.
Sec. 856. Revisions to the Unified Facilities Criteria regarding the use of variable refrigerant flow systems.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Sec. 901. Change in eligibility requirements for appointment to certain Department of Defense leadership positions.
Sec. 902. Renaming of Air National Guard to Air and Space National Guard.
Sec. 903. Joint Aviation Safety Council.
Sec. 904. Assignments for participants in the John S. McCain Strategic Defense Fellows Program.
Sec. 905. Alignment of Close Combat Lethality Task Force.
Sec. 906. Management innovation activities.

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

Sec. 1001. General transfer authority.
Sec. 1002. Commission on Planning, Programming, Budgeting, and Execution Reform.
Sec. 1003. Plan for consolidation of information technology systems used in the planning, programming, budgeting, and execution process.

Subtitle B—Counterdrug Activities

Sec. 1011. Codification and expansion of authority for joint task forces of the Department of Defense to support law enforcement agencies conducting counter-terrorism, counter-illicit trafficking, or counter-transnational organized crime activities.
Sec. 1012. Extension of authority to support a unified counterdrug and counterterrorism campaign in Colombia.

Subtitle C—Naval Vessels

Sec. 1021. Modification to annual naval vessel construction plan.
Sec. 1022. Navy battle force ship assessment and requirement reporting.

Subtitle D—Counterterrorism

Sec. 1031. Extension of prohibition on use of funds for transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, to the United States.
Sec. 1032. Extension of prohibition on use of funds to construct or modify facilities in the United States to house detainees transferred from United States Naval Station, Guantanamo Bay, Cuba.
Sec. 1033. Extension of prohibition on use of funds for transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, to certain countries.
Sec. 1034. Extension of prohibition on use of funds to close or relinquish control of United States Naval Station, Guantanamo Bay, Cuba.
Sec. 1035. Report on medical care provided to detainees at United States Naval Station, Guantanamo Bay, Cuba.

Subtitle E—Miscellaneous Authorities and Limitations

Sec. 1041. Notification of significant Army force structure changes.
Sec. 1042. Extension of admission to Guam or the Commonwealth of the Northern Mariana Islands for certain nonimmigrant H–2B workers.

Subtitle F—Studies and Reports

Sec. 1051. Report on implementation of irregular warfare strategy.
Sec. 1052. Optimization of Irregular Warfare Technical Support Directorate.
Sec. 1053. Quarterly briefings on anomalous health incidents.

Subtitle G—Other Matters

Sec. 1061. Commission on the National Defense Strategy.
Sec. 1062. Assessment of requirements for and management of Army three-dimensional terrain data.
Sec. 1063. Modification to Regional Centers for Security Studies.

TITLE XI—CIVILIAN PERSONNEL MATTERS

Sec. 1101. Civilian personnel management.
Sec. 1102. Consideration of employee performance in reductions in force for civilian positions in the Department of Defense.
Sec. 1103. Enhancement of recusal for conflicts of personal interest requirements for Department of Defense officers and employees.
Sec. 1104. Authority to employ civilian faculty members at the Defense Institute of International Legal Studies.
Sec. 1105. Extension of temporary increase in maximum amount of voluntary separation incentive pay authorized for civilian employees of the Department of Defense.
Sec. 1106. One-year extension of temporary authority to grant allowances, benefits, and gratuities to civilian personnel on official duty in a combat zone.
Sec. 1107. One-year extension of authority to waive annual limitation on premium pay and aggregate limitation on pay for Federal civilian employees working overseas.
Sec. 1108. Pilot program on direct hire authority for spouses of members of the uniformed services at locations outside the United States.
Sec. 1109. Civilian Cybersecurity Reserve pilot project at United States Cyber Command.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Assistance and Training

Sec. 1201. Authority to build capacity for additional operations.
Sec. 1202. Administrative support and payment of certain expenses for covered foreign defense personnel.
Sec. 1203. Authority for certain reimbursable interchange of supplies and services.
Sec. 1204. Extension and modification of Department of Defense support for stabilization activities in national security interest of the United States.
Sec. 1205. Temporary authority to pay for personnel expenses of foreign national security forces participating in the training program of the United States-Colombia Action Plan for Regional Security.
Sec. 1206. Security cooperation strategy for certain combatant commands.
Sec. 1207. Plan for enhancing Western Hemisphere security cooperation.
Sec. 1208. Pilot program to support the implementation of the Women, Peace, and Security Act of 2017.
Sec. 1209. Limitation on support to military forces of the Kingdom of Morocco for bilateral or multilateral exercises.

Subtitle B—Matters Relating to Afghanistan and Pakistan

Sec. 1211. Extension and modification of authority for support for reconciliation activities led by the Government of Afghanistan and prohibition on use of funds for the Taliban and other terrorist groups.
Sec. 1212. Extension and modification of authority for reimbursement of certain coalition nations for support provided to United States military operations.
Sec. 1213. Afghanistan Security Forces Fund.
Sec. 1214. Quarterly security briefings on Afghanistan.
Sec. 1215. Sense of Senate and briefing on counterterrorism posture of the United States after transition of United States Armed Forces from Afghanistan.

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

Sec. 1221. Extension and modification of authority to provide assistance to vetted Syrian groups and individuals.
Sec. 1222. Extension and modification of authority to support operations and activities of the Office of Security Cooperation in Iraq.
Sec. 1223. Extension and modification of authority to provide assistance to counter the Islamic State of Iraq and Syria.

Subtitle D—Matters Relating to Europe and the Russian Federation

Sec. 1231. Extension of limitation on military cooperation between the United States and the Russian Federation.
Sec. 1232. Extension of prohibition on availability of funds relating to sovereignty of the Russian Federation over Crimea.
Sec. 1233. Extension of Ukraine Security Assistance Initiative.
Sec. 1234. Extension of authority for training for Eastern European national security forces in the course of multilateral exercises.
Sec. 1235. Sense of Senate on the North Atlantic Treaty Organization.
Sec. 1236. Sense of Senate on continuing support for Estonia, Latvia, and Lithuania.

Subtitle E—Matters Relating to the Indo-Pacific Region

Sec. 1241. Extension and modification of Indo-Pacific Maritime Security Initiative.
Sec. 1242. Extension and modification of Pacific Deterrence Initiative.
Sec. 1243. Extension of authority to transfer funds for Bien Hoa dioxin cleanup.
Sec. 1244. Cooperative program with Vietnam to account for Vietnamese personnel missing in action.
Sec. 1245. Assessment of and plan for improving the defensive asymmetric capabilities of Taiwan.
Sec. 1246. Annual feasibility briefing on cooperation between the National Guard and Taiwan.
Sec. 1247. Defense of Taiwan.
Sec. 1248. Comparative analyses and reports on efforts by the United States and the People's Republic of China to advance critical modernization technology with respect to military applications.
Sec. 1249. Modification of annual report on military and security developments involving the People's Republic of China.
Sec. 1250. Feasibility report on establishing more robust military-to-military crisis communications with the People's Republic of China.
Sec. 1251. Semiannual briefings on efforts to deter Chinese aggression and military coercion.
Sec. 1252. Sense of Congress on defense alliances and partnerships in the Indo-Pacific region.

Subtitle F—Reports

Sec. 1261. Report on security cooperation authorities and associated resourcing in support of the Security Force Assistance Brigades.
Sec. 1262. Independent assessment with respect to Arctic region and establishment of Arctic Security Initiative.
Sec. 1263. Annual report and briefing on Global Force Management Allocation Plan.

Subtitle G—Other Matters

Sec. 1271. Modification of United States-Israel Operations-Technology cooperation within the United States-Israel Defense Acquisition Advisory Group.
Sec. 1272. Prohibition on support for offensive military operations against the Houthis in Yemen.
Sec. 1273. Repeal of authorization of nonconventional assisted recovery capabilities; modification of authority for expenditure of funds for clandestine activities that support operational preparation of the environment.
Sec. 1274. Extension and modification of authority for certain payments to redress injury and loss.
Sec. 1275. Secretary of Defense Strategic Competition Initiative.
Sec. 1276. Strategic competition initiative for United States Southern Command and United States Africa Command.
Sec. 1277. Modification of notification requirements for sensitive military operations.
Sec. 1278. Special Operations Forces joint operating concept for competition and conflict.
Sec. 1279. Plan for provision of information support to commanders of the combatant commands.
Sec. 1280. Independent review of and report on the Unified Command Plan.
Sec. 1281. Establishment of mission-oriented pilot programs to close significant capabilities gaps.
Sec. 1282. Limitation on availability of certain funding for operation and maintenance.

TITLE XIII—COOPERATIVE THREAT REDUCTION

Sec. 1301. Funding allocations; specification of Cooperative Threat Reduction funds.

TITLE XIV—OTHER AUTHORIZATIONS

Subtitle A—Military Programs

Sec. 1401. Working capital funds.
Sec. 1402. Chemical Agents and Munitions Destruction, Defense.
Sec. 1403. Drug Interdiction and Counter-Drug Activities, Defense-wide.
Sec. 1404. Defense Inspector General.
Sec. 1405. Defense Health Program.

Subtitle B—Armed Forces Retirement Home

Sec. 1411. Authorization of appropriations for Armed Forces Retirement Home.

Subtitle C—Other Matters

Sec. 1421. Authorization to loan materials in National Defense Stockpile.
Sec. 1422. Repeal of termination of biennial report on National Defense Stockpile requirements.
Sec. 1423. Authority for transfer of funds to joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund for Captain James A. Lovell Health Care Center, Illinois.

TITLE XV—SPACE ACTIVITIES, STRATEGIC PROGRAMS, AND INTELLIGENCE MATTERS

Subtitle A—Space Activities

Sec. 1501. Delegation of authorities to Space Development Agency.
Sec. 1502. Modification to Space Development Agency.
Sec. 1503. Disclosure of National Security Space Launch program contract pricing terms.
Sec. 1504. Extension and modification of Council on Oversight of the Department of Defense Positioning, Navigation, and Timing Enterprise.
Sec. 1505. Senior Procurement Executive authority.
Sec. 1506. Modifications to Space Force Acquisition Council.
Sec. 1507. Modifications relating to the Assistant Secretary of the Air Force for Space Acquisition and Integration.
Sec. 1508. Modification to transfer of acquisition projects for space systems and programs.
Sec. 1509. Extension and modification of certifications regarding integrated tactical warning and attack assessment mission of the Air Force.
Sec. 1510. Prohibition on Missile Defense Agency production of satellites and ground systems associated with operation of such satellites.
Sec. 1511. Continued requirement for National Security Space Launch program.
Sec. 1512. Limitation, report, and briefing on use of commercial satellite services and associated systems.
Sec. 1513. Study on commercial systems integration into, and support of, Armed Forces space operations.
Sec. 1514. Space policy review.
Sec. 1515. Annual briefing on threats to space operations.

Subtitle B—Defense Intelligence and Intelligence-related Activities

Sec. 1521. Authority for Army counterintelligence agents to execute warrants and make arrests.
Sec. 1522. Annual briefing by Director of the Defense Intelligence Agency on electronic warfare threat to operations of the Department of Defense.

Subtitle C—Nuclear Forces

Sec. 1531. Participation in United States Strategic Command strategic deterrence exercises.
Sec. 1532. Modification to requirements relating to nuclear force reductions.
Sec. 1533. Modifications to requirements relating to unilateral changes in nuclear weapons stockpile of the United States.
Sec. 1534. Deadline for reports on modification of force structure for strategic nuclear weapons delivery systems.
Sec. 1535. Modification of deadline for notifications relating to reduction, consolidation, or withdrawal of nuclear forces based in Europe.
Sec. 1536. Congressional Commission on the Strategic Posture of the United States.
Sec. 1537. Revised nuclear posture review.
Sec. 1538. Ground-based strategic deterrent development program accountability matrices.
Sec. 1539. Procurement authority for certain parts of ground-based strategic deterrent cryptographic device.
Sec. 1540. Mission-design series popular name for ground-based strategic deterrent.
Sec. 1541. B–21 Raider nuclear capability and integration with long-range standoff weapon.

Sec. 1542. Comptroller General study and updated report on nuclear weapons capabilities and force structure requirements.
Sec. 1543. Prohibition on reduction of the intercontinental ballistic missiles of the United States.
Sec. 1544. Limitation on use of funds until completion of analysis of alternatives for nuclear sea-launched cruise missile.
Sec. 1545. Sense of the Senate on NATO security and nuclear cooperation between the United States and the United Kingdom.
Sec. 1546. Sense of the Senate on maintaining diversity in the nuclear weapons stockpile.
Sec. 1547. Sense of the Senate on ground-based strategic deterrent.

Subtitle D—Missile Defense Programs

Sec. 1551. Authority to develop and deploy Next Generation Interceptor for missile defense of the United States homeland.
Sec. 1552. Annual reliability testing for the Next Generation Interceptor.
Sec. 1553. Next Generation Interceptor development program accountability matrices.
Sec. 1554. Extension of period for transition of ballistic missile defense programs to military departments.
Sec. 1555. Iron Dome short-range rocket defense system and Israeli cooperative missile defense program co-development and co-production.
Sec. 1556. Semiannual updates on meetings held by the Missile Defense Executive Board.
Sec. 1557. Independent study of Department of Defense components' roles and responsibilities relating to missile defense.

TITLE XVI—CYBERSPACE-RELATED MATTERS

Sec. 1601. Matters concerning cyber personnel requirements.
Sec. 1602. Cyber data management.
Sec. 1603. Assignment of certain budget control responsibilities to Commander of United States Cyber Command.
Sec. 1604. Coordination between United States Cyber Command and private sector.
Sec. 1605. Pilot program on public-private partnerships with internet ecosystem companies to detect and disrupt adversary cyber operations.
Sec. 1606. Zero trust strategy, principles, model architecture, and implementation plans.
Sec. 1607. Demonstration program for automated security validation tools.
Sec. 1608. Improvements to consortium of universities to advise Secretary of Defense on cybersecurity matters.
Sec. 1609. Quarterly reports on cyber operations.
Sec. 1610. Assessment of cybersecurity posture and operational assumptions and development of targeting strategies and supporting capabilities.
Sec. 1611. Assessing capabilities to counter adversary use of ransomware tools, capabilities, and infrastructure.
Sec. 1612. Comparative analysis of cybersecurity capabilities.
Sec. 1613. Report on the Cybersecurity Maturity Model Certification program.
Sec. 1614. Report on potential Department of Defense support and assistance for increasing the awareness of the Cybersecurity and Infrastructure Security Agency of cyber threats and vulnerabilities affecting critical infrastructure.
Sec. 1615. Deadline for reports on assessment of cyber resiliency of nuclear command and control system.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

Sec. 2001. Short title.
Sec. 2002. Expiration of authorizations and amounts required to be specified by law.
Sec. 2003. Effective date.

TITLE XXI—ARMY MILITARY CONSTRUCTION

Sec. 2101. Authorized Army construction and land acquisition projects.
Sec. 2102. Family housing.
Sec. 2103. Authorization of appropriations, Army.
Sec. 2104. Extension of authorization of fiscal year 2017 project at Wiesbaden Army Airfield.
Sec. 2105. Additional authority to carry out fiscal year 2018 project at Fort Bliss, Texas.
Sec. 2106. Modification of authority to carry out fiscal year 2021 project at Fort Wainwright, Alaska.
Sec. 2107. Additional authority to carry out fiscal year 2022 project at Aberdeen Proving Ground, Maryland.

TITLE XXII—NAVY MILITARY CONSTRUCTION

Sec. 2201. Authorized Navy construction and land acquisition projects.
Sec. 2202. Family housing.
Sec. 2203. Improvements to military family housing units.
Sec. 2204. Authorization of appropriations, Navy.

TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

Sec. 2301. Authorized Air Force construction and land acquisition projects.
Sec. 2302. Family housing.
Sec. 2303. Improvements to military family housing units.
Sec. 2304. Authorization of appropriations, Air Force.
Sec. 2305. Extension of authorizations of certain fiscal year 2017 projects.
Sec. 2306. Extension of authorizations of fiscal year 2017 projects at Spangdahlem Air Base, Germany.
Sec. 2307. Extension of authorization of fiscal year 2017 project at Hanscom Air Force Base, Massachusetts.
Sec. 2308. Modification of authority to carry out fiscal year 2018 project at Tyndall Air Force Base, Florida.
Sec. 2309. Modification of authority to carry out fiscal year 2020 projects at Tyndall Air Force Base, Florida.

TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION

Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.
Sec. 2402. Authorized Energy Resilience and Conservation Investment Program projects.
Sec. 2403. Authorization of appropriations, Defense Agencies.
Sec. 2404. Extension of authorization of fiscal year 2017 project at Yokota Air Base, Japan.

TITLE XXV—INTERNATIONAL PROGRAMS

Subtitle A—North Atlantic Treaty Organization Security Investment Program

Sec. 2501. Authorized NATO construction and land acquisition projects.
Sec. 2502. Authorization of appropriations, NATO.

Subtitle B—Host Country In-Kind Contributions

Sec. 2511. Republic of Korea funded construction projects.
Sec. 2512. Republic of Poland provided infrastructure projects.
Sec. 2513. Authorization to accept contributions from the Republic of Korea in the form of an irrevocable letter of credit.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

Sec. 2601. Authorized Army National Guard construction and land acquisition projects.
Sec. 2602. Authorized Army Reserve construction and land acquisition projects.
Sec. 2603. Authorized Navy Reserve and Marine Corps Reserve construction and land acquisition projects.
Sec. 2604. Authorized Air National Guard construction and land acquisition projects.
Sec. 2605. Authorized Air Force Reserve construction and land acquisition projects.
Sec. 2606. Authorization of appropriations, National Guard and Reserve.

TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES

Sec. 2701. Authorization of appropriations for base realignment and closure activities funded through Department of Defense Base Closure Account.
Sec. 2702. Prohibition on conducting additional base realignment and closure (BRAC) round.

TITLE XXVIII—MILITARY CONSTRUCTION AND GENERAL PROVISIONS

Subtitle A—Military Construction Program

Sec. 2801. Clarification of establishment of the Office of Local Defense Community Cooperation as a Department of Defense Field Activity.
Sec. 2802. Use of amounts available for operation and maintenance in carrying out military construction projects for energy resilience, energy security, or energy conservation.

Subtitle B—Military Family Housing

Sec. 2811. Command oversight of military privatized housing as element of performance evaluations.
Sec. 2812. Clarification of prohibition against collection from tenants of privatized military housing units of amounts in addition to rent and application of existing law.
Sec. 2813. Modification of calculation of military housing contractor pay for privatized military housing.
Sec. 2814. Modification of requirements relating to window fall prevention devices at military family housing.

Subtitle C—Land Conveyances

Sec. 2821. Land conveyance, St. Louis, Missouri.
Sec. 2822. Land conveyance, Saint Joseph, Missouri.

Sec. 2823. Land conveyance, Marine Corps Air Station, Cherry Point, North Carolina.
Sec. 2824. Land conveyance, Naval Air Station Oceana, Virginia Beach, Virginia.
Subtitle D—Other Matters
Sec. 2831. Consideration of public education when making basing decisions.
Sec. 2832. Designation of facility at Rock Island Arsenal, Illinois.
Sec. 2833. Improvement of security of lodging and living spaces on military installations.
Sec. 2834. Expansion of authority of Secretary of the Navy to lease and license Navy museum facilities to generate revenue to support museum administration and operations.
Sec. 2835. Pilot program on establishment of account for reimbursement for use of testing facilities at installations of the Department of the Air Force.
DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS
TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
Subtitle A—National Security Programs and Authorizations
Sec. 3101. National Nuclear Security Administration.
Sec. 3102. Defense environmental cleanup.
Sec. 3103. Other defense activities.
Sec. 3104. Nuclear energy.
Subtitle B—Nuclear Weapons Stockpile Matters
Sec. 3111. Portfolio management framework for National Nuclear Security Administration.
Sec. 3112. Reports on risks to and gaps in industrial base for nuclear weapons components, subsystems, and materials.
Sec. 3113. Sense of Senate on oversight role of Congress in conduct of nuclear weapons testing.
Subtitle C—Defense Environmental Cleanup Matters
PART I—ENVIRONMENTAL MANAGEMENT LIABILITY REDUCTION AND TECHNOLOGY DEVELOPMENT
Sec. 3121. Definitions.
Sec. 3122. Independent assessment and management of defense environmental cleanup programs.
Sec. 3123. Incremental Technology Development Program.
Sec. 3124. High-Impact Technology Development Program.
Sec. 3125. Environmental Management University Program.
PART II—OTHER MATTERS
Sec. 3131. Comprehensive strategy for treating, storing, and disposing of defense nuclear waste resulting from stockpile maintenance and modernization activities.
Subtitle D—Budget and Financial Management Matters
Sec. 3141. Improvements to cost estimates informing analyses of alternatives.
Sec. 3142. Modification of requirements for certain construction projects.
Sec. 3143. Modification to terminology for reports on financial balances for atomic energy defense activities.
Subtitle E—Other Matters
Sec. 3151. Extension of authority for appointment of certain scientific, engineering, and technical personnel.
Sec. 3152. Extension of enhanced procurement authority to manage supply chain risk.
Sec. 3153. Extension of authority for acceptance of contributions for acceleration of removal or security of fissile materials, radiological materials, and related equipment at vulnerable sites worldwide.
Sec. 3154. Updates to Infrastructure Modernization Initiative.
Sec. 3155. Acquisition of high-performance computing capabilities by National Nuclear Security Administration.
Sec. 3156. Limitation on use of funds for naval nuclear fuel systems based on low-enriched uranium.
TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD
Sec. 3201. Authorization.
Sec. 3202. References to Chairperson and Vice Chairperson of Defense Nuclear Facilities Safety Board.
TITLE XXXV—MARITIME ADMINISTRATION
Sec. 3501. Maritime Administration.
DIVISION D—FUNDING TABLES
Sec. 4001. Authorization of amounts in funding tables.

SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.

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

SEC. 4. BUDGETARY EFFECTS OF THIS ACT.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, jointly submitted for printing in the Congressional Record by the Chairmen of the House and Senate Budget Committees, provided that such statement has been submitted prior to the vote on passage in the House acting first on the conference report or amendment between the Houses.

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2022 for procurement for the Army, the Navy and the Marine Corps, the Air Force and the Space Force, and Defense-wide activities, as specified in the funding table in section 4101.

Subtitle B—Army Programs

SEC. 121. MULTIYEAR PROCUREMENT AUTHORITY FOR AH–64E APACHE HELICOPTERS.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—Subject to section 2306b of title 10, United States Code, the Secretary of the Army may enter into one or more multiyear contracts, beginning with the fiscal year 2022 program year, for the procurement of AH–64E Apache helicopters.

(b) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2022 is subject to the availability of appropriations for that purpose for such later fiscal year.

SEC. 122. MULTIYEAR PROCUREMENT AUTHORITY FOR UH–60M AND HH–60M BLACK HAWK HELICOPTERS.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—Subject to section 2306b of title 10, United States Code, the Secretary of the Army may enter into one or more multiyear contracts, beginning with the fiscal year 2022 program year, for the procurement of UH–60M and HH–60M Black Hawk helicopters.

(b) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2022 is subject to the availability of appropriations for that purpose for such later fiscal year.

SEC. 123. REPORT AND LIMITATIONS ON ACQUISITION OF INTEGRATED VISUAL AUGMENTATION SYSTEM.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than January 31, 2022, but after completion of operational testing of the Integrated Visual Augmentation System (IVAS), the Secretary of the Army shall submit to the congressional defense committees a report on the Integrated Visual Augmentation System.

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

(A) A validation of the reliability of the Integrated Visual Augmentation System to meet operational need for mean time between failure to support anticipated operational mission profiles.

(B) A validation of network adequacy for operational employment of the System, including ability to integrate into command networks, and a plan to facilitate the display of position location and identification information for adjacent units, non-System-equipped platforms, and soldiers.

(C) A validation of power duration adequacy and a plan for battery management of the System to meet anticipated operational mission requirements.

(D) A plan to ensure targetable three-dimensional terrain data in the System.

(E) A basis-of-issue plan based on lessons of developmental and operational testing of the System.

(F) A plan for iterative improvements to sensors, software, and form factor throughout production and procurement of the System.

(G) Any other matters that the Secretary considers relevant to the full understanding of the status and plan of the System.

(b) LIMITATION ON USE OF FUNDS.—Of the funds authorized to be appropriated by this Act for fiscal year 2022 for procurement of the Integrated Visual Augmentation System, not more than 50 percent may be obligated or expended until the date on which the Secretary submits to the congressional defense committees the report required by subsection (a)(1).

SEC. 124. MODIFICATION OF DEPLOYMENT BY THE ARMY OF INTERIM CRUISE MISSILE DEFENSE CAPABILITY.

Section 112(b) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1660), as amended by section 111(b) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283), is further amended—

(1) in paragraph (1), by striking ''shall deploy the capability as follows:'' and all that follows through the period at the end and inserting ''shall deploy two batteries of the capability by not later than September 30, 2020.'';

(2) in paragraph (2)—

(A) in the paragraph heading, by striking ''DEADLINES'' and inserting ''DEADLINE'';

(B) in the matter preceding subparagraph (A), by striking ''deadlines'' and inserting ''deadline'';

(C) in subparagraph (F), by adding ''and'' at the end;

(D) by striking subparagraph (G); and

(E) by redesignating subparagraph (H) as subparagraph (G); and

(3) in paragraph (4), by striking ''in paragraph (1):'' and all that follows through the period at the end and inserting ''in paragraph (1), if the Secretary determines that sufficient funds have not been appropriated to enable the Secretary to meet such deadline.''.

Subtitle C—Navy Programs

SEC. 131. EXTENSION OF PROHIBITION ON AVAILABILITY OF FUNDS FOR NAVY PORT WATERBORNE SECURITY BARRIERS.

Section 130(a) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1665), as most recently amended by section 127 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283), is further amended by striking ''for fiscal years 2019, 2020, or 2021'' and inserting ''for fiscal years 2019, 2020, 2021, or 2022''.

SEC. 132. ANALYSIS OF CERTAIN RADAR INVESTMENT OPTIONS.

(a) ANALYSIS.—

(1) IN GENERAL.—The Director of Cost Assessment and Program Evaluation shall conduct an analysis of covered radar systems operating with the Aegis combat system in the Navy and the Missile Defense Agency in the future-years defense program.

(2) ELEMENTS.—The analysis conducted under paragraph (1) shall include the following:

(A) An independent cost estimate of each covered radar systems described in paragraph (1) and each variant thereof.

(B) An assessment of the capability provided by each such system and variant to address current and future air and missile defense threats.

(C) In the case of covered radar systems operating with the Aegis combat system in the Navy, an assessment of the capability and technical suitability of each planned configuration for such systems to support current and future distributed maritime operations in contested environments.

(b) REPORT.—Not later than March 1, 2022, the Director of Cost Assessment and Program Evaluation shall submit to the congressional defense committees the following:

(1) A report on the results of the analysis conducted under subsection (a)(1).

(2) Such recommendations as the Director may have to achieve greater capability, affordability, and sustainability across covered radar systems described in subsection (a)(1), including variants thereof, during fiscal years 2022 through 2027, including whether to maintain parallel paths with different systems configurations or to choose to pursue fewer configurations.

(c) COVERED RADAR SYSTEMS DEFINED.—In this section, the term ''covered radar systems'' includes the following:

(1) AN/SPY–1.

(2) AN/SPY–6.

(3) AN/SPY–7.

SEC. 133. EXTENSION OF REPORT ON LITTORAL COMBAT SHIP MISSION PACKAGES.

Section 123(a)(1) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2030) is amended by striking ''fiscal year 2022'' and inserting ''fiscal year 2027''.

SEC. 134. EXTENSION OF PROCUREMENT AUTHORITIES FOR CERTAIN AMPHIBIOUS SHIPBUILDING PROGRAMS.

Section 124(a)(1) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) is amended by striking ''fiscal year 2021'' and inserting ''fiscal years 2021 and 2022''.

SEC. 135. LIMITATION ON DECOMMISSIONING OR INACTIVATING A BATTLE FORCE SHIP BEFORE THE END OF EXPECTED SERVICE LIFE.

(a) IN GENERAL.—Chapter 863 of title 10, United States Code, is amended by inserting after section 8678 the following new section:

''§ 8678a. Limitation on decommissioning or inactivating a battle force ship before the end of expected service life

''(a) LIMITATION.—The Secretary of the Navy may not decommission or inactivate a battle force ship before the end of the expected service life of the ship.

''(b) WAIVER.—The Secretary may waive the limitation under subsection (a) not fewer than 30 days after the date on which the Secretary submits to the congressional defense committees a certification described in subsection (c).

''(c) CERTIFICATION DESCRIBED.—A certification described in this subsection is a certification that—

''(1)(A) maintaining the battle force ship in a reduced operating status is not feasible;

''(B) maintaining the ship with reduced capability is not feasible;

''(C) maintaining the ship as a Navy Reserve unit is not feasible;

''(D) transferring the ship to the Coast Guard is not feasible;

''(E) maintaining the ship is not required to support the most recent national defense strategy required by section 113(g) of this title; and

''(F) maintaining the ship is not required to support operational plans of any combatant commander; and

''(2) includes an explanation of—

''(A) the options assessed and the rationale for the determinations under subparagraphs (A) through (D) of paragraph (1); and

''(B) the rationale for the determinations under subparagraphs (E) and (F) of such paragraph.

''(d) FORM.—A certification submitted under subsection (b) shall be submitted in unclassified form, but may include a classified annex.

''(e) DEFINITIONS.—In this section:

''(1) The term 'battle force ship' means the following:

''(A) A commissioned United States Ship warship capable of contributing to combat operations.

''(B) A United States Naval Ship that contributes directly to Navy warfighting or support missions.

''(2) The term 'expected service life' means the number of years a naval vessel is expected to be in service.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 863 of such title is amended by inserting after the item relating to section 8678 the following new item:

''8678a. Limitation on decommissioning or inactivating a battle force ship before the end of expected service life.''.

SEC. 136. ACQUISITION, MODERNIZATION, AND SUSTAINMENT PLAN FOR CARRIER AIR WINGS.

(a) PLAN REQUIRED.—Not later than February 1, 2022, the Secretary of the Navy shall submit to the congressional defense committees a 15-year acquisition, modernization, and sustainment plan for the carrier air wings of the Navy.

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

(1) An assessment of how well the capabilities and composition of the carrier air wings meet the requirements of the National Defense Strategy and a plan to address known shortfalls such as with respect to tanker capacity and strike fighter range.

(2) An identification of the role of autonomous aircraft, including the MQ–25 aircraft, and other potential future capabilities and platforms in future carrier air wings.

(3) An assessment of whether nine carrier air wings is the correct force structure, considering—

(A) whether the composition of aircraft and squadrons within a carrier air wing as of the date on which the plan is submitted is adequate; and

(B) whether ten carrier air wings, the minimum number to be maintained under section 8062(e) of title 10, United States Code, after the earlier of the two dates referred to in subparagraphs (A) and (B) of paragraph (1) of such section, is adequate.

(4) An identification of the appropriate modernization plan to maximize operational use of platforms in existence as of the date on which the report is submitted, particularly the EA–18G aircraft and the E–2D aircraft, by leveraging available technologies such as Next Generation Jammer.

SEC. 137. IMPROVING OVERSIGHT OF NAVY CONTRACTS FOR SHIPBUILDING, CONVERSION, AND REPAIR.

(a) IN GENERAL.—Chapter 805 title 10, United States Code, is amended by adding at the end the following new section:

''§ 8039. Deputy Commander of the Naval Sea Systems Command for the Supervision of Shipbuilding, Conversion, and Repair

''(a) IN GENERAL.—The Secretary of the Navy shall establish and appoint an individual to the position of Deputy Commander of the Naval Sea Systems Command for the Supervision of Shipbuilding, Conversion, and Repair (in this section referred to as the 'Deputy Commander').

''(b) QUALIFICATIONS.—The Deputy Commander shall be a flag officer of the Navy or an employee of the Navy in a Senior Executive Service position.

''(c) REPORTING.—The Deputy Commander shall report directly to the Commander of the Naval Sea Systems Command.

''(d) GENERAL RESPONSIBILITIES.—The Deputy Commander shall—

''(1) independently administer and manage the execution of Department of Defense contracts awarded to commercial entities for shipbuilding, conversion, and repair at the facilities of such entities;

''(2) serve as the designated contract administration office of the Department responsible for performing contract administration services for the contracts described in paragraph (1);

''(3) enforce contract requirements of the contracts described in paragraph (1), ensuring contractors and the Department satisfy contractual obligations;

''(4) work with contractors and Federal agencies to facilitate greater quality and economy in the products and services being procured; and

''(5) provide on-site quality assurance for contracts described in paragraph (1), including inspections.

''(e) NON-CAS FUNCTIONS.—The Deputy Commander shall manage the complexities and unique demands of shipbuilding, conversion, and repair by performing the following non-contract administration services functions for Navy Program Executives Offices, fleet commanders, and the Naval Sea Systems Command headquarters:

''(1) Project oversight, including the following:

''(A) Coordinating responses to non-contractual emergent problems.

''(B) Coordinating activities of precommissioning crews and ship's force, and other Government activities.

''(C) Communicating with customers and higher authority regarding matters that may affect project execution.

''(2) Technical authority, including the following:

''(A) Executing the technical authority responsibilities of the Waterfront Chief Engineer.

''(B) Serving as the waterfront technical authority of the Naval Sea Systems Command responsible for providing Government direction and coordination in the resolution of technical issues.

''(C) Contract planning and procurement, including participation in acquisition planning and pre-award activities, including assessment of contractor qualifications.

''(f) COMPREHENSIVE CONTRACT MANAGEMENT.—The Deputy Commander shall maintain direct relationships with the Director of the Defense Contract Management Agency and the Director of the Defense Contract Audit Agency to facilitate comprehensive contract management and oversight of contractors awarded a contract described in subsection (d)(1) and subcontractors.

''(g) SUBCONTRACTOR AUDITS.—The Deputy Commander shall request that the Director of the Defense Contract Audit Agency perform periodic audits of subcontractors that perform cost- or incentive-type subcontracts for which the Deputy Commander serves as the designated contract administration office of the Department and that are valued at $50,000,000 or more.

''(h) ANNUAL WRITTEN ASSESSMENT.—(1) Not later than March 1 of each year, the Deputy Commander shall submit to the congressional defense committees a written assessment of the contracts for which the Deputy Commander serves as the designated contract administration office of the Department.

''(2) Each written assessment required by paragraph (1) shall include the following:

''(A) The cost, schedule, and performance of each contract covered by the assessment.

''(B) A summary of any requests for corrective action or other significant contract discrepancies documented by the office of the Deputy Commander, the Defense Contract Management Agency, or the Defense Contract Audit Agency for such contracts, and any actions planned or taken in response.

''(C) A summary of any dedicated evaluation, such as a review by a task force or working group, of the organizational structure and resourcing plans and requirements that support the supervision of shipbuilding, conversion, and repair, that—

''(i) includes key findings, recommendations, and implementation plans; and

''(ii) indicates any additional support needed from other organizations of the Department, such as the Defense Contract Audit Agency and the Defense Contract Management Agency, for implementation.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 805 of such title is amended by adding at the end the following new item:

''8039. Deputy Commander of the Naval Sea Systems Command for the Supervision of Shipbuilding, Conversion, and Repair.''.

(c) DEADLINE FOR ESTABLISHMENT AND APPOINTMENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Navy shall establish and appoint an individual to the position of Deputy Commander of the Naval Sea Systems Command for the Supervision of Shipbuilding, Conversion, and Repair under section 8039 of such title, as added by subsection (a).

Subtitle D—Air Force Programs

SEC. 141. REQUIRED MINIMUM INVENTORY OF TACTICAL AIRLIFT AIRCRAFT.

(a) IN GENERAL.—The Secretary of the Air Force shall maintain a total tactical airlift aircraft inventory of not less than 292 aircraft.

(b) EXCEPTION.—The Secretary of the Air Force may reduce the number of C–130 aircraft in the Air Force below the minimum number specified in subsection (a) if the Secretary of the Air Force determines, on a case-by-case basis, that an aircraft is no longer mission capable because of a mishap or other damage.

(c) SAVINGS CLAUSE.—

(1) IN GENERAL.—During fiscal years 2021, 2022, and 2023, the Secretary of the Air Force is prohibited from reducing the total tactical airlift aircraft inventory from the National Guard.

(2) REPLACEMENTS.—The Secretary of the Air Force may remove an aircraft from the total tactical airlift aircraft inventory of the National Guard if the Secretary of the Air Force replaces the aircraft with a similarly capable mobility aircraft.

(d) SUNSET.—This section shall not apply after October 1, 2023.

(e) CONFORMING AMENDMENT.—Section 134(d) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) is amended by striking ''October 1, 2021'' and inserting ''the date of the enactment of the National Defense Authorization Act for Fiscal Year 2022''.

SEC. 142. EXTENSION OF INVENTORY REQUIREMENT FOR AIR FORCE FIGHTER AIRCRAFT.

(a) EXTENSION OF INVENTORY REQUIREMENT.—Section 9062(i)(1) of title 10, United States Code, is amended by striking ''October 1, 2022'' and inserting ''October 1, 2026''.

(b) EXTENSION OF LIMITATION ON RETIREMENT OF AIR FORCE FIGHTER AIRCRAFT.—Section 131(b) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1314; 10 U.S.C. 9062 note) is amended—

(1) in paragraph (1), by striking ''October 1, 2022'' and inserting ''October 1, 2026''; and

(2) in paragraph (2), by striking ''October 1, 2022'' and inserting ''October 1, 2026''.

SEC. 143. PROHIBITION ON USE OF FUNDS FOR RETIREMENT OF A–10 AIRCRAFT.

(a) PROHIBITION.—Notwithstanding sections 134 and 135 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2037), and except as provided in subsection (b), none of the funds authorized to be appropriated by this Act for fiscal year 2022 for the Air Force may be obligated to retire, prepare to retire, or place in storage or on backup aircraft inventory status any A–10 aircraft.

(b) EXCEPTION.—

(1) IN GENERAL.—The limitation under subsection (a) shall not apply to an individual A–10 aircraft that the Secretary of the Air Force determines, on a case-by-case basis, to be no longer mission capable because of a Class A mishap.

(2) CERTIFICATION REQUIRED.—If the Secretary determines under paragraph (1) that an aircraft is no longer mission capable, the Secretary shall submit to the congressional defense committees a certification that the status of such aircraft is due to a Class A mishap and not due to lack of maintenance or repairs or other reasons.

(3) CERTIFICATION ADDITIONAL.—Any certification submitted under paragraph (2) shall be in addition to the notification and certification required by section 135(b) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2039).

(c) IMPLEMENTATION REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report setting forth the following:

(1) The plans of the Secretary to re-wing each of the aircraft in the fleet of 281 A–10 aircraft that have not received new wings as of the date of the enactment of this Act, including—

(A) the funding needed to complete re-winging of the aircraft in the fleet and the fiscal year in which such funds will be requested; and

(B) the plan for executing the installations, including the intended location, number of aircraft, and fiscal year in which installations will be completed.

(2) The funding needed to maintain the aircraft in the fleet of 281 A–10 aircraft at a rate of operational readiness of not less than 80 percent mission capable and not less than 70 percent fully mission capable, including—

(A) the funding for unit, intermediate, and depot maintenance and repair, spare parts, fuel and all other flying hour costs;

(B) the actual funding being made available by the Air Force to achieve and maintain such readiness levels; and

(C) any actions taken or contemplated to be taken to bridge any shortfall.

(d) REPORT ON COMPARISON TEST AND EVALUATION THAT EXAMINES CAPABILITIES OF F–35A AND A–10C AIRCRAFT.—Section 134(e)(1) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2038) is amended—

(1) in subparagraph (A), by striking ''; and'' and inserting a semicolon;

(2) in subparagraph (B)—

(A) by inserting ''the results and findings of'' before ''a comparison''; and

(B) by striking the period at the end and inserting a semicolon; and

(3) by adding after subparagraph (B) the following new subparagraph:

''(C) details of the design and metrics of the comparison test and evaluation described in subparagraph (B), including each scenario examined in the test, number of sorties, time on station, how the interaction with ground forces and Joint Terminal Air Controllers was assessed or simulated, how scenarios adequately represented real-world threats, ability to strike representative targets, and combat dynamics in which close air support, search and rescue, and forward air controller airborne missions were conducted.''.

SEC. 144. REQUIREMENTS RELATING TO REPORTS ON FIGHTER AIRCRAFT.

(a) MODIFICATION OF LIMITATION ON RETIREMENT OF A–10 AIRCRAFT.—Section 134(b) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2037) is amended by striking ''report under subsection (e)(2)'' and inserting ''part of the report under subsection (e)(2) that is required under subparagraph (C) of that subsection''.

(b) FIGHTER AIRCRAFT COMPARISON TEST REPORTS.—

(1) REPORT FROM DIRECTOR OF OPERATIONAL TEST AND EVALUATION.—Not later than 60 days after the date of the enactment of this Act, the Director of Operational Test and Evaluation shall submit to the congressional defense committees the part of the report required by section 134(e)(1)(B) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2038).

(2) REPORT FROM SECRETARY OF THE AIR FORCE.—Not later than 60 days after the date of the submission of the report under paragraph (1), the Secretary of the Air Force shall submit to the congressional defense committees the part of the report required by section 134(e)(2)(C) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2038).

SEC. 145. PROHIBITION ON ADDITIONAL F–35 AIRCRAFT FOR THE AIR NATIONAL GUARD.

Beginning on the date of the enactment of this Act, the Secretary of the Air Force may not equip any unit of the Air National Guard

of the United States with an F–35 aircraft until the ratio of combat-coded F–35 aircraft of the Regular Air Force to combat-coded F–35 aircraft of the Air National Guard is greater than 4 to 1.

SEC. 146. PROHIBITION ON AVAILABILITY OF FUNDS FOR REDUCING THE NUMBER OF KC–135 AIRCRAFT OF THE AIR NATIONAL GUARD DESIGNATED AS PRIMARY MISSION AIRCRAFT INVENTORY.

Section 135(d) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) is amended—

(1) by striking ''None'' and inserting the following:

''(1) FISCAL YEAR 2021.—None''; and

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

''(2) FISCAL YEAR 2022.—None of the funds authorized to be appropriated by this Act for fiscal year 2022 for the Air Force may be obligated to reduce the number of KC–135 aircraft of the Air National Guard designated as primary mission aircraft inventory.''.

SEC. 147. AUTHORITY TO DIVEST 18 KC–135 AIRCRAFT.

Notwithstanding section 135 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283), during the period beginning on the date of the enactment of this Act and ending on October 1, 2022, the Secretary of the Air Force may divest 18 KC–135 aircraft.

SEC. 148. PROHIBITION ON USE OF FUNDS FOR A FOLLOW-ON TANKER AIRCRAFT TO THE KC–46 AIRCRAFT.

None of the funds authorized to be appropriated by this Act for fiscal year 2022 for the Air Force may be obligated for a follow-on tanker aircraft to the KC–46 aircraft (commonly referred to as a ''bridge tanker'') until the date on which the Remote Vision System version 2.0 begins operational testing.

SEC. 149. MAINTENANCE OF B–1 BOMBER AIRCRAFT SQUADRONS.

The Secretary of the Air Force shall fully maintain the operational and maintenance squadrons of the B–1 bomber aircraft in existence as of the date of the enactment of this Act until at least September 30, 2030, unless such squadrons are replaced by units of the B–21 bomber aircraft.

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

SEC. 161. PROHIBITION ON DUPLICATION OF EFFORTS TO PROVIDE AIR- AND SPACE-BASED GROUND MOVING TARGET INDICATOR CAPABILITY.

(a) PROHIBITION ON DUPLICATION OF EFFORTS.—The Secretary of Defense shall ensure that efforts to provide air- and space-based ground moving target indicator capability are not duplicated across the Department of Defense.

(b) PROHIBITION ON USE OF FUNDS.—The Secretary of Defense may not obligate or expend any funds to provide the capability described in subsection (a) until the Vice Chairman of the Joint Chiefs of Staff, in consultation with the Secretaries of the military departments and the heads of such agencies as the Secretary of Defense considers appropriate, submits to the congressional defense committees the following:

(1) A list of all procurement and research and development efforts relating to the capability described in subsection (a) funded by the Department of Defense or any other agency of the executive branch.

(2) A description of how the efforts described in paragraph (1) will provide real-time information to warfighters through the use of air battle managers and the joint all domain command and control efforts of the Department.

SEC. 162. LIMITATION ON FUNDS FOR ARMED OVERWATCH AIRCRAFT.

None of the funds authorized to be appropriated by this Act for Procurement, Defense-wide, for the procurement of armed overwatch aircraft by the United States Special Operations Command may be obligated or expended until 15 days after submission to the congressional defense committees of the acquisition roadmap required by section 165(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283).

SEC. 163. TRANSITION OF F–35 PROGRAM SUSTAINMENT FROM JOINT PROGRAM OFFICE TO AIR FORCE AND NAVY.

(a) TRANSITION PLAN.—Not later than February 1, 2022, the Under Secretary of Defense for Acquisition and Sustainment, in consultation with the Secretary of the Air Force and the Secretary of the Navy, shall submit to the congressional defense committees a report with a plan for transitioning sustainment responsibilities for the F–35 program away from the Joint Program Office. The plan shall include the full transfer by October 1, 2027, of sustainment responsibilities for the F–35A to the Air Force as executive agent and of sustainment responsibilities for the F–35B and F–35C to the Navy as executive agent.

(b) TRANSITION REQUIREMENT.—Not later than October 1, 2027, the Secretary of Defense shall fully transition sustainment responsibilities for the F–35 program from the Joint Program Office to the Air Force and the Navy as specified under subsection (a).

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 2022 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. INCREASE IN ALLOWABLE RATE OF BASIC PAY FOR CERTAIN EMPLOYEES OF DEFENSE ADVANCED RESEARCH PROJECTS AGENCY.

Subparagraph (A) of section 1599h(b)(2) of title 10, United States Code, is amended to read as follows:

''(A) in the case of employees appointed pursuant to paragraph (1)(B)—

''(i) to any of 5 positions designated by the Director of the Defense Advanced Research Projects Agency for purposes of this clause, at rates not in excess of a rate equal to 150 percent of the maximum rate of basic pay authorized for positions at Level I of the Executive Schedule under section 5312 of title 5; and

''(ii) to any other position designated by the Director for purposes of this clause, at rates not in excess of the maximum amount of total annual compensation payable at the salary set in accordance with section 104 of title 3; and''.

SEC. 212. ADDITIONAL MISSION AREAS FOR MECHANISMS FOR EXPEDITED ACCESS TO TECHNICAL TALENT AND EXPERTISE AT ACADEMIC INSTITUTIONS BY DEPARTMENT OF DEFENSE.

Section 217(e) of the National Defense Authorization Act for Fiscal Year 2018 (10 U.S.C. 2358 note) is amended—

(1) by redesignating paragraph (30) as paragraph (33); and

(2) by inserting after paragraph (29) the following new paragraphs (30), (31), and (32):

''(30) Research security and integrity.

''(31) Spectrum dominance.

''(32) Printed circuit boards.''.

SEC. 213. MODIFICATION OF OTHER TRANSACTION AUTHORITY FOR RESEARCH PROJECTS.

Section 2371 of title 10, United States Code, is amended—

(1) in subsection (e)—

(A) by striking paragraph (2);

(B) in paragraph (1), in the matter before subparagraph (A), by striking ''(1)''; and

(C) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively; and

(2) by amending subsection (h) to read as follows:

''(h) GUIDANCE.—The Secretary of Defense shall issue guidance to carry out this section.''.

SEC. 214. ARTIFICIAL INTELLIGENCE METRICS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall—

(1) review the potential applications of artificial intelligence and digital technology to Department of Defense platforms, processes, and operations; and

(2) establish performance objectives and accompanying metrics for the incorporation of artificial intelligence and digital readiness into such platforms, processes, and operations.

(b) PERFORMANCE OBJECTIVES AND ACCOMPANYING METRICS.—

(1) SKILL GAPS.—In carrying out subsection (a), the Secretary shall require each secretary of a military department and the head of each component of the Department shall—

(A)(i) conduct a comprehensive review of skill gaps in the fields of software development, software engineering, knowledge management, data science, and artificial intelligence;

(ii) assess the number and qualifications of civilian personnel needed for both management and specialist tracks in such fields;

(iii) assess the number of military personnel (officer and enlisted) needed for both management and specialist tracks in such fields; and

(B) establish recruiting, training, and talent management performance objectives and accompanying metrics for achieving and maintaining staffing levels needed to fill identified gaps and meet the needs of the Department for skilled personnel.

(2) AI MODERNIZATION ACTIVITIES.—In carrying out subsection (a), the Secretary shall—

(A) assess investment by the Department in artificial intelligence innovation, science and technology, and research and development;

(B) assess investment by the Department in test and evaluation of artificial intelligence capabilities; and

(C) establish performance objectives and accompanying metrics for artificial intelligence modernization activities of the Department.

(3) EXERCISES, WARGAMES, AND EXPERIMENTATION.—To assist the Secretary in carrying out subsection (a), the Chairman of the Joint Chiefs of Staff shall—

(A) assess the integration of artificial intelligence into war-games, exercises, and experimentation; and

(B) develop performance objectives and accompanying metrics for such integration.

(4) LOGISTICS AND SUSTAINMENT.—In carrying out subsection (a), the Secretary shall require the Under Secretary of Defense for Acquisition and Sustainment—

(A) to assess the application of artificial intelligence in logistics and sustainment systems; and

(B) to establish performance objectives and accompanying metrics for integration of artificial intelligence in the Department of Defense logistics and sustainment enterprise.

(5) BUSINESS AI APPLICATIONS.—In carrying out subsection (a), the Secretary of Defense shall—

(A) assess the integration of artificial intelligence for administrative functions that can be performed with robotic process automation and artificial intelligence-enabled analysis; and

(B) establish performance objectives and accompanying metrics for the integration of artificial intelligence in priority business process areas of the Department, including the following:

(i) Human resources.

(ii) Budget and finance, including audit.

(iii) Retail.

(iv) Real estate.

(v) Health care.

(vi) Logistics.

(vii) Such other business processes as the Secretary considers appropriate.

(c) REPORT TO CONGRESS.—Not later than 120 days after the completion of the review required by subsection (a)(1), the Secretary shall submit to the congressional defense committees a report on—

(1) the findings of the Secretary with respect to the review and any action taken or proposed to be taken by the Secretary to address such findings; and

(2) the performance objectives and accompanying metrics established under subsections (a)(2) and (b).

SEC. 215. MODIFICATION OF THE JOINT COMMON FOUNDATION PROGRAM.

(a) MODIFICATION OF JOINT COMMON FOUNDATION.—The Secretary of Defense shall modify the Joint Common Foundation program conducted by the Joint Artificial Intelligence Center to ensure that Department of Defense components can more easily contract with leading commercial artificial intelligence companies to support the rapid and efficient development and deployment of applications and capabilities.

(b) QUALIFYING COMMERCIAL COMPANIES.—The Secretary shall take such actions as may be necessary to increase the number of commercial artificial intelligence companies eligible to provide support to Department of Defense components, including with respect to requirements for cybersecurity protections and processes, to achieve automatic authority to operate and provide continuous delivery, security clearances, data portability, and interoperability.

(c) USE OF FAR PART 12.—The Secretary shall ensure that, to the maximum extent practicable, commercial artificial intelligence companies are able to offer platforms, services, applications, and tools to components through processes and procedures under part 12 of the Federal Acquisition Regulation.

(d) OBJECTIVES OF THE JOINT COMMON FOUNDATION PROGRAM.—The objectives of the Joint Common Foundation shall include the following:

(1) Relieving components of the need to design or develop or independently contract for the computing and data hosting platforms and associated services on and through which the component would apply its domain expertise to develop specific artificial intelligence applications.

(2) Providing expert guidance to components in selecting commercial platforms, tools, and services to support the development of component artificial intelligence applications.

(3) Ensuring that leading commercial artificial intelligence technologies and capabilities are easily and rapidly accessible to components through streamlined contracting processes.

(4) Assisting components in designing, developing, accessing, or acquiring commercial or non-commercial capabilities that may be needed to support the operational use of artificial intelligence applications.

(5) Enabling companies to develop software for artificial intelligence applications within secure software development environments that are controlled, sponsored, required, or specified by the Department of Defense, including PlatformOne of the Department of the Air Force

(e) BRIEFING.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall provide to the congressional defense committees a briefing on actions taken to carry out this section.

SEC. 216. EXECUTIVE EDUCATION ON EMERGING TECHNOLOGIES FOR SENIOR CIVILIAN AND MILITARY LEADERS.

(a) ESTABLISHMENT OF COURSE.—Not later than two years after the date of the enactment of this Act, the Secretary of Defense shall establish executive education activities on emerging technologies for appropriate general and flag officers and senior executive-level civilian leaders that are designed specifically to prepare new general and flag officers and senior executive-level civilian leaders on relevant technologies and how these technologies may be applied to military and business activities in the Department of Defense.

(b) PLAN FOR PARTICIPATION.—

(1) IN GENERAL.—The Secretary of Defense shall develop a plan for participation in executive education activities established under subsection (a).

(2) REQUIREMENTS.—As part of such plan, the Secretary shall ensure that, not later than five years after the date of the establishment of the activities under subsection (a), all appropriate general flag officers and senior executive-level civilian leaders are—

(A) required to complete the executive education activities under such subsection; and

(B) certified as having successfully completed the executive education activities.

(c) REPORT.—

(1) IN GENERAL.—Not later than the date that is three years after the date of the enactment of this Act, the Secretary of Defense 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 status of the implementation of the activities required by subsection (a).

(2) CONTENTS.—The report submitted under paragraph (1) shall include the following:

(A) A description of the new general and flag officers and senior executive-level civilian leaders for whom the education activities have been designated.

(B) A recommendation with respect to continuing or expanding the activities required under subsection (a).

SEC. 217. IMPROVEMENTS RELATING TO NATIONAL NETWORK FOR MICROELECTRONICS RESEARCH AND DEVELOPMENT.

Section 9903(b) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) is amended—

(1) in paragraph (1), in the matter before subparagraph (A), by striking ''may'' and inserting ''shall''; and

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

''(3) STRUCTURE.—(A) In carrying out paragraph (1), the Secretary shall, through a competitive process, select two or more entities to carry out the activities described in paragraph (2) as part of the network established under paragraph (1).

''(B) The Secretary shall, to the extent practicable, ensure that the entities selected under subparagraph (A) collectively represent the geographic diversity of the United States.''.

SEC. 218. ACTIVITIES TO ACCELERATE DOMESTIC QUANTUM COMPUTING CAPABILITIES.

(a) ACTIVITIES REQUIRED.—The Secretary of Defense shall establish a set of activities—

(1) to accelerate the development and deployment of a useful, large scale, dual-use quantum computing capability;

(2) to ensure that the Department of Defense is fully aware and has a technical understanding of the maturity and operational utility of new and emerging quantum computing technologies; and

(3) to ensure the Department of Defense consistently has access to the most advanced quantum computing capabilities available in the commercial sector to support research and modernization activities.

(b) ASSISTANCE PROGRAM.—

(1) PROGRAM REQUIRED.—In carrying out subsection (a) and subject to the availability of appropriations for this purpose, the Secretary shall, acting through the Director of the Defense Advanced Research Projects Agency and in consultation with such officials from government and private sector organizations as the Secretary considers appropriate, establish a program under which the Secretary may award assistance to one or more organizations to accelerate the development and deployment of a useful, dual-use quantum computing capability.

(2) FORM OF ASSISTANCE.—Assistance awarded under the program required by paragraph (1) may consist of a grant, a contract, a cooperative agreement, or such other form of assistance as the Secretary considers appropriate.

(3) AUTHORITIES AND ACQUISITION APPROACHES.—The Secretary may use the following authorities and acquisition approaches for the program required by paragraph (1):

(A) Section 2374a of title 10, United States Code, relating to prizes for advanced technology achievements.

(B) Section 2373 of such title, relating to procurement for experimental purposes.

(C) Sections 2371 and 2371b of such title, relating to transactions other than contracts and grants.

(D) Section 2358 of such title, relating to research and development projects.

(E) Section 879 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 2302 note), relating to defense pilot program for authority to acquire innovative commercial items, technologies, and services using general solicitation competitive procedures.

(F) Milestone payments based on technical achievements.

(G) Requirement for cost share from private sector participants in the program.

(H) Commercial procurements under part 12 of the Federal Acquisition Regulations.

(I) Such other authorities or approaches as the Secretary considers appropriate.

(4) POLICIES AND PROCEDURES.—The Secretary shall, in consultation with such experts from government and industry as the Secretary considers appropriate, establish policies and procedures to carry out the program required by paragraph (1).

(c) BRIEFING AND REPORT.—

(1) BRIEFING.—Not later than March 1, 2022, the Secretary shall provide to the congressional defense committees a briefing on the plan to carry out the activities required by subsection (a) and the program required by subsection (b).

(2) REPORT.—Not later than December 31, 2022, and not less frequently than once each year thereafter until December 31, 2026, the Secretary shall submit to the congressional

defense committees a report on the activities carried out under subsection (a) and the program carried out under subsection (b).

SEC. 219. PILOT PROGRAMS FOR PASSIVE TELECOMMUNICATIONS INFRASTRUCTURE TO FACILITATE INSTALLATION 5G DEPLOYMENT.

(a) PLANS.—

(1) IN GENERAL.—Not later than 180 days after enactment of this Act, each Secretary of a military department shall submit to the congressional defense committees a plan for a pilot program for the deployment of passive telecommunications infrastructure to facilitate the deployment of fifth-generation wireless telecommunications on military installations of the respective military department.

(2) PLAN ELEMENTS.—Each plan submitted under paragraph (1) by a Secretary of a military department shall include, with respect to such military department, the following:

(A) A list of military installations at which the pilot program will be carried out, including at least one military installation of the department.

(B) A description of authorities that will be used to execute the pilot program.

(C) A timeline for the implementation and duration of the pilot program.

(D) The number of telecommunication carriers that intend to use the passive telecommunications infrastructure to provide services at each of the military installations listed under subparagraph (A).

(E) An assessment of need for centralized processes and points of contacts to facilitate passive telecommunications infrastructure or similar telecommunications infrastructure.

(b) PILOT PROGRAMS REQUIRED.—Not later than one year after the date of the enactment of this Act, each Secretary of a military department shall establish a pilot program in accordance with the plan submitted by the Secretary under subsection (a)(1).

(c) REPORTS.—

(1) IN GENERAL.—Not later than 180 days after the date on which a Secretary of a military department commences a pilot program under subsection (b) and not less frequently than once every 180 days thereafter until the completion of the pilot program, the Secretary of the military department shall submit to the congressional defense committees a report on the pilot program.

(2) CONTENTS.—Each report submitted under paragraph (1) for a pilot program shall include the following:

(A) A description of the status of the pilot program at each location at which the pilot program is carried out.

(B) A description of the use of and services provided by telecommunications carriers of the passive telecommunications infrastructure at each military installation under the pilot program.

(C) Such additional information as the Secretary of the military department considers appropriate.

(d) PASSIVE TELECOMMUNICATIONS INFRASTRUCTURE DEFINED.—In this section, the term ''passive telecommunications infrastructure'' means the passive components that enable services of commercial telecommunication carriers and Department of Defense private networks, including macro tower, small cell poles, distributed antenna systems, dark fiber, and assured power solutions.

SEC. 220. NATIONAL GUARD PARTICIPATION IN MICROREACTOR TESTING AND EVALUATION.

The Secretary of Defense may, in coordination with the Director of the Strategic Capabilities Office and the Chief of the National Guard Bureau, assemble a collection of four National Guard units to participate in the testing and evaluation of a micro nuclear reactor program.

SEC. 221. LIMITATION ON TRANSFER OF CERTAIN OPERATIONAL FLIGHT TEST EVENTS AND REDUCTION IN OPERATIONAL FLIGHT TEST CAPACITY.

The Secretary of the Navy may not transfer any operational flight test event to be completed by a nontest designated unit and may not reduce any operational flight test capacity until such time as the Director of Operational Test and Evaluation has, in consultation with the Secretary of the Navy, certified that the use of nontest designated units to conduct flight tests will not have any appreciable effect on program cost, program schedule, or the efficacy of test completion.

SEC. 222. LIMITATION ON AVAILABILITY OF FUNDS FOR THE HIGH ACCURACY DETECTION AND EXPLOITATION SYSTEM.

Of the funds authorized to be appropriated by this Act for fiscal year 2022 for Research, Development, Test and Evaluation, Army, for the High Accuracy Detection and Exploitation System, not more than 50 percent may be obligated until the Vice Chairman of the Joint Chiefs of Staff certifies that—

(1) the High Accuracy Detection and Exploitation System is a critical component of Project Convergence of the Army and is consistent with the Joint All Domain Command and Control strategy of the Department of Defense; and

(2) in a conflict, it will be able to operate at standoff distances for survivability against enemy air defenses, while providing signals intelligence, electronic intelligence, communications intelligence, or synthetic aperture radar or moving target indicator information to the ground component commander, consistent with planned operational concepts.

Subtitle C—Codification and Technical Corrections

SEC. 231. CODIFICATION OF DIRECT HIRE AUTHORITY AT PERSONNEL DEMONSTRATION LABORATORIES FOR ADVANCED DEGREE HOLDERS.

(a) IN GENERAL.—Section 2358a of title 10, United States Code, is amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following new subsection (f):

''(f) DIRECT HIRE AUTHORITY AT PERSONNEL DEMONSTRATION LABORATORIES FOR ADVANCED DEGREE HOLDERS.—

''(1) AUTHORITY.—The Secretary of Defense may appoint qualified candidates possessing an advanced degree to positions described in paragraph (2) without regard to the provisions of subchapter I of chapter 33 of title 5, other than sections 3303 and 3328 of such title.

''(2) APPLICABILITY.—This subsection applies with respect to candidates for scientific and engineering positions within any laboratory designated by section 1105(a) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2486; 10 U.S.C. 2358 note) as a Department of Defense science and technology reinvention laboratory.

''(3) LIMITATION.—(A) Authority under this subsection may not, in any calendar year and with respect to any laboratory, be exercised with respect to a number of candidates greater than the number equal to 5 percent of the total number of scientific and engineering positions within such laboratory that are filled as of the close of the fiscal year last ending before the start of such calendar year.

''(B) For purposes of this paragraph, positions and candidates shall be counted on a full-time equivalent basis.''.

(b) REPEAL.—Section 1108 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417) is hereby repealed.

(c) CONFORMING AMENDMENTS.—(1) Section 255(b)(5)(B) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 2223a note) is amended by striking ''in section 2358a(f)(3) of'' and inserting ''in section 2358a(g) of''.

(2) Section 223(d)(3)(C) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 2358 note) is amended by striking ''in section 2358a(f) of'' and inserting ''in section 2358a(g) of''.

SEC. 232. CODIFICATION OF AUTHORITIES RELATING TO DEPARTMENT OF DEFENSE SCIENCE AND TECHNOLOGY REINVENTION LABORATORIES.

(a) IN GENERAL.—Subchapter II of chapter 305 of title 10, United States Code, as added by section 1843 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283), is amended by inserting before section 4111 the following new section:

''§ 4110. Science and technology reinvention laboratories: authority and designation

''(a) IN GENERAL.—(1) The Secretary of Defense may carry out personnel demonstration projects at Department of Defense laboratories designated by the Secretary as Department of Defense science and technology reinvention laboratories.

''(2)(A) Each personnel demonstration project carried out under the authority of paragraph (1) shall be generally similar in nature to the China Lake demonstration project.

''(B) For purposes of subparagraph (A), the China Lake demonstration project is the demonstration project that is authorized by section 6 of the Civil Service Miscellaneous Amendments Act of 1983 (Public Law 98–224) to be continued at the Naval Weapons Center, China Lake, California, and at the Naval Ocean Systems Center, San Diego, California.

''(3) If the Secretary carries out a demonstration project at a laboratory pursuant to paragraph (1), section 4703 of title 5 shall apply to the demonstration project, except that—

''(A) subsection (d) of such section 4703 shall not apply to the demonstration project;

''(B) the authority of the Secretary to carry out the demonstration project is that which is provided in paragraph (1) rather than the authority which is provided in such section 4703; and

''(C) the Secretary shall exercise the authorities granted to the Office of Personnel Management under such section 4703 through the Under Secretary of Defense for Research and Engineering (who shall place an emphasis in the exercise of such authorities on enhancing efficient operations of the laboratory and who may, in exercising such authorities, request administrative support from science and technology reinvention laboratories to review, research, and adjudicate personnel demonstration project proposals).

''(4) The employees of a laboratory covered by a personnel demonstration project carried out under this section shall be exempt from, and may not be counted for the purposes of, any constraint or limitation in a statute or regulation in terms of supervisory ratios or maximum number of employees in any specific category or categories of employment that may otherwise be applicable to the employees. The employees shall be managed by the director of the laboratory subject to the supervision of the Under Secretary of Defense for Research and Engineering.

''(5) The limitations in section 5373 of title 5 do not apply to the authority of the Secretary under this subsection to prescribe salary schedules and other related benefits.

''(b) DESIGNATION OF LABORATORIES.—Each of the following is hereby designated as a Department of Defense science and technology reinvention laboratory as described in subsection (a):

''(1) The Air Force Research Laboratory.

''(2) The Joint Warfare Analysis Center.

''(3) The Army Research Institute for the Behavioral and Social Sciences.

''(4) The Combat Capabilities Development Command Armaments Center.

''(5) The Combat Capabilities Development Command Army Research Laboratory.

''(6) The Combat Capabilities Development Command Aviation and Missile Center.

''(7) The Combat Capabilities Development Command Chemical Biological Center.

''(8) The Combat Capabilities Development Command Command, Control, Communications, Computers, Cyber, Intelligence, Surveillance, and Reconnaissance Center.

''(9) The Combat Capabilities Development Command Ground Vehicle Systems Center.

''(10) The Combat Capabilities Development Command Soldier Center.

''(11) The Engineer Research and Development Center.

''(12) The Medical Research and Development Command.

''(13) The Technical Center, US Army Space and Missile Defense Command.

''(14) The Naval Air Systems Command Warfare Centers.

''(15) The Naval Facilities Engineering Command Engineering and Expeditionary Warfare Center.

''(16) The Naval Information Warfare Centers, Atlantic and Pacific.

''(17) The Naval Medical Research Center.

''(18) The Naval Research Laboratory.

''(19) The Naval Sea Systems Command Warfare Centers.

''(20) The Office of Naval Research.

''(c) CONVERSION PROCEDURES.—The Secretary of Defense shall implement procedures to convert the civilian personnel of each Department of Defense science and technology reinvention laboratory, as so designated by subsection (b), to the personnel system under an appropriate demonstration project (as referred to in subsection (a)). Any conversion under this subsection—

''(1) shall not adversely affect any employee with respect to pay or any other term or condition of employment;

''(2) shall be consistent with section 4703(f) of title 5;

''(3) shall be completed within 18 months after designation; and

''(4) shall not apply to prevailing rate employees (as defined by section 5342(a)(2) of title 5) or senior executives (as defined by section 3132(a)(3) of such title).

''(d) LIMITATION.—The science and technology reinvention laboratories, as so designated by subsection (a), may not implement any personnel system, other than a personnel system under an appropriate demonstration project (as referred to subsection (a)), without prior congressional authorization.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 305 of such title, as added by section 1843 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283), is amended by inserting before the item relating to section 4111 the following new item:

''4110. Science and technology reinvention laboratories: authority and designation.''.

(c) CONFORMING REPEALS.—(1) Section 1105 of the National Defense Authorization Act For Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2358 note) is hereby repealed.

(2) Section 342(b) of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 10 U.S.C. 2358 note) is hereby repealed.

(d) CONFORMING AMENDMENTS.—(1) Section 1601(f) of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 10 U.S.C. 2358 note) is amended by striking ''section 342 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 108 Stat. 2721)'' and inserting ''section 4110(a) of title 10, United States Code''.

(2) Section 1107 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 2358 note) is amended—

(A) by amending subsection (a) to read as follows:

''(e) REQUIREMENT.—The Secretary of Defense shall take all necessary actions to fully implement and use the authorities provided to the Secretary under subsection (a) of section 4110 of title 10, United States Code, to carry out personnel management demonstration projects at Department of Defense laboratories designated by subsection (b) of such section as Department of Defense science and technology reinvention laboratories.'';

(B) in subsection (c), by striking ''designated by section 1105(a) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2486)'' and inserting ''designated by section 4110(b) of title 10, United States Code''; and

(C) in subsection (e)(3), by striking ''section 342(b) of the National Defense Authorization Act for Fiscal Year 1995 (as cited in subsection (a))'' and inserting ''section 4110(a) of title 10, United States Code''.

(3) Section 1109(c) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 2358 note) is amended by striking ''specified in section 1105(a) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2486; 10 U.S.C. 2358 note)'' and inserting ''designated under section 4110(b) of title 10, United States Code''.

(4) Section 2803(a)(1) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 2358 note) is amended by striking ''(as designated by section 1105(a) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2358 note)'' and inserting ''(as designated under section 4110(b) of title 10, United States Code)''.

(5) Section 1108(b) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 10 U.S.C. 1580 note prec.) is amended by striking ''section 1105(a) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2486; 10 U.S.C. 2358 note)'' and inserting ''section 4110(b) of title 10, United States Code''.

(6) Section 211(g) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 2358 note) is amended by striking ''under section 1105 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2358 note), as amended'' and inserting ''under section 4110(b) of title 10, United States Code''.

(7) Section 233(a)(2)(A) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 2358 note) is amended by striking ''as specified in section 1105(a) of the National Defense Authorization Act for Fiscal Year 2010 (10 U.S.C. 2358 note)'' and inserting ''as designated under section 4110(b) of title 10, United States Code''.

(8) Section 223(d)(3)(B) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 2358 note) is amended by striking ''under section 1105 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2358 note)'' and inserting ''under section 4110(b) of title 10, United States Code''.

(9) Section 252(e)(1) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 2358 note) is amended by striking ''under section 1105 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2358 note)'' and inserting ''under section 4110(b) of title 10, United States Code''.

(10) Section 255(b)(5)(A) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 223a note) is amended by striking ''(as designated under section 1105 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2358 note))'' and inserting ''(as designated under section 4110(b) of title 10, United States Code)''.

(11) Section 249 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) is amended—

(A) in subsection (e)(1)—

(i) in subparagraph (A), by striking ''under section 2358a of title 10, United States Code'' and inserting ''under section 4110(b) of title 10, United States Code'';

(ii) by striking subparagraph (B); and

(iii) by redesignating subparagraph (C) as subparagraph (B); and

(B) in subsection (g)(1)(B) by striking ''under section 1105 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2358 note)'' and inserting ''under section 4111 of title 10, United States Code''.

(12) Section 2368(h)(3) of title 10, United States Code, as redesignated by section 1844(b)(1) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283), is amended by striking ''designated under section 1105 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2358 note)'' and inserting ''designated under section 4110(b) of this title''.

(13) Section 4111 of title 10, United States Code, as redesignated by section 1843(b)(2) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283), is amended—

(A) in subsection (b), by striking ''designated by section 1105(a) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2358 note)'' both places it appears and inserting ''designated by section 4110(b) of this title''; and

(B) in subsection (d)(2), by striking ''pursuant to section 342(b) of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 10 U.S.C. 2358 note)'' both places it appears and inserting ''pursuant to section 4110(a) of this title''.

(14) Section 4112(f) of title 10, United States Code, as redesignated by section 1843(b)(2) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283), as amended by subsection (e)(1) of this section, is amended by striking ''by section 1105(a) of the National Defense Authorization Act for Fiscal Year 2010 (10 U.S.C. 2358 note)'' and inserting ''by section 4110(b) of this title''.

(e) TECHNICAL CORRECTIONS.—(1) Section 1843(b)(2) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) is amended—

(A) by inserting '', 2358c,'' after ''Sections 2358a''; and

(B) by striking ''and 4112'' and inserting '', 4112, and 4113'', respectively.

(2) The table of sections at the beginning of chapter 305 of title 10, United States Code, as added by section 1843(a) of such Act, is amended by striking the item relating to section 4112 and inserting the following new items:

''4112. Enhanced pay authority for certain research and technology positions in science and technology reinvention laboratories.

''4113. Research and development laboratories: contracts for services of university students.''.

(f) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), this section and the amendments made by this section shall take effect immediately after title XVIII of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) and the amendments made by such title take effect pursuant to section 1801(d)(1) of such Act.

(2) EFFECTIVE DATE OF CERTAIN TECHNICAL CORRECTION.—Subsection (e)(1) shall take effect on the date of the enactment of this Act.

SEC. 233. CODIFICATION OF REQUIREMENT FOR DEFENSE ESTABLISHED PROGRAM TO STIMULATE COMPETITIVE RESEARCH.

(a) IN GENERAL.—Chapter 301 of title 10, United States Code, as added by section 1841 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283), is amended by inserting after section 4009 the following new section:

''§ 4011. Defense Established Program to Stimulate Competitive Research

''(a) PROGRAM REQUIRED.—The Secretary of Defense, acting through the Under Secretary of Defense for Research and Engineering, shall carry out a Defense Established Program to Stimulate Competitive Research (DEPSCoR) as part of the university research programs of the Department of Defense.

''(b) PROGRAM OBJECTIVES.—The objectives of the program are as follows:

''(1) To increase the number of university researchers in eligible States capable of performing science and engineering research responsive to the needs of the Department of Defense.

''(2) To enhance the capabilities of institutions of higher education in eligible States to develop, plan, and execute science and engineering research that is relevant to the mission of the Department of Defense and competitive under the peer-review systems used for awarding Federal research assistance.

''(3) To increase the probability of long-term growth in the competitively awarded financial assistance that institutions of higher education in eligible States receive from the Federal Government for science and engineering research.

''(c) PROGRAM ACTIVITIES.—In order to achieve the program objectives, the following activities are authorized under the program:

''(1) Competitive award of grants for research and instrumentation to support such research.

''(2) Competitive award of financial assistance for graduate students.

''(3) To provide assistance to science and engineering researchers at institutions of higher education in eligible States through collaboration between Department of Defense laboratories and such researchers.

''(4) Any other activities that are determined necessary to further the achievement of the objectives of the program.

''(d) ELIGIBLE STATES.—(1) The Under Secretary of Defense for Research and Engineering shall designate which States are eligible States for the purposes of this section.

''(2) The Under Secretary shall designate a State as an eligible State if, as determined by the Under Secretary—

''(A) the average annual amount of all Department of Defense obligations for science and engineering research and development that were in effect with institutions of higher education in the State for the three fiscal years preceding the fiscal year for which the designation is effective or for the last three fiscal years for which statistics are available is less than the amount determined by multiplying 60 percent times the amount equal to 1/50 of the total average annual amount of all Department of Defense obligations for science and engineering research and development that were in effect with institutions of higher education in the United States for such three preceding or last fiscal years, as the case may be; and

''(B) the State has demonstrated a commitment to developing research bases in the State and to improving science and engineering research and education programs in areas relevant to the mission of the Department of Defense at institutions of higher education in the State.

''(3) The Under Secretary shall not remove a designation of a State under paragraph (2) because the State exceeds the funding levels specified under subparagraph (A) of such paragraph unless the State has exceeded such funding levels for at least two consecutive years.

''(e) COORDINATION WITH SIMILAR FEDERAL PROGRAMS.—(1) The Secretary may consult with the Director of the National Science Foundation and the Director of the Office of Science and Technology Policy in the planning, development, and execution of the program and may coordinate the program with the Established Program to Stimulate Competitive Research conducted by the National Science Foundation and with similar programs sponsored by other departments and agencies of the Federal Government.

''(2) All solicitations under the Defense Established Program to Stimulate Competitive Research may be made to, and all awards may be made through, the State committees established for purposes of the Established Program to Stimulate Competitive Research conducted by the National Science Foundation.

''(3) A State committee referred to in paragraph (2) shall ensure that activities carried out in the State of that committee under the Defense Established Program to Stimulate Competitive Research are relevant to the mission of the Department of Defense and coordinated with the activities carried out in the State under other similar initiatives of the Federal Government to stimulate competitive research.

''(f) STATE DEFINED.—In this section, the term 'State' means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, and the Commonwealth of the Northern Mariana Islands.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 301 of such title, as added by section 1841 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283), is amended by inserting after the item relating to section 4009 the following new item:

''4011. Defense Established Program to Stimulate Competitive Research.''.

(c) CONFORMING REPEALS.—(1) Section 307 of title I of the 1997 Emergency Supplemental Appropriations Act for Recovery from Natural Disasters, and for Overseas Peacekeeping Efforts, Including Those in Bosnia (Public Law 105–18; 10 U.S.C. 2358 note)

(2) Section 257 of title II of division A of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 10 U.S.C. 2358 note)

(d) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect immediately after title XVIII of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) and the amendments made by such title take effect pursuant to section 1801(d)(1) of such Act.

SEC. 234. TECHNICAL CORRECTION TO PILOT PROGRAM FOR ENHANCEMENT OF RESEARCH, DEVELOPMENT, TEST, AND EVALUATION CENTERS OF DEPARTMENT OF DEFENSE.

Section 233(c)(2)(B) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 2358 note) is amended by striking ''Chief Management Officer'' and inserting ''Deputy Secretary of Defense or a designee of the Deputy Secretary''.

Subtitle D—Plans, Reports, and Other Matters

SEC. 241. STUDY ON EFFICIENT USE OF DEPARTMENT OF DEFENSE TEST AND EVALUATION ORGANIZATIONS, FACILITIES, AND LABORATORIES.

(a) STUDY REQUIRED.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall direct the Defense Science Board to carry out a study on the resources and capabilities of the Department of Defense test and evaluation (T&E) organizations, facilities, and laboratories.

(2) PARTICIPATION.—Participants in the study shall include the following:

(A) Such members of the Board as the Chairman of the Board considers appropriate for the study.

(B) Such additional temporary members or contracted support as the Secretary—

(i) selects from those recommended by the Chairman for purposes of the study; and

(ii) considers to have significant technical, policy, or military expertise relevant to defense test and evaluation missions.

(3) ELEMENTS.—The study conducted pursuant to paragraph (1) shall include the following:

(A) Assessment of the effectiveness of current developmental testing (DT), operational testing (OT), and integrated testing (IT) within the Department of Defense in meeting statutory objectives and the test and evaluation requirements of the Adaptive Acquisition Framework.

(B) Identification of industry and government best practices for conducting developmental testing, operational testing, and integrated testing.

(C) Potential applicability of industry and government best practices for conducting developmental testing, operational testing, and integrated testing within the Department to improve test and evaluation outcomes.

(D) Identification of duplication of efforts and other non- or low-value added activities that reduce speed and effectiveness of test and evaluation activities.

(E) Assessment of test and evaluation oversight organizations within the Office of the Secretary of Defense, including their authorities, responsibilities, activities, resources, and effectiveness, including with respect to acquisition programs of the military services and Defense Agencies.

(F) Development and assessment of potential courses of action to improve the effectiveness of oversight of developmental testing, operational testing, and integrated testing activities, and test and evaluation resources within the Office of the Secretary of Defense, including as one such course of action establishing a single integrated office with such responsibilities.

(G) Development of such recommendations as the Board may have for legislative

changes, authorities, organizational realignments, and administrative actions to improve test and evaluation oversight and capabilities, and facilitate better test and evaluation outcomes.

(H) Such other matters as the Secretary considers appropriate.

(4) ACCESS TO INFORMATION.—The Secretary shall provide the Board with timely access to appropriate information, data, resources, and analysis so that the Board may conduct a thorough and independent analysis as required under this subsection.

(5) REPORT.—(A) Not later than one year after the date on which the Secretary directs the Board to conduct the study pursuant to paragraph (1), or December 1, 2022, whichever occurs earlier, the Board shall transmit to the Secretary a final report on the study.

(B) Not later than 30 days after the date on which the Secretary receives the final report under subparagraph (A), or December 31, 2022, whichever occurs earlier, the Secretary shall submit to the congressional defense committees such report and such comments as the Secretary considers appropriate.

(b) BRIEFING REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall provide the congressional defense committees a briefing on the schedule and plan to execute activities under this section.

SEC. 242. ANALYSIS OF POTENTIAL MODIFICATIONS TO DEPARTMENT OF DEFENSE UNMANNED AERIAL SYSTEMS CATEGORIZATION.

(a) ANALYSIS REQUIRED.—The Under Secretary of Defense for Acquisition and Sustainment shall conduct an analysis to determine whether modifications should be made in the Department of Defense grouping of unmanned aerial systems (UAS) into five broad categories.

(b) CONSIDERATIONS.—In assessing under subsection (a) whether to make modifications to any of the five existing unmanned aerial systems groups, or expand the number of groups, the Under Secretary shall consider—

(1) constraints the current categorization places on the ability to achieve future capability to support current and emerging warfighting concepts;

(2) barriers arising from differences between the current categorization and the systems and technologies available in the commercial marketplace; and

(3) effects of different category definitions on schedules for fielding of new unmanned aerial systems technologies.

(c) CONSULTATION.—In carrying out subsection (a), the Under Secretary shall consult with—

(1) the Secretaries of the military departments;

(2) the Chairman of the Joint Chiefs of Staff; and

(3) the Secretary of State.

(d) REPORT.—Not later than March 1, 2022, the Under Secretary shall submit to the congressional defense committees a report detailing the costs and benefits of potential modifications to the existing unmanned aerial systems categorization analyzed pursuant to subsection (a), and a notional schedule for implementation modifications the Under Secretary would recommend based on the findings of the Under Secretary with respect to such analysis.

SEC. 243. DIGITAL DEVELOPMENT INFRASTRUCTURE PLAN AND WORKING GROUP.

(a) PLAN REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall, acting through the working group established under subsection (c)(1), develop a plan for the creation of a modern digital development infrastructure that supports state of the art tools and modern processes to enable development, testing, fielding, and continuous update of artificial intelligence-powered applications at speed and scale from headquarters to the tactical edge.

(b) CONTENTS OF PLAN.—At a minimum, the plan required by subsection (a) shall include the following:

(1) An open architecture, an evolving reference design, and guidance for necessary technical investments in the digital development infrastructure described in subsection (a) that address issues, including issues relating to common interfaces, authentication, applications, platforms, software, hardware, and data infrastructure.

(2) A governance structure, together with associated policies and guidance, to drive the implementation of the reference design required by paragraph (1) throughout the Department on a federated basis.

(3) Identification and minimum viable instantiations of prototypical development and platform environments with the digital development infrastructure, including enterprise data sets assembled under subsection (d).

(c) WORKING GROUP.—

(1) ESTABLISHMENT.—Not later than 60 days after the date of the enactment of this Act, the Secretary shall establish a working group on digital development infrastructure implementation to accelerate efforts aligned with the plan required by subsection (a).

(2) MEMBERSHIP.—The working group established under paragraph (1) shall be composed of individuals selected by the Secretary to represent each of the following:

(A) The Office of Chief Data Officer (CDO).

(B) The Component Offices of Chief Information Officer and Chief Digital Officer.

(C) The Joint Artificial Intelligence Center (JAIC).

(D) The Office of the Under Secretary of Defense for Research & Engineering (OUSD (R&E)).

(E) The Office of the Under Secretary of Defense for Acquisition & Sustainment (OUSD (A&S)).

(F) The Office of the Under Secretary of Defense for Intelligence & Security (OUSD (I&S)).

(G) Service Acquisition Executives.

(H) The Office of the Director of Operational Test and Evaluation (DOT&E).

(I) The office of the Director of the Defense Advanced Research Projects Agency (DARPA).

(J) Digital development infrastructure programs, including the appropriate activities of the military services and defense agencies.

(K) Such other officials of the Department of Defense as the Chief Information Officer of the Department of Defense determines appropriate.

(3) CHAIRPERSON.—The chairperson of the working group established under paragraph (1) shall be the Chief Information Officer of the Department, or such other official as the Secretary of Defense considers appropriate.

(4) CONSULTATION.—The working group shall consult with such experts outside of the Department as the working group considers necessary.

(5) RESPONSIBILITIES.—The working group established under paragraph (1) shall be develop the plan required by subsection (a).

(d) STRATEGIC DATA NODE.—

(1) IN GENERAL.—In addition to other duties pursuant to his or her role in the working group outlined in paragraph (c), the Secretary of Defense shall assemble enterprise data sets in the following areas:

(A) Human resources.

(B) Budget and finance.

(C) Acquisition.

(D) Logistics.

(E) Real estate.

(F) Health care.

(G) Such other areas as the Secretary considers appropriate.

(2) REQUIREMENT.—The Secretary shall assemble the enterprise data sets required by paragraph (1) as a linked, cloud-based data repository adherent to data service interfaces defined in the open architecture required under subsection (b)(1).

(3) SUPPORT.—In carrying out this subsection, the Secretary shall support the use of artificial intelligence-enabled applications for social science analysis, business analytics, and senior leader decision support.

(e) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on—

(1) the status of the plan required by subsection (a); and

(2) the progress in carrying out subsection (d).

(f) DEFINITIONS.—In this section:

(1) The term ''digital development infrastructure'' means a federated, enterprise technology infrastructure that enables the following:

(A) Access to commercial cloud technologies and services for scalable computing.

(B) Sharing of data, software, and capabilities through well-documented and hardened application programming interfaces with proper access controls.

(C) Giving all Department of Defense developers, scientists, and other appropriate personnel access and resources they need to drive new digital capabilities.

(2) The term ''digital development infrastructure programs'' means the collection of managed services for platforms, cloud infrastructure, and software development that have developed across the Department.

SEC. 244. OPTIONALLY MANNED FIGHTING VEHICLE REQUIREMENTS ANALYSIS.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—The Secretary of the Army shall submit to the congressional defense committees a report of analysis supporting the determination of requirements or characteristics for the Optionally Manned Fighting Vehicle (OMFV) refined through the concept designs and detailed designs phases of the acquisition strategy.

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

(A) A detailed description of the Optionally Manned Fighting Vehicle requirements or characteristics to be utilized for the physical prototyping phase of the program.

(B) A description of the analysis conducted to finalize the requirements or characteristics to be utilized for physical prototyping of the Optionally Manned Fighting Vehicle.

(C) A description of Optionally Manned Fighting Vehicle-equipped organizational designs analyzed through the concept design or detailed design phases.

(D) A detailed description of the analysis conducted, trade-offs considered, and conclusions drawn with respect to the organizational design, survivability, mobility, payload, and combat effectiveness in execution of the critical operational tasks required of fighting-vehicle-equipped infantry within an armor brigade combat teams.

(E) A comparison of the combat effectiveness and survivability of Optionally Manned Fighting Vehicle-equipped and Bradley Fighting Vehicle-equipped formations.

(b) BRIEFING REQUIRED.—The Secretary of the Army shall provide a briefing to the congressional defense committees on the elements of the report required under subsection (a) 30 days prior to its submission to the congressional defense committees.

(c) LIMITATION.—The Secretary of the Army shall not enter into contract for the

development of physical prototypes of the Optionally Manned Fighting Vehicle or otherwise named next-generation infantry fighting vehicle until 30 days after the Secretary submits to the congressional defense committees the report required under subsection (a).

SEC. 245. MAKING PERMANENT REQUIREMENT FOR ANNUAL REPORT BY DIRECTOR OF OPERATIONAL TEST AND EVALUATION.

Section 139(h)(2) of title 10, United States Code, is amended by striking '', through January 31, 2026''.

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 2022 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4301.

Subtitle B—Energy and Environment

SEC. 311. EXPANSION OF PURPOSES OF SENTINEL LANDSCAPES PARTNERSHIP PROGRAM TO INCLUDE RESILIENCE.

(a) IN GENERAL.—Section 317 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C. 2684a note) is amended—

(1) in subsection (a), in the first sentence, by inserting ''and restore'' after ''to preserve'';

(2) in subsection (c)—

(A) by striking ''The Secretaries'' and inserting the following:

''(1) IN GENERAL.—The Secretaries'';

(B) in paragraph (1), as designated by subparagraph (A)—

(i) by inserting ''resilience,'' after ''benefit of conservation,''; and

(ii) by inserting '', resilience,'' after ''land management''; and

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

''(2) INCLUSION OF INFORMATION IN REPORT.—The Secretary of Defense shall include information concerning the activities undertaken pursuant to the Sentinel Landscapes Partnership in the annual report to Congress submitted under section 2684a(g) of title 10, United States Code.'';

(3) in subsection (d), in the second sentence, by inserting ''by an eligible landowner or agricultural producer'' after ''Participation'';

(4) by redesignating subsection (e) as subsection (f);

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

''(e) PARTICIPATION BY OTHER AGENCIES.—Other Federal agencies with programs addressing conservation or resilience may, and are encouraged to—

''(1) participate in the activities of the Sentinel Landscape Partnership; and

''(2) become full partners in the Sentinel Landscape Partnership.''; and

(6) in subsection (f), as redesignated by paragraph (4), by adding at the end the following new paragraph:

''(4) RESILIENCE.—The term 'resilience' means the capability to avoid, prepare for, minimize the effect of, adapt to, and recover from extreme weather events, flooding, wildfire, or other anticipated or unanticipated changes in environmental conditions.''.

(b) CONSERVATION AND CULTURAL ACTIVITIES.—Section 2694 of title 10, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (A), by inserting ''or involves a sentinel landscape'' before the semicolon; and

(ii) in subparagraph (B), by inserting ''or that would contribute to maintaining or improving military installation resilience'' before the semicolon; and

(B) in paragraph (2)—

(i) in subparagraph (A), by inserting ''or nature-based climate resilience plans'' before the semicolon; and

(ii) in subparagraph (F)—

(I) in clause (i)—

(aa) by striking ''single ecosystem that encompasses'' and inserting ''single ecosystem—

''(I) that encompasses'';

(bb) by redesignating clause (ii) as subclause (II) and moving such subclause, as so redesignated, two ems to the right; and

(cc) in subclause (II), as redesignated by item (bb), by striking the period at the end and inserting ''; or''; and

(II) by adding at the end the following new clause (ii):

''(ii) for one or more ecosystems within a sentinel landscape.''; and

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

''(e) SENTINEL LANDSCAPE DEFINED.—In this section, the term 'sentinel landscape' has the meaning given that term in section 317(e) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C. 2684a note).''.

SEC. 312. MAINTENANCE OF CURRENT ANALYTICAL TOOLS IN EVALUATING ENERGY RESILIENCE MEASURES.

(a) IN GENERAL.—Section 2911 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(i) ASSESSMENT OF LIFE-CYCLE COSTS AND PERFORMANCE OF POTENTIAL ENERGY RESILIENCE PROJECTS.—(1) Subject to the availability of appropriations, the Secretary of Defense shall develop and institute a process to ensure that the Department of Defense, when evaluating energy resilience measures, uses analytical tools that are accurate and effective in projecting the costs and performance of such measures.

''(2) Analytical tools used under paragraph (1) shall be—

''(A) designed to—

''(i) provide an accurate projection of the costs and performance of the energy resilience measure being analyzed;

''(ii) be used without specialized training; and

''(iii) produce resulting data that is understandable and usable by the typical source selection official;

''(B) consistent with standards and analytical tools commonly applied by the Department of Energy and by commercial industry;

''(C) adaptable to accommodate a rapidly changing technological environment;

''(D) peer reviewed for quality and precision and measured against the highest level of development for such tools; and

''(E) periodically reviewed and updated, but not less frequently than once every three years.''.

(b) REPORTING REQUIREMENT.—If amounts are appropriated to carry out the requirements under subsection (i) of section 2911 of title 10, United States Code, as added by subsection (a), not later than September 30, 2022, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the execution by the Secretary of such requirements.

SEC. 313. MILITARY AVIATION AND INSTALLATION ASSURANCE CLEARINGHOUSE MATTERS.

(a) STRATEGY TO TEST AND INTEGRATE WIND TURBINE INTERFERENCE MITIGATION STRATEGIES.—The Secretary of Defense and the Secretary of the Air Force, in coordination with the Commander of United States Northern Command and the Commander of North American Aerospace Defense Command, shall develop a strategy to test and integrate wind turbine interference mitigation technologies into radars and the air surveillance command and control architecture of the Department of Defense.

(b) MODIFICATION OF CLEARINGHOUSE REQUIREMENTS.—Section 183a(c) of title 10, United States Code, is amended—

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

''(C) A notice of presumed risk issued under subparagraph (A) is a preliminary assessment only and does not represent a formal objection pursuant to subsection (e). Discussions of possible mitigation actions under such subparagraph could favorably resolve any concerns identified in the notice of presumed risk.''; and

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

''(8) If, in reviewing an application for an energy project pursuant to paragraph (1), the Clearinghouse finds no obstruction, interference, or adverse impact under section 44718(b)(1) of title 49, the Clearinghouse shall communicate to the Secretary of Transportation in writing, not later than five business days after making such finding, the following: 'No Part 77 concerns, national security review ongoing.'.''.

SEC. 314. EXEMPTION FROM PROHIBITION ON USE OF OPEN-AIR BURN PITS IN CONTINGENCY OPERATIONS OUTSIDE THE UNITED STATES.

Section 317(a) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2701 note) is amended by adding at the end the following new paragraph:

''(3) EXEMPTION.—

''(A) IN GENERAL.—The Secretary of Defense may exempt a location from the prohibition under paragraph (1) if the Secretary determines it is in the paramount interest of the United States to do so.

''(B) NONDELEGATION.—The Secretary may not delegate the authority under subparagraph (A).''.

SEC. 315. DEMONSTRATION PROGRAM ON DOMESTIC PRODUCTION OF RARE EARTH ELEMENTS FROM COAL BYPRODUCTS.

(a) DEMONSTRATION PROGRAM REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall commence carrying out a demonstration program on recovering rare earth elements and critical minerals from acid mine drainage and other coal byproducts.

(b) PARTNERSHIP.—The Secretary shall carry out the demonstration program required by subsection (b) by entering into a partnership with one or more institutions of higher education that can demonstrate techniques for recovering rare earth elements and critical minerals from acid mine drainage and other coal byproducts, as the Secretary considers applicable.

(c) ELEMENTS.—The demonstration program required by subsection (a) shall address the following:

(1) The efficacy of separating rare earth elements and critical minerals from acid mine drainage.

(2) The feasibility of bringing this technology to commercialized scale.

(3) Domestic locations that are appropriate for the deployment of this technology.

(4) The ability of this technology to meet the requirements of the defense industrial base to supplement the rare earth element and critical mineral needs of the Department of Defense.

(d) DURATION.—The demonstration program established under subsection (a) shall be carried out during the one-year period beginning on the date of the commencement of the demonstration program.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the demonstration program required by subsection (a) $3,000,000.

(f) BRIEFING.—Not later than 120 days after the completion of the demonstration program required by subsection (a), the Secretary and the program manager of the institute of higher education with whom the Secretary partners under subsection (b) shall brief the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives on the elements of the demonstration program set forth under subsection (c).

SEC. 316. AUTHORITY TO TRANSFER AMOUNTS DERIVED FROM ENERGY COST SAVINGS.

Section 2912 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(e) TRANSFER OF AMOUNTS.—(1) The Secretary of Defense may transfer amounts described in subsection (a) that remain available for obligation to other funding accounts of the Department of Defense if the purpose for which such amounts will be used is a purpose specified in subsection (b) or (c).

''(2) Amounts transferred to a funding account of the Department under paragraph (1) shall be available for obligation for the same period as amounts in that account.''.

SEC. 317. SENSE OF SENATE ON ENERGY INDEPENDENCE AND DIVERSIFICATION.

It is the sense of the Senate that the United States should—

(1) remain energy independent to enhance national security; and

(2) adopt an all-of-the-above energy strategy to diversify and mitigate the risk of becoming energy and materially dependent on vulnerable sources of energy and energy technology that may constrain the operations of the Armed Forces of the United States.

Subtitle C—National Security Climate Resilience

SEC. 331. SHORT TITLE.

This subtitle may be cited as the ''National Security Climate Resilience Act''.

SEC. 332. DEFINITIONS.

In this subtitle:

(1) CLIMATE RESILIENCE.— The term ''climate resilience'' has the meaning given the term ''energy and climate resiliency'' in section 2864(f)(3) of title 10, United States Code.

(2) CLIMATE SECURITY.—The term ''climate security'' means the effects of extreme weather on the following:

(A) The national security of the United States, including national security infrastructure.

(B) Subnational, national, and regional political stability.

(C) The security of allies and partners of the United States.

(D) Ongoing or potential political violence, including unrest, rioting, guerrilla warfare, insurgency, terrorism, rebellion, revolution, civil war, and interstate war.

(3) EXTREME WEATHER.—The term ''extreme weather'' means recurrent flooding, drought, desertification, wildfires, thawing permafrost, or any other weather-related events that present a recurring annual threat to facilities and other infrastructure of the Department of Defense or are likely to recur over a period of five to eight years.

SEC. 333. CLIMATE RESILIENCE IN PLANNING, ENGAGEMENT STRATEGIES, INFRASTRUCTURE, AND FORCE DEVELOPMENT OF DEPARTMENT OF DEFENSE.

(a) CLIMATE CHALLENGES AND CLIMATE RESILIENCE IN KEY PROCESSES OF DEPARTMENT OF DEFENSE.—The Secretary of Defense shall direct that the acquisition, budget planning and execution, infrastructure planning and sustainment, force development, engagement strategy development, security assistance, and other core processes of the Department of Defense fully consider and make needed adjustments to account for current and emerging climate and environmental challenges and to ensure the climate resilience of assets and capabilities of the Department.

(b) CLIMATE RESILIENCE MISSION IMPACT ASSESSMENT.—

(1) IN GENERAL.—The Secretary shall conduct a mission impact assessment on climate resilience for the Department in order to identify and assess the full spectrum of climate risks that currently or could impact the mission of the Department and the degree to which the Department is resilient to such risks.

(2) ELEMENTS.—The assessment conducted under paragraph (1) shall include the following:

(A) An assessment of the impact of the latest climate science scenarios, as indicated in the National Climate Assessment, on readiness, training, testing, and operations for near-term operations and long-term, worst-case scenario climate projections for the Department.

(B) A comprehensive review, conducted pursuant to section 153 of title 10, United States Code, by the Chairman of the Joint Chiefs of Staff (in coordination with the Secretaries of the military departments and the heads of the Defense Agencies), to determine—

(i) security risks posed by extreme weather to operational and theater security plans and engagement with allies and partners of the United States; and

(ii) the extent to which the program recommendations and budget proposals of the military departments and other components of the Department for each fiscal year fully account for the impacts of extreme weather and climate resilience requirements.

(C) An assessment of the direct impacts of extreme weather on the deployment and operations of the Armed Forces, and the manner in which extreme weather will impact the requirements of the commanders of the combatant commands in their areas of responsibility, including—

(i) assessment of the evolving posture of peer competitors and impacts to deployment and operations of peer competitors due to extreme weather;

(ii) assessment of the impacts of expanding requirements for humanitarian assistance and disaster response due to extreme weather;

(iii) assessment of the impacts on the political, military, and social stability of countries and regions of national security concern that lack suitable infrastructure and resources or, due to geographic location, may not successfully adapt to extreme weather and may suffer disproportionately compared to other countries and regions of national security concern;

(iv) assessment of risks to home station strategic and operational support area readiness, including the strategic highway network, the strategic rail network, and strategic air and sea ports;

(v) identification of the current climate resilience status, plans, goals, and objectives of military installations and State-owned National Guard installations in light of current and projected vulnerabilities of such installations to the impacts of extreme weather; and

(vi) development of measures to improve the preparedness and resilience of military installations and State-owned National Guard installations to extreme weather, while simultaneously developing standards for data collection to assist decision-making processes for research, development, and acquisition priorities for installation and infrastructure resilience to extreme weather.

(D) A long-term strategic plan, including war games and exercises, centered on climate-driven crises, and a long-term assessment of climate security by the Office of Net Assessment of the Department.

(E) A review outlining near-term and long-term needs for research, development, and deployment for equipment and other measures required to assure the resilience of the assets and capabilities of the Department and each component thereof, and of key elements of the defense industrial base and supporting transportation networks, to the impacts of extreme weather.

(c) REPORTS.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and every five years thereafter, the Chairman of the Joint Chiefs of Staff shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the broader strategic and operational impacts of extreme weather on the Department, measures to address such impacts, and progress in implementing new technologies and platforms, training and education methods, and data collection and dissemination for each military department to meet its mission requirements.

(2) RESEARCH, DEVELOPMENT, AND DEPLOYMENT NEEDS.—Each report required by paragraph (1) shall identify research, development, and deployment needs for each combatant command and functional command.

SEC. 334. CLIMATE RESILIENCE INFRASTRUCTURE INITIATIVE OF THE DEPARTMENT OF DEFENSE.

(a) DESIGNATION.—The programs, practices, and activities carried out pursuant to this section shall be known collectively as the ''Climate Resilience Infrastructure Initiative of the Department of Defense''.

(b) CONFORMANCE OF FACILITIES AND INFRASTRUCTURE TO CLIMATE RESILIENCE REQUIREMENTS.—

(1) IN GENERAL.—The Secretary of Defense, in coordination with the Secretaries of the military departments, the Chief of the National Guard Bureau, the Director of the Defense Advanced Research Projects Agency, the directors of other Defense Agencies, and the head of the Strategic Environmental Research and Development Program, shall ensure that all facilities and infrastructure of the Department of Defense meet applicable standards and requirements of the Unified Facilities Criteria of the Department on climate resilience.

(2) STANDARDS AND REQUIREMENTS.—The Secretary shall provide for the ongoing review and update of the standards and requirements referred to in paragraph (1) to ensure that such standards and requirements incorporate lessons learned on the potential impacts of extreme weather on the facilities and infrastructure of the Department.

(c) BUILDING CODES AND STANDARDS.—In carrying out subsection (b), the Secretary shall ensure that the building codes and standards applicable to structures of the Department are updated on an ongoing basis to incorporate best practices on climate resilience in the specific regions in which the structures concerned are located, including with respect to worst case scenarios in connection with the impacts of extreme weather.

(d) HARDENING AND QUICK RECOVERY.—In carrying out subsection (b), the Secretary shall ensure that the Department develops requirements for backup utilities, communications, and transportation to ensure that the critical infrastructure of Department facilities is hardened, developed, and constructed for recovering quickly from natural

disasters and the impacts of extreme weather.

(e) SUSTAINMENT AND MODERNIZATION.—In carrying out subsection (b) the Secretary shall develop sustainment and modernization requirements for facilities of the Department in connection with climate resilience.

(f) COLLABORATION IN PLANNING WITH LOCAL COMMUNITIES.—The Secretary shall develop, within existing frameworks for collaborative activities between military installations and State and local communities, and in addition to the requirements of section 2864(c) of title 10, United States Code, a framework that permits and directs installation commanders to engage with State, regional, and local agencies, and with local communities, on planning for climate resilience in order to enhance efficient response to impacts of extreme weather and to secure collaborative investment in infrastructure that is resilient to the current and projected impacts of extreme weather.

(g) TESTING AND TRAINING RANGE LANDS.—

(1) PRACTICES FOR SUSTAINMENT OF LANDS.—The Secretary shall develop and implement practices to sustain the lands of the military testing and training ranges of the Department, and the lands of testing and training ranges on State-owned National Guard installations, through the adaptation and resilience of such lands to the current and projected impacts of extreme weather to ensure the ongoing availability of such lands to military personnel, weapon systems, and equipment for testing and training purposes.

(2) TRAINING AND EDUCATION ON SUSTAINMENT OF LANDS.—The Secretary shall develop a program of training and education for regular and reserve members of the Armed Forces (including members of the National Guard) on the importance of the sustainment of the lands of the military testing and training ranges as described in paragraph (1).

(3) INVESTMENT IN RESILIENCE OF LANDS.—The Secretary shall provide for appropriate investments in the lands of the military testing and training ranges in order to increase the resilience and adaptation of such lands to the current and projected impacts of extreme weather for testing and training purposes in connection with current and projected testing and training requirements in the short-term and the long-term.

(h) USE OF EMISSION-FREE TECHNOLOGIES.—The Secretary shall take appropriate actions to increase the use of emission-free and net-zero-emission energy technologies in the operations, programs, projects, and activities of the Department.

SEC. 335. ASSESSMENT OF CLIMATE RISKS TO INFRASTRUCTURE OF DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—The Secretary of Defense shall direct the Secretary of each military department—

(1) to assess the vulnerability of installations and other facilities under the jurisdiction of such Secretary, and of State-owned National Guard installations, to the current and projected impacts of extreme weather, using vulnerability and risk assessment tools chosen or developed pursuant to section 326 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1310);

(2) to assess the infrastructure required for successful operation of such installations and facilities in response to any such vulnerabilities, and to assure military installation resilience of such installations and facilities; and

(3) to develop installation-specific plans pursuant to section 2864(c) of title 10, United States Code, and similar plans for State-owned National Guard installations, to address such vulnerabilities.

(b) RANKING OF FACILITIES.—In carrying out subsection (a), the Secretary of each military department shall rank the needs of the military installations and other facilities under the jurisdiction of such Secretary, and of State-owned National Guard installations, based on level of risks posed by the current and projected impacts of extreme weather, the likelihood of such risks, and the importance of such installations and facilities in maintaining overall readiness and operational capability.

(c) MILITARY INSTALLATION RESILIENCE DEFINED.—In this section, the term ''military installation resilience'' has the meaning given that term in section 101(e)(8) of title 10, United States Code.

Subtitle D—Treatment of Perfluoroalkyl Substances and Polyfluoroalkyl Substances

SEC. 351. TREATMENT BY DEPARTMENT OF DEFENSE OF PERFLUOROALKYL SUBSTANCES AND POLYFLUOROALKYL SUBSTANCES.

(a) IN GENERAL.—Chapter 160 of title 10, United States Code, is amended—

(1) by inserting before section 2700 the following:

''Subchapter I—Environmental Restoration'';

(2) in section 2700, in the matter preceding paragraph (1), by striking ''this chapter'' and inserting ''this subchapter'';

(3) in section 2701(c)(1), in the matter preceding subparagraph (A), by striking ''this chapter'' and inserting ''this subchapter'';

(4) in section 2703—

(A) in subsection (c)(1), by striking ''this chapter'' and inserting ''this subchapter''; and

(B) in subsection (d), by striking ''this chapter'' and inserting ''this subchapter'';

(5) in section 2707—

(A) in subsection (a), by striking ''this chapter'' and inserting ''this subchapter''; and

(B) in subsection (e), by striking ''this chapter'' and inserting ''this subchapter''; and

(6) by adding at the end the following new subchapter:

''Subchapter II—Treatment of Perfluoroalkyl Substances and Polyfluoroalkyl Substances

''§ 2713. Definitions

''In this subchapter:

''(1) The term 'military installation' has the meaning given such term in section 2801(c)(4) of this title.

''(2) The term 'perfluoroalkyl substance' means a man-made chemical of which all of the carbon atoms are fully fluorinated carbon atoms.

''(3) The term 'polyfluoroalkyl substance' means a man-made chemical containing a mix of fully fluorinated carbon atoms, partially fluorinated carbon atoms, and nonfluorinated carbon atoms.

''§ 2714. Perfluoroalkyl substances and polyfluoroalkyl substances task force

''(a) IN GENERAL.—The Secretary of Defense shall establish a task force to address the effects of the release of perfluoroalkyl substances and polyfluoroalkyl substances from activities of the Department of Defense (in this section referred to as the 'PFAS Task Force').

''(b) MEMBERSHIP.—The members of the PFAS Task Force are the following:

''(1) The Assistant Secretary of Defense for Energy, Installations, and Environment.

''(2) The Assistant Secretary of the Army for Installations, Energy, and Environment.

''(3) The Assistant Secretary of the Navy for Energy, Installations, and Environment.

''(4) The Assistant Secretary of the Air Force for Installations, Environment, and Energy.

''(5) The Assistant Secretary of Defense for Health Affairs.

''(c) CHAIRMAN.—The Assistant Secretary of Defense for Energy, Installations, and Environment shall be the chairman of the PFAS Task Force.

''(d) SUPPORT.—The Under Secretary of Defense for Personnel and Readiness and such other individuals as the Secretary of Defense considers appropriate shall support the activities of the PFAS Task Force.

''(e) DUTIES.—The duties of the PFAS Task Force are the following:

''(1) Monitor the health aspects of exposure to perfluoroalkyl substances and polyfluoroalkyl substances, as found by the Secretary of Health and Human Services.

''(2) Finding and funding the procurement of an effective substitute firefighting foam without perfluoroalkyl substances or polyfluoroalkyl substances.

''(3) Coordination within the Department of Defense with respect to mitigating the effects of the release of perfluoroalkyl substances and polyfluoroalkyl substances.

''(4) Assessment of the perceptions by Congress and the public of the efforts of the Department of Defense with respect to mitigating the effects of the release of perfluoroalkyl substances and polyfluoroalkyl substances from activities of the Department.

''(f) REPORT.—Not later than 90 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2022, and quarterly thereafter, the Chairman of the PFAS Task Force shall submit to Congress a report on the activities of the task force.

''§ 2715. Testing for perfluoroalkyl substances and polyfluoroalkyl substances at military installations and facilities of the National Guard

''(a) IN GENERAL.—Not later than two years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2022, the Secretary of Defense shall complete preliminary assessment and site inspection testing for perfluoroalkyl substances and polyfluoroalkyl substances at all military installations and facilities of the National Guard located in the United States that are identified as of March 31, 2021, as having a release of perfluoroalkyl substances or polyfluoroalkyl substances.

''(b) DETERMINATION OF CONTAMINATION.—Testing conducted under subsection (a) at a military installation or facility of the National Guard shall determine—

''(1) whether the installation or facility has contamination from a perfluoroalkyl substance or polyfluoroalkyl substance; and

''(2) whether activities in connection with such installation or facility have caused contamination from a perfluoroalkyl substance or polyfluoroalkyl substance outside of such installation or facility.

''(c) ADDITIONAL RESPONSE ACTIONS.—Testing conducted under subsection (a) shall provide at least a preliminary basis for determining whether additional environmental response actions are necessary to address contamination from a perfluoroalkyl substance or polyfluoroalkyl substance.

''(d) TYPE OF TESTING.—When testing for perfluoroalkyl substances or polyfluoroalkyl substances under subsection (a) or any other provision of law, the Secretary shall use a method to measure for all perfluoroalkyl substances or polyfluoroalkyl substances in drinking water that has been validated by the Administrator of the Environmental Protection Agency.

''(e) REPORT.—(1) For each of fiscal years 2022 through 2024, the Secretary shall submit to Congress a report on the status of the testing conducted under subsection (a) during such year.

''(2) Each report submitted under paragraph (1) shall identify, with respect to testing conducted under subsection (a)—

''(A) each installation or facility where testing has been completed;

''(B) each installation or facility where testing has not yet been completed;

''(C) the projected completion date for testing at installations or facilities where testing has not yet been completed;

''(D) the results of testing at installations or facilities where testing has been completed; and

''(E) the actions planned, and the projected timelines for such actions, for each installation or facility to address contamination by a perfluoroalkyl substance or polyfluoroalkyl substance.

''(3) Each report submitted under paragraph (1) shall be provided to Congress not later than January 1st of the fiscal year immediately following the fiscal year covered by the report.

''(4) The Secretary may delegate the responsibility for preparing the reports required by paragraph (1) only to the Deputy Secretary of Defense.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 160 of such title is amended—

(1) by inserting after the item relating to chapter 160 the following new item:

''SUBCHAPTER I—ENVIRONMENTAL RESTORATION''; AND

(2) by adding at the end the following:

''SUBCHAPTER II—TREATMENT OF PERFLUOROALKYL SUBSTANCES AND POLYFLUOROALKYL SUBSTANCES

''Sec.

''2713. Definitions.

''2714. Perfluoroalkyl substances and polyfluoroalkyl substances task force.

''2715. Testing for perfluoroalkyl substances and polyfluoroalkyl substances at military installations and facilities of the National Guard.''.

SEC. 352. PUBLIC DISCLOSURE OF TESTING AND RESULTS OF DEPARTMENT OF DEFENSE TESTING FOR PERFLUOROALKYL OR POLYFLUOROALKYL SUBSTANCES AND ADDITIONAL REQUIREMENTS FOR TESTING.

(a) PUBLIC DISCLOSURE OF PFAS TESTING RESULTS.—Not later than 10 days after receipt of validated testing results, the Secretary of Defense shall publicly disclose the validated results of any testing for perfluoroalkyl or polyfluoroalkyl substances (commonly referred to as ''PFAS'') conducted on or at areas surrounding military installations of the Department of Defense in the United States or facilities of the National Guard, as authorized under section 2707(e) of title 10, United States Code, including—

(1) the results of all such testing conducted by the Department; and

(2) the results of all such testing conducted by a non-Department entity (including any Federal agency or any public or private entity) under contract by or pursuant to an agreement with the Department.

(b) PUBLIC DISCLOSURE OF PLANNED PFAS TESTING.—Not later than 60 days after the date of the enactment of the Act, and every 90 days thereafter, the Secretary of Defense shall disclose the expected timing and general location of any planned testing for perfluoroalkyl or polyfluoroalkyl substances conducted on or at areas surrounding military installations of the Department of Defense in the United States or facilities of the National Guard, as authorized under section 2707(e) of title 10, United States Code, including—

(1) all such testing to be conducted by the Department; and

(2) all such testing to be conducted by a non-Department entity (including any Federal agency and any public or private entity) under contract by or pursuant to an agreement with the Department.

(c) NATURE OF DISCLOSURE.—The Secretary of Defense may satisfy the disclosure requirements under subsections (a) and (b) by publishing the information, datasets, and results relating to the testing described in such subsections—

(1) on the publicly available website established under section 331(b) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 2701 note);

(2) on another publicly available website of the Department of Defense; or

(3) in the Federal Register.

(d) REQUIREMENTS OF INFORMATION TO BE DISCLOSED.—The information required to be disclosed by the Secretary of Defense under subsections (a) and (b) and published under subsection (c)—

(1) shall constitute a record for the purposes of chapters 21, 29, 31, and 33 of title 44, United States Code;

(2) shall include any underlying datasets or additional information of interest to the public, as determined by the Secretary; and

(3) may exclude information as authorized by law.

(e) LOCAL NOTIFICATION.—Prior to conducting any testing for perfluoroalkyl or polyfluoroalkyl substances, including any testing not previously planned and reported, the Secretary of Defense shall provide notice to—

(1) the managers of the public water system serving the areas located immediately adjacent to the military installation where such testing is to occur;

(2) the municipal government serving the areas located immediately adjacent to the military installation where such testing is to occur; and

(3) all members of the Restoration Advisory Board for the military installation where such testing is to occur, as applicable.

(f) TYPE OF TESTING.—When testing for perfluoroalkyl or polyfluoroalkyl substances, the Secretary of Defense shall test for all perfluoroalkyl or polyfluoroalkyl substances included in that method of measuring the amount of such substances in drinking water that has been validated by the Administrator of the Environmental Protection Agency.

(g) DEFINITIONS.—In this section:

(1) The term ''military installation'' has the meaning given such term in section 2801(c)(4) of title 10, United States Code.

(2) The term ''perfluoroalkyl or polyfluoroalkyl substance'' means any man-made chemical with at least one fully fluorinated carbon atom.

(3) The term ''public water system'' has the meaning given such term under section 1401(4) of the Safe Drinking Water Act (42 U.S.C. 300f(4)).

SEC. 353. EXTENSION OF TRANSFER AUTHORITY FOR FUNDING OF STUDY AND ASSESSMENT ON HEALTH IMPLICATIONS OF PER- AND POLYFLUOROALKYL SUBSTANCES CONTAMINATION IN DRINKING WATER BY AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY.

Section 316(a)(2)(B)(ii) 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 115–232; 132 Stat. 1713), section 321 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1307), and section 337 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283), is further amended by striking ''fiscal years 2019, 2020, and 2021'' and inserting ''fiscal years 2019 through 2023''.

SEC. 354. REPORT ON REMEDIATION OF PERFLUOROALKYL SUBSTANCES AND POLYFLUOROALKYL SUBSTANCES AT CERTAIN MILITARY INSTALLATIONS.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report identifying the status of efforts to remediate perfluoroalkyl substances and polyfluoroalkyl substances at the following locations:

(1) England Air Force Base, Louisiana.

(2) Naval Air Weapons Station China Lake, California.

(3) Patrick Air Force Base, Florida.

(4) Myrtle Beach Air Force Base, South Carolina.

(5) Langley Air Force Base, Virginia.

(6) Naval Air Station Jacksonville, Florida.

(7) Niagara Falls Air Reserve Station, New York.

(8) Grand Prairie Armed Forces Reserve Complex, Texas.

(9) Altus Air Force Base, Oklahoma.

(10) Charleston Air Force Base, South Carolina.

(11) Barksdale Air Force Base, Louisiana.

(12) Plattsburgh Air Force Base, New York.

(13) Tyndall Air Force Base, Florida.

(14) Sheppard Air Force Base, Texas.

(15) Columbus Air Force Base, Mississippi.

(16) Chanute Air Force Base, Illinois.

(17) Marine Corps Air Station Tustin, California.

(18) Travis Air Force Base, California.

(19) Ellsworth Air Force Base, South Dakota.

(20) Minot Air Force Base, North Dakota.

(21) Westover Air Reserve Base, Massachusetts.

(22) Eaker Air Force Base, Arkansas.

(23) Naval Air Station Alameda, California.

(24) Eielson Air Force Base, Alaska.

(25) Horsham Air Guard Station, Pennsylvania.

(26) Vance Air Force Base, Oklahoma.

(27) Dover Air Force Base, Delaware.

(28) Edwards Air Force Base, California.

(29) Robins Air Force Base, Georgia.

(30) Joint Base McGuire–Dix–Lakehurst, New Jersey.

(31) Galena Air Force Base, Alaska.

(32) Naval Research Laboratory Chesapeake Bay Detachment, Maryland.

(33) Buckley Air Force Base, Colorado.

(34) Arnold Air Force Base, Tennessee.

(35) Tinker Air Force Base, Oklahoma.

(36) Fairchild Air Force Base, Washington.

(37) Vandenberg Air Force Base, California.

(38) Hancock Field Air National Guard Base, New York.

(39) F.E. Warren Air Force Base, Wyoming.

(40) Nevada Air National Guard Base, Nevada.

(41) K.I. Sawyer Air Force Base, Michigan.

(42) Pease Air Force Base, New Hampshire.

(43) Whiteman Air Force Base, Missouri.

(44) Wurtsmith Air Force Base, Michigan.

(45) Shepherd Field Air National Guard Base, West Virginia.

(46) Naval Air Station Whidbey Island–Ault Field, Washington.

(47) Rosecrans Air National Guard Base, Missouri.

(48) Joint Base Andrews, Maryland.

(49) Iowa Air National Guard Base, Iowa.

(50) Stewart Air National Guard Base, New York.

(b) DEFINITIONS.—In this section:

(1) The term ''perfluoroalkyl substance'' means a man-made chemical of which all of the carbon atoms are fully fluorinated carbon atoms.

(2) The term ''polyfluoroalkyl substance'' means a man-made chemical containing a mix of fully fluorinated carbon atoms, partially fluorinated carbon atoms, and nonfluorinated carbon atoms.

SEC. 355. REPORT ON SCHEDULE FOR COMPLETION OF REMEDIATION OF PERFLUOROALKYL SUBSTANCES AND POLYFLUOROALKYL SUBSTANCES.

(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 detailing a proposed schedule for the completion of remediation of perfluoroalkyl substances and polyfluoroalkyl substances, and the associated cost estimates to perform such remediation, at military installations, facilities of the National Guard, and formerly used defense sites in the United States that are identified as of March 31, 2021, as having a release of perfluoroalkyl substances or polyfluoroalkyl substances.

(b) DEFINITIONS.—In this section:

(1) The term ''military installation'' has the meaning given such term in section 2801(c)(4) of title 10, United States Code.

(2) The term ''perfluoroalkyl substance'' means a man-made chemical of which all of the carbon atoms are fully fluorinated carbon atoms.

(3) The term ''polyfluoroalkyl substance'' means a man-made chemical containing a mix of fully fluorinated carbon atoms, partially fluorinated carbon atoms, and nonfluorinated carbon atoms.

Subtitle E—Other Matters

SEC. 371. EXTENSION OF TEMPORARY AUTHORITY TO EXTEND CONTRACTS AND LEASES UNDER THE ARMS INITIATIVE.

Section 343 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 7554 note) is amended by striking ''the date that is five years after the date of the enactment of this Act'' and inserting ''November 25, 2025,''.

SEC. 372. INCIDENT REPORTING REQUIREMENTS FOR DEPARTMENT OF DEFENSE REGARDING LOST OR STOLEN WEAPONS.

(a) IN GENERAL.—For each of fiscal years 2022, 2023, and 2024, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on security, control, thefts, losses, and recoveries of sensitive conventional arms, ammunition, and explosives (commonly referred to as ''AA&E'') of the Department of Defense during such year, including the following:

(1) M–16 or M4s.

(2) Light automatic weapons up to and including M249, M2, and 40mm MK19 machine guns.

(3) Functional launch tube with umbilical squib installed and grip stock for the Stinger missile.

(4) Launch tube, sight assembly, and grip stock for missiles.

(5) Tracker for the Dragon missile.

(6) Mortar tubes up to and including 81mm.

(7) Grenade launchers.

(8) Rocket and missile launchers with an unpacked weight of 100 pounds or less.

(9) Flame throwers.

(10) The launcher, missile guidance se, or the optical sight for the TOW and the Javelin Command Launch Unit.

(11) Single shot and semi-automatic (non-automatic) shoulder-fired weapons such as shotguns and bolt action rifles and weapons barrels.

(12) Handguns.

(13) Recoil-less rifles up to and including 106mm.

(14) Man-portable missiles and rockets in a ready-to-fire configuration or when jointly stored or transported with the launcher tube or grip-stock and the explosive round.

(15) Stinger missiles.

(16) Dragon, Javelin, light antitank weapon (66mm), shoulder-launched multi-purpose assault weapon rocket (83mm), M136 (AT4) anti-armor launcher and cartridge (84mm).

(17) Missiles and rockets that are crew-served or require platform-mounted launchers and other equipment to function include HYDRA–70 rockets and tube-launched optically wire guided (TOW) missiles.

(18) Missiles and rockets that require platform-mounted launchers and complex hardware equipment to function including the HELLFIRE missile.

(19) Explosive rounds of any missile or rocket listed in paragraphs (1) through (18).

(20) Hand or rifle grenades (high-explosive and white phosphorous).

(21) Antitank or antipersonnel mines.

(22) Explosives used in demolition operations, C–4, military dynamite, and trinitrotoluene (TNT).

(23) Warheads for sensitive missiles and rockets weighing less than 50 pounds each.

(24) Ammunition that is .50 caliber or larger with explosive-filled projectile.

(25) Incendiary grenades and fuses for high-explosive grenades.

(26) Blasting caps.

(27) Supplementary charges.

(28) Bulk explosives.

(29) Detonating cord.

(30) Riot control agents.

(b) IMMEDIATE REPORTING OF CONFIRMED THEFTS, LOSSES, AND RECOVERIES.—Not later than 72 hours after a confirmed theft, loss, or recovery of a sensitive conventional arm, ammunition, or explosive covered by the report required by subsection (a), the Secretary shall report such theft, loss, or recovery to the National Crime Information Center and local law enforcement.

SEC. 373. REPEAL OF SUNSET FOR NAVAL VESSEL EXAMINATION REPORT.

Section 8674(d) of title 10, United States Code, is amended by striking paragraph (3).

SEC. 374. REPORT ON AMMUNITION ORGANIC INDUSTRIAL BASE MODERNIZATION BY DEPARTMENT OF THE ARMY.

(a) IN GENERAL.—Not later than March 15, 2022, the Secretary of the Army shall submit to the congressional defense committees a report on—

(1) a modernization master plan for the optimal placement and creation of efficiencies in facilities and major equipment to support mission requirements at ammunition organic industrial base production facilities under the jurisdiction of the Secretary of the Army; and

(2) an investment strategy to address the facilities, major equipment, and infrastructure requirements at each such production facility in order to support the readiness and material availability goals of current and future weapons systems of the Department of Defense.

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

(1) A review of current and projected workload requirements for the manufacturing of energetic materials, including propellants, explosives, pyrotechnics, and the ingredients for propellants, explosives, and pyrotechnics, to assess efficiencies in the use of existing facilities, including consideration of new weapons characteristics and requirements, obsolescence of facilities, siting of facilities and equipment, and various constrained process flows.

(2) An analysis of life-cycle costs to repair and modernize existing mission-essential facilities versus the cost to consolidate functions into modern, right-sized facilities at each location to meet current and programmed future mission requirements.

(3) A review of the progress made in prioritizing and funding projects that facilitate process efficiencies and consolidate and contribute to availability cost and schedule reductions.

(4) An accounting of the backlog of restoration and modernization projects at each arsenal of the Department of the Army.

(5) A master plan for each arsenal of the Department of the Army that incorporates the results of a review of—

(A) industrial processes, logistics streams, and workload distribution required to support production objectives; and

(B) the facilities requirements to support optimized processes.

(6) An updated investment strategy planned for each arsenal of the Department of the Army, including—

(A) a timeline to complete the master plan for such strategy;

(B) a list of projects and a brief scope of work for each such project; and

(C) cost estimates necessary to complete projects for mission essential facilities.

(c) ANNUAL REPORT.—As part of the annual budget submission by the President under section 1105(a) of title 31, United States Code, for fiscal years 2023 through 2027, the Secretary of the Army shall submit to the congressional defense committees a report describing the progress made in establishing the master plan under subsection (b)(5) and implementing the investment strategy under subsection (b)(6).

SEC. 375. ANNUAL REPORT BY SECRETARY OF THE NAVY ON SHIP MAINTENANCE.

(a) IN GENERAL.—Chapter 863 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 8695. Annual report on ship maintenance

''Not later than October 15 of each year, the Secretary of the Navy shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report setting forth the following:

''(1) A description of all ship maintenance planned for the fiscal year in which the report is submitted, by hull.

''(2) The estimated cost of the maintenance described in paragraph (1).

''(3) A summary of all ship maintenance conducted by the Secretary during the previous fiscal year.

''(4) Details of any ship maintenance that was deferred during the previous fiscal year.

''(5) Details of planned ship maintenance that was cancelled during the previous fiscal year and a summary of the reasons for the decision.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 863 of such title is amended by adding at the end the following new item:

''8695. Annual report on ship maintenance.''.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

SEC. 401. END STRENGTHS FOR ACTIVE FORCES.

The Armed Forces are authorized strengths for active duty personnel as of September 30, 2022, as follows:

(1) The Army, 485,000.

(2) The Navy, 346,200.

(3) The Marine Corps, 178,500.

(4) The Air Force, 329,220.

(5) The Space Force, 8,400.

SEC. 402. AUTHORITY WITH RESPECT TO AUTHORIZED STRENGTHS FOR GENERAL AND FLAG OFFICERS WITHIN THE ARMED FORCES FOR EMERGING REQUIREMENTS.

(a) AUTHORITY ON AND BEFORE DECEMBER 31, 2022.—Section 526 of title 10, United States Code, is amended—

(1) by redesignating subsection (k) as subsection (l); and

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

''(k) TRANSFER OF AUTHORIZATIONS AMONG THE MILITARY SERVICES.—(1) The Secretary of Defense may increase the maximum number of brigadier generals or major generals in the Army, Air Force, Marine Corps, or Space Force, or rear admirals (lower half) or rear admirals in the Navy, allowed under subsection (a) and section 525 of this title, and the President may appoint officers in the equivalent grades equal to the number increased by the Secretary of Defense, if each appointment is made in conjunction with an offsetting reduction under paragraph (2).

''(2) For each increase and appointment made under the authority of paragraph (1) in the Army, Navy, Air Force, Marine Corps, or Space Force, the number of appointments that may be made in the equivalent grade in one of the other armed forces (other than the Coast Guard) shall be reduced by one. When such an increase and appointment is made, the Secretary of Defense shall specify the armed force in which the reduction required by this paragraph is to be made.

''(3) The total number of general officers and flag officers increased under paragraph (1), combined with the total number of general officers and flag officers increased under section 526a(i)(1) of this title, may not exceed 15 at any one time.

''(4) The Secretary may not increase the maximum number of general officers or flag officers under paragraph (1) until the date that is 30 days after the date on which the Secretary provides notice of the increase to the Committees on Armed Services of the Senate and the House of Representatives.''.

(b) AUTHORITY AFTER DECEMBER 31, 2022.—Section 526a of title 10, United States Code, is amended by adding at the end the following new subsection:

''(i) TRANSFER OF AUTHORIZATIONS AMONG THE MILITARY SERVICES.—(1) The Secretary of Defense may increase the maximum number of brigadier generals or major generals in the Army, Air Force, Marine Corps, or Space Force, or rear admirals (lower half) or rear admirals in the Navy, allowed under subsection (a) and section 525 of this title and the President may appoint officers in the equivalent grades equal to the number increased by the Secretary of Defense if each appointment is made in conjunction with an offsetting reduction under paragraph (2).

''(2) For each increase and appointment made under the authority of paragraph (1) in the Army, Navy, Air Force, Marine Corps, or Space Force, the number of appointments that may be made in the equivalent grade in one of the other armed forces (other than the Coast Guard) shall be reduced by one. When such an increase and appointment is made, the Secretary of Defense shall specify the armed force in which the reduction required by this paragraph is to be made.

''(3) The total number of general officers and flag officers increased under paragraph (1), combined with the total number of general officers and flag officers increased under section 526(k)(1) of this title, may not exceed 15 at any one time.

''(4) The Secretary may not increase the maximum number of general officers or flag officers under paragraph (1) until the date that is 30 days after the date on which the Secretary provides notice of the increase to the Committees on Armed Services of the Senate and the House of Representatives.''.

SEC. 403. ADDITIONAL AUTHORITY TO VARY SPACE FORCE END STRENGTH.

(a) IN GENERAL.—Notwithstanding section 115(g) of title 10, United States Code, upon determination by the Secretary of the Air Force that such action would enhance manning and readiness in essential units or in critical specialties, the Secretary may vary the end strength authorized by Congress for each fiscal year as follows:

(1) Increase the end strength authorized pursuant to section 115(a)(1)(A) for a fiscal year for the Space Force by a number equal to not more than 5 percent of such authorized end strength.

(2) Decrease the end strength authorized pursuant to section 115(a)(1)(A) for a fiscal year for the Space Force by a number equal to not more than 10 percent of such authorized end strength.

(b) TERMINATION.—The authority provided under subsection (a) shall terminate on December 31, 2022.

SEC. 404. TEMPORARY EXEMPTION FROM END STRENGTH GRADE RESTRICTIONS FOR THE SPACE FORCE.

Sections 517 and 523 of title 10, United States Code, shall not apply to the Space Force until January 1, 2023.

Subtitle B—Reserve Forces

SEC. 411. END STRENGTHS FOR SELECTED RESERVE.

(a) IN GENERAL.—The Armed Forces are authorized strengths for Selected Reserve personnel of the reserve components as of September 30, 2022, as follows:

(1) The Army National Guard of the United States, 336,000.

(2) The Army Reserve, 189,500.

(3) The Navy Reserve, 58,600.

(4) The Marine Corps Reserve, 36,800.

(5) The Air National Guard of the United States, 108,300.

(6) The Air Force Reserve, 70,300.

(7) The Coast Guard Reserve, 7,000.

(b) END STRENGTH REDUCTIONS.—The end strengths prescribed by subsection (a) for the Selected Reserve of any reserve component shall be proportionately reduced by—

(1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at the end of the fiscal year; and

(2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at the end of the fiscal year.

(c) END STRENGTH INCREASES.—Whenever units or individual members of the Selected Reserve of any reserve component are released from active duty during any fiscal year, the end strength prescribed for such fiscal year for the Selected Reserve of such reserve component shall be increased proportionately by the total authorized strengths of such units and by the total number of such individual members.

SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.

Within the end strengths prescribed in section 411(a), the reserve components of the Armed Forces are authorized, as of September 30, 2022, the following number of Reserves to be serving on full-time active duty or full-time duty, in the case of members of the National Guard, for the purpose of organizing, administering, recruiting, instructing, or training the reserve components:

(1) The Army National Guard of the United States, 30,845.

(2) The Army Reserve, 16,511.

(3) The Navy Reserve, 10,293.

(4) The Marine Corps Reserve, 2,386.

(5) The Air National Guard of the United States, 25,333.

(6) The Air Force Reserve, 6,003.

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 129 of title 10, United States Code) shall be the following:

(1) For the Army National Guard of the United States, 22,294.

(2) For the Army Reserve, 6,492.

(3) For the Air National Guard of the United States, 10,994.

(4) For the Air Force Reserve, 7,111.

(b) LIMITATION ON NUMBER OF TEMPORARY MILITARY TECHNICIANS (DUAL STATUS).—The number of temporary military technicians (dual-status) employed under the authority of subsection (a) may not exceed 25 percent of the total authorized number specified in such subsection.

(c) LIMITATION.—Under no circumstances may a military technician (dual status) employed under the authority of this section be coerced by a State into accepting an offer of realignment or conversion to any other military status, including as a member of the Active, Guard, and Reserve program of a reserve component. If a military technician (dual status) declines to participate in such realignment or conversion, no further action will be taken against the individual or the individual's position.

SEC. 414. MAXIMUM NUMBER OF RESERVE PERSONNEL AUTHORIZED TO BE ON ACTIVE DUTY FOR OPERATIONAL SUPPORT.

During fiscal year 2022, the maximum number of members of the reserve components of the Armed Forces who may be serving at any time on full-time operational support duty under section 115(b) of title 10, United States Code, is the following:

(1) The Army National Guard of the United States, 17,000.

(2) The Army Reserve, 13,000.

(3) The Navy Reserve, 6,200.

(4) The Marine Corps Reserve, 3,000.

(5) The Air National Guard of the United States, 16,000.

(6) The Air Force Reserve, 14,000.

Subtitle C—Authorization of Appropriations

SEC. 421. MILITARY PERSONNEL.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal year 2022 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in the funding table in section 4401.

(b) CONSTRUCTION OF AUTHORIZATION.—The authorization of appropriations in subsection (a) supersedes any other authorization of appropriations (definite or indefinite) for such purpose for fiscal year 2022.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy

SEC. 501. INCREASE IN AUTHORIZED LIEUTENANT COMMANDER BILLETS IN THE NAVY.

Section 605(g)(4)(B) of title 10, United States Code, is amended by striking ''325'' and inserting ''350''.

SEC. 502. TIME IN GRADE REQUIREMENTS.

Section 619(a) of title 10, United States Code, is amended—

(1) in paragraph (2), by striking ''paragraph (4)'' and inserting ''paragraph (5)'';

(2) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and

(3) by inserting after paragraph (3) the following new paragraph:

''(4) When the needs of the service require, the Secretary of the military department concerned may prescribe a shorter period of service in grade, but not less than two years, for eligibility for consideration for promotion, in the case of officers designated for limited duty to whom paragraph (2) applies.''.

Subtitle B—General Service Authorities and Correction of Military Records

PART I— SELECTIVE SERVICE REFORM

SEC. 511. MODERNIZATION OF THE SELECTIVE SERVICE SYSTEM.

(a) REFERENCE.—Except as expressly provided otherwise, any reference in this section to a section or other provision shall be deemed to be a reference to that section or other provision of the Military Selective Service Act (50 U.S.C. 3801 et seq.).

(b) PURPOSE OF SELECTIVE SERVICE.—Subsection (b) of section 1 (50 U.S.C. 3801) is amended to read as follows:

''(b) The Congress declares that the security of the Nation requires that adequate military strength be achieved and maintained by ensuring a requisite number of personnel with the necessary capabilities to meet the diverse mobilization needs of the Department of Defense during a national emergency.''.

(c) SOLEMNITY OF MILITARY SERVICE.—Section 3 (50 U.S.C. 3802) is amended by adding at the end the following:

''(c) Regulations prescribed pursuant to subsection (a) shall include methods to convey to every person required to register the solemn obligation for military service if called into training or service under this Act.''.

(d) EXPANDED REGISTRATION TO ALL AMERICANS.—

(1) Section 3(a) (50 U.S.C. 3802(a)) is amended—

(A) by striking ''male citizen'' and inserting ''citizen'';

(B) by striking ''male person'' and inserting ''person'';

(C) by striking ''present himself'' and inserting ''appear''; and

(D) by striking ''so long as he'' and inserting ''so long as such alien''.

(2) Section 4(e) (50 U.S.C. 3803(e)) is amended by striking ''enlisted men'' and inserting ''enlisted persons''.

(3) Section 5 (50 U.S.C. 3805) is amended—

(A) in subsection (a)(1)—

(i) by striking ''on account of race or color'' and inserting ''on any basis set forth in section 703(a) of the Civil Rights Act of 1964 (42 U.S.C. 2002e–2(a))''; and

(ii) by striking ''call for men'' and inserting ''call for persons''; and

(B) in subsection (b), by striking ''men'' each place it appears and inserting ''persons''.

(4) Section 6 (50 U.S.C. 3806) is amended—

(A) in subsection (a)(1)—

(i) by striking ''enlisted men'' and inserting ''enlisted persons''; and

(ii) by striking ''accrue to him'' and inserting ''accrue to such alien''; and

(B) in subsection (h)—

(i) by striking ''(other than wives alone, except in cases of extreme hardship)''; and

(ii) by striking ''wives and children'' and inserting ''spouses and children''.

(5) Section 10(b)(3) (50 U.S.C. 3809(b)(3)) is amended by striking ''the President is requested'' and all that follows through ''race or national origin'' and inserting ''the President is requested to appoint the membership of each local board so that each board has both male and female members and, to the maximum extent practicable, it is proportionately representative of those registrants within its jurisdiction in each applicable basis set forth in section 703(a) of the Civil Rights Act of 1964 (42 U.S.C. 2002e–2(a)), but no action by any board shall be declared invalid on the ground that such board failed to conform to such representation quota''.

(6) Section 16(a) (50 U.S.C. 3814(a)) is amended by striking ''men'' and inserting ''persons''.

(e) MAINTAINING THE HEALTH OF THE SELECTIVE SERVICE SYSTEM.—Section 10(a) (50 U.S.C. 3809(a)) is amended by adding at the end the following new paragraph:

''(5) The Selective Service System shall conduct exercises periodically of all mobilization plans, systems, and processes to evaluate and test the effectiveness of such plans, systems, and processes. Once every 4 years, the exercise shall include the full range of internal and interagency procedures to ensure functionality and interoperability and may take place as part of the Department of Defense mobilization exercise under section 10208 of title 10, United States Code. The Selective Service System shall conduct a public awareness campaign in conjunction with each exercise to communicate the purpose of the exercise to the public.''.

(f) TECHNICAL AND CONFORMING AMENDMENTS.—The Military Selective Service Act is amended—

(1) in section 4 (50 U.S.C. 3803)—

(A) in subsection (a) in the third undesignated paragraph—

(i) by striking ''his acceptability in all respects, including his'' and inserting ''such person's acceptability in all respects, including such person's''; and

(ii) by striking ''he may prescribe'' and inserting ''the President may prescribe'';

(B) in subsection (c)—

(i) in paragraph (2), by striking ''any enlisted member'' and inserting ''any person who is an enlisted member''; and

(ii) in paragraphs (3), (4), and (5), by striking ''in which he resides'' and inserting ''in which such person resides'';

(C) in subsection (g), by striking ''coordinate with him'' and inserting ''coordinate with the Director''; and

(D) in subsection (k)(1), by striking ''finding by him'' and inserting ''finding by the President'';

(2) in section 5(d) (50 U.S.C. 3805(d)), by striking ''he may prescribe'' and inserting ''the President may prescribe'';

(3) in section 6 (50 U.S.C. 3806)—

(A) in subsection (c)(2)(D), by striking ''he may prescribe'' and inserting ''the President may prescribe'';

(B) in subsection (d)(3), by striking ''he may deem appropriate'' and inserting ''the President considers appropriate''; and

(C) in subsection (h), by striking ''he may prescribe'' each place it appears and inserting ''the President may prescribe'';

(4) in section 10 (50 U.S.C. 3809)—

(A) in subsection (b)—

(i) in paragraph (3)—

(I) by striking ''He shall create'' and inserting ''The President shall create''; and

(II) by striking ''upon his own motion'' and inserting ''upon the President's own motion'';

(ii) in paragraph (4), by striking ''his status'' and inserting ''such individual's status''; and

(iii) in paragraphs (4), (6), (8), and (9), by striking ''he may deem'' each place it appears and inserting ''the President considers''; and

(B) in subsection (c), by striking ''vested in him'' and inserting ''vested in the President'';

(5) in section 13(b) (50 U.S.C. 3812(b)), by striking ''regulation if he'' and inserting ''regulation if the President'';

(6) in section 15 (50 U.S.C. 3813)—

(A) in subsection (b), by striking ''his'' each place it appears and inserting ''the registrant's''; and

(B) in subsection (d), by striking ''he may deem'' and inserting ''the President considers'';

(7) in section 16(g) (50 U.S.C. 3814(g))—

(A) in paragraph (1), by striking ''who as his regular and customary vocation'' and inserting ''who, as such person's regular and customary vocation,''; and

(B) in paragraph (2)—

(i) by striking ''one who as his customary vocation'' and inserting ''a person who, as such person's customary vocation,''; and

(ii) by striking ''he is a member'' and inserting ''such person is a member'';

(8) in section 18(a) (50 U.S.C. 3816(a)), by striking ''he is authorized'' and inserting ''the President is authorized'';

(9) in section 21 (50 U.S.C. 3819)—

(A) by striking ''he is sooner'' and inserting ''sooner'';

(B) by striking ''he'' each subsequent place it appears and inserting ''such member''; and

(C) by striking ''his consent'' and inserting ''such member's consent'';

(10) in section 22(b) (50 U.S.C. 3820(b)), in paragraphs (1) and (2), by striking ''his'' each place it appears and inserting ''the registrant's''; and

(11) except as otherwise provided in this section—

(A) by striking ''he'' each place it appears and inserting ''such person'';

(B) by striking ''his'' each place it appears and inserting ''such person's'';

(C) by striking ''him'' each place it appears and inserting ''such person''; and

(D) by striking ''present himself'' each place it appears in section 12 (50 U.S.C. 3811) and inserting ''appear''.

(g) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act, except that the amendments made by subsection (d) shall take effect 1 year after such date of enactment.

SEC. 512. REPORT ON EXEMPTIONS AND DEFERMENTS FOR A POSSIBLE MILITARY DRAFT.

Not later than 120 days after the date of the enactment of this Act, the Director of the Selective Service System, in consultation with the Secretary of Defense and the Secretary of Homeland Security, shall submit to Congress a report providing a review of exemptions and deferments from registration, training, and service under the Military Selective Service Act (50 U.S.C. 3801 et seq.) and of proposed revisions to those exemptions and deferments, taking into account amendments to the Military Selective Service Act under section 511(a) of this Act to require registration of all United States citizens and persons residing in the United States.

SEC. 513. REPORT ON PROCESSES AND PROCEDURES FOR APPEAL OF DENIAL OF STATUS OR BENEFITS FOR FAILURE TO REGISTER FOR SELECTIVE SERVICE.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of the Selective Service System shall submit to the appropriate committees of Congress a report setting forth the results of a review of the processes and procedures employed by agencies across the Federal Government for the appeal by individuals of a denial of status or benefits under Federal law for failure to register for selective service under the Military Selective Service Act (50 U.S.C. 3801 et seq.).

(b) CONSULTATION.—The Director of the Selective Service System shall carry out this section in consultation with the Secretary of

Homeland Security, the Secretary of Education, the Director of the Office of Personnel Management, and the heads of other appropriate Federal agencies.

(c) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A description and assessment of the various appeals processes and procedures described in subsection (a), including—

(A) a description of such processes and procedures; and

(B) an assessment of—

(i) the adequacy of notice provided for appeals under such processes and procedures;

(ii) the fairness of each such process and procedure;

(iii) the ease of use of each such process and procedure;

(iv) consistency in the application of such processes and procedures across the Federal Government; and

(v) the applicability of an appeal granted by one Federal agency under such processes and procedures to the actions and decisions of another Federal agency on a similar appeal.

(2) Information on the number of waivers requested, and the number of waivers granted, during the 15-year period ending on the date of the enactment of this Act in connection with denial of status or benefits for failure to register for selective service.

(3) An analysis and assessment of the recommendations of the National Commission on Military, National, and Public Service for reforming the rules and policies concerning failure to register for selective service.

(4) Such recommendations for legislative or administrative action as the Director of the Selective Service System, and the consulting officers pursuant to subsection (b), consider appropriate in light of the review conducted pursuant to subsection (a).

(5) Such other matters in connection with the review conducted pursuant to subsection (a) as the Director considers appropriate.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committee 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 Oversight and Reform of the House of Representatives.

SEC. 514. RESPONSIBILITIES FOR NATIONAL MOBILIZATION; PERSONNEL REQUIREMENTS.

(a) EXECUTIVE AGENT FOR NATIONAL MOBILIZATION.—The Secretary of Defense shall designate a senior civilian official within the Office of the Secretary of Defense as the Executive Agent for National Mobilization. The Executive Agent for National Mobilization shall be responsible for—

(1) developing, managing, and coordinating policy and plans that address the full spectrum of military mobilization readiness, including full mobilization of personnel from volunteers to other persons inducted into the Armed Forces under the Military Selective Service Act (50 U.S.C. 3801 et seq.);

(2) providing Congress and the Selective Service System with updated requirements and timelines for obtaining inductees in the event of a national emergency requiring mass mobilization and induction of personnel under the Military Selective Service Act for training and service in the Armed Forces; and

(3) providing Congress with a plan, developed in coordination with the Selective Service System, to induct large numbers of volunteers who may respond to a national call for volunteers during an emergency.

(b) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a plan for obtaining inductees as part of a mobilization timeline for the Selective Service System. The plan shall include a description of resources, locations, and capabilities of the Armed Forces required to train, equip, and integrate personnel inducted into the Armed Forces under the Military Selective Service Act into the total force, addressing scenarios that would include 300,000, 600,000, and 1,000,000 new volunteer and other personnel inducted into the Armed Forces under the Military Selective Service Act. The plan may be provided in classified form.

SEC. 515. ENHANCEMENTS TO NATIONAL MOBILIZATION EXERCISES.

Section 10208 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(c)(1) The Secretary shall, beginning in the first fiscal year that begins after the date of the enactment of this subsection, and every 5 years thereafter, as part of the major mobilization exercise under subsection (a), include the processes of the Selective Service System in preparation for the induction of personnel into the armed forces under the Military Selective Service Act (50 U.S.C. 3801 et seq.), and submit to Congress a report on the results of this exercise. The report may be submitted in classified form.

''(2) The exercise under this subsection—

''(A) shall include a review of national mobilization strategic and operational concepts;

''(B) shall include a simulation of a mobilization of all armed forces and reserve units, with plans and processes for incorporating personnel inducted into the armed forces under the Military Selective Service Act and the large number of volunteers who may respond to a national call for volunteers; and

''(C) shall involve the Selective Service System, the Department of Homeland Security, the Department of Commerce, the Department of Labor, and other relevant interagency stakeholders.''.

PART II—OTHER MATTERS

SEC. 518. MILITARY SERVICE INDEPENDENT RACIAL DISPARITY REVIEW.

(a) REVIEW REQUIRED.—Each Secretary of a military department shall conduct an assessment of racial disparity in military justice and discipline processes and military personnel policies, as they pertain to minority populations.

(b) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, each Secretary concerned shall transmit to the Committees on Armed Services of the Senate and the House of Representatives and the Comptroller General of the United States a report detailing the results of the assessment required by subsection (a), together with recommendations for statutory or regulatory changes as the Secretary concerned determines appropriate.

(c) COMPTROLLER GENERAL REPORT.—Not later than 180 days after receiving the reports submitted under subsection (b), the Comptroller General shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report comparing the military service assessments on racial disparity to existing reports assessing racial disparity in civilian criminal justice systems in the United States.

(d) DEFINITIONS.—In this section:

(1) MILITARY JUSTICE; DISCIPLINE PROCESSES.—The terms ''military justice'' and ''discipline processes'' refer to all facets of the military justice system, including investigation, the use of administrative separations and other administrative sanctions, non-judicial punishment, panel selection, pre-trial confinement, the use of solitary confinement, dispositions of courts-martial, sentencing, and post-trial processes.

(2) MILITARY PERSONNEL POLICIES.—The term ''military personnel policies'' includes accession rates and policies, retention rates and policies, promotion rates, assignments, professional military education selection and policies, and career opportunity for minority members of the Armed Forces.

(3) MINORITY POPULATIONS.—The term ''minority populations'' includes Black, Hispanic, Asian/Pacific Islander, American Indian, and Alaska Native populations.

SEC. 519. APPEALS TO PHYSICAL EVALUATION BOARD DETERMINATIONS OF FITNESS FOR DUTY.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall incorporate a formal appeals process into the policies and procedures applicable to the implementation of the Integrated Disability Evaluation System of the Department of Defense. The appeals process shall include the following:

(1) The Secretary concerned shall ensure that a member of the Armed Forces may submit a formal appeal made with respect to determinations of fitness for duty to a Physical Evaluation Board of such Secretary.

(2) The appeals process shall include, at the request of such member, an impartial hearing on a fitness for duty determination to be conducted by the Secretary concerned.

(3) Such member shall have the option to be represented at a hearing by legal counsel.

SEC. 520. EXTENSION OF PAID PARENTAL LEAVE.

(a) IN GENERAL.—Section 701 of title 10, United States Code, is amended—

(1) in subsection (i)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''a member'' and all that follows through the period at the end and inserting the following: ''a member of the armed forces described in paragraph (2) is allowed up to a total of 12 weeks of parental leave during the one-year period beginning after the following events:

''(i) The birth or adoption of a child of the member and in order to care for such child.

''(ii) The placement of a minor child with the member for adoption or foster care.''; and

(ii) by striking subparagraph (B) and inserting the following:

''(B)(i) The Secretary concerned, under uniform regulations to be prescribed by the Secretary of Defense, may authorize leave described under subparagraph (A) to be taken after the one-year period described in such paragraph in the case of a member described in paragraph (2) who, except for this subparagraph, would lose unused parental leave at the end of the one-year period described in subparagraph (A) as a result of—

''(I) operational requirements;

''(II) professional military education obligations; or

''(III) other circumstances that the Secretary determines reasonable and appropriate.

''(ii) The regulations prescribed under clause (i) shall require that any leave authorized to be taken after the one-year period described in subparagraph (A) shall be taken within a reasonable period of time, as determined by the Secretary of Defense, after cessation of the circumstances warranting the extended deadline.'';

(B) by striking paragraphs (3), (8), and (10) and redesignating paragraphs (4), (5), (6), (7), and (9) as paragraphs (3), (4), (5), (6), and (7), respectively;

(C) in paragraph (3), as redesignated by subparagraph (B), by striking ''a member may receive more than six weeks of medical convalescent leave in connection with the birth of a child, but only if the additional medical convalescent leave'' and inserting ''a member who has given birth may take

convalescent leave in conjunction with the birth of a child. Any medical convalescent leave taken by a member that has given birth shall be used concurrently with the member's 12-week parental leave entitlement. Medical convalescent leave in excess of twelve weeks may be authorized if additional medical convalescent leave'';

(D) in paragraph (4), as so redesignated, by striking ''paragraphs (1) and (4)'' and inserting ''paragraphs (1) and (3)'';

(E) in paragraph (5)(A), as so redesignated, by inserting '', subject to the exceptions in paragraph (1)(B)(ii)'' after ''shall be forfeited''; and

(F) in paragraph (7)(B), as so redesignated, by striking ''paragraph (4)'' and inserting ''paragraph (3)''; and

(2) by striking subsection (j) and redesignating subsections (k) and (l) as subsections (j) and (k), respectively.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect one year after the date of the enactment of this Act.

(c) REGULATIONS.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall prescribe regulations implementing the amendments made by subsection (a).

SEC. 520A. BEREAVEMENT LEAVE FOR MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—Section 701 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(m)(1)(A) Under regulations prescribed by the Secretary of Defense, a member of the armed forces described in subparagraph (B) is allowed up to two weeks of leave to be used in connection with the death of an immediate family member.

''(B) Subparagraph (A) applies to the following members:

''(A) A member on active duty.

''(B) A member of a reserve component performing active Guard and Reserve duty.

''(C) A member of a reserve component subject to an active duty recall or mobilization order in excess of 12 months.

''(2) Under the regulations prescribed for purposes of this subsection, a member taking leave under paragraph (1) shall not have his or her leave account reduced as a result of taking such leave if such member's accrued leave is fewer than 30 days. Members with 30 or more days of accrued leave shall be charged for bereavement leave until such point that the member's accrued leave is less than 30 days. Any remaining bereavement leave taken by such member in accordance with paragraph (1) after such point shall not be chargeable to the member.

''(3) IMMEDIATE FAMILY MEMBER DEFINED.—In this section, the term 'immediate family member', with respect to a member of the armed forces, means—

''(A) the member's spouse; or

''(B) a child of the member.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect 180 days after the date of the enactment of this Act.

Subtitle C—Prevention and Response to Sexual Assault, Harassment, and Related Misconduct, and Other Military Justice Matters

SEC. 521. DOD SAFE HELPLINE AUTHORIZATION TO PERFORM INTAKE OF OFFICIAL RESTRICTED AND UNRESTRICTED REPORTS FOR ELIGIBLE ADULT SEXUAL ASSAULT VICTIMS.

Section 584 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C. 1561 note) is amended—

(1) by redesignating subsection (d) as subsection (e); and

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

''(d) AUTHORIZATIONS FOR DOD SAFE HELPLINE.—

''(1) PROVIDING SUPPORT AND RECEIVING OFFICIAL REPORTS.—DoD Safe Helpline (or any successor service to DoD Safe Helpline, if any, as identified by the Secretary of Defense) is authorized to provide crisis intervention and support and to perform the intake of official reports of sexual assault from eligible adult sexual assault victims who contact the DoD Safe Helpline or other reports as directed by the Secretary of Defense.

''(2) TRAINING AND OVERSIGHT.—DoD Safe Helpline staff shall have specialized training and appropriate certification to support eligible adult sexual assault victims.

''(3) ELIGIBILITY AND PROCEDURES.—The Secretary of Defense shall prescribe regulations regarding eligibility for DoD Safe Helpline services, procedures for providing crisis intervention and support, and accepting reports.

''(4) ELECTRONIC RECEIPT OF OFFICIAL REPORTS OF ADULT SEXUAL ASSAULTS.—DoD Safe Helpline shall provide the ability to receive reports of adult sexual assaults through the DoD Safe Helpline website and mobile phone applications, in a secure manner consistent with appropriate protection of victim privacy, and may offer other methods of receiving electronic submission of adult sexual assault reports, as appropriate, in a manner that appropriately protects victim privacy.

''(5) TYPES OF REPORTS.—Reports of sexual assault from eligible adult sexual assault victims received by DoD Safe Helpline (or a successor as determined by the Secretary of Defense) shall include unrestricted and restricted reports, or other reports as directed by the Secretary of Defense.

''(6) OPTION FOR ENTRY INTO THE CATCH A SERIAL OFFENDER SYSTEM.—An individual making a restricted report (or a relevant successor type of report or other type of appropriate report, as determined by the Secretary of Defense) to the DoD Safe Helpline (or a successor as determined by the Secretary of Defense) shall have the option to submit information related to their report to the CATCH A SERIAL OFFENDER system (or its successor or similar system as determined by the Secretary of Defense).''.

SEC. 522. ASSESSMENT OF RELATIONSHIP BETWEEN COMMAND CLIMATE AND THE PREVENTION AND ADJUDICATION OF MILITARY SEXUAL MISCONDUCT.

(a) ASSESSMENT REQUIRED.—The Secretary of Defense shall require the Secretaries of the military departments to conduct not fewer than six independent reviews at military installations under the control of the Secretary concerned to assess the command climate at such military installations, to include a review of those installations' programs to prevent and respond to sexual assault and sexual harassment, organizational climate, gender discrimination, and support of survivors.

(b) LOCATIONS.—The assessments conducted under subsection (a) shall be conducted at—

(1) not fewer than three installations, including at least one Navy ship, with the highest risk of sexual assault, as defined by the Secretary of Defense; and

(2) not fewer than three installations, including at least one Navy ship, with the lowest risk of sexual assault, as defined by the Secretary of Defense.

(c) PARAMETERS.—

(1) INDEPENDENCE.—The assessments conducted under this section may be comprised of civilian and military personnel, include the membership of, and input from, the Office of the Department of Defense Inspector General, and include individuals possessing the appropriate level of experience to conduct assessments of command climate. The members conducting an assessment of a particular military installation shall be independent from the military service assessed, the chain of command involved, and the installation that is the focus of the review.

(2) DATA SURVEYED.—The assessment shall leverage command climate surveys, interviews, focus groups, independent research and materials, media reports, and other means as determined by the Secretary of Defense.

(d) USE OF RESULTS.—The results of the assessment shall be used to inform best practices in supporting a climate that supports prevention programs and survivors at military installations. The best practices shall be shared throughout the Department of Defense, including with the installations included in the assessment, and in a publicly available report.

(e) COMPLETION AND REPORTING.—The assessment under this section shall be completed not later than 18 months after the date of the enactment of this Act. Not later than 30 days after the assessment is completed, the Secretary of Defense shall submit a report with findings to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives.

SEC. 523. POLICY FOR ENSURING THE ANNUAL REPORT REGARDING SEXUAL ASSAULTS INVOLVING MEMBERS OF THE ARMED FORCES INCLUDES INFORMATION ON RACE AND ETHNICITY OF VICTIMS.

The Secretary of Defense shall prescribe policy requiring information on the race and ethnicity of victims and accused individuals to be included to the maximum extent practicable in the annual report required under section 1631 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 1561 note). The policy may provide for the exclusion of such information based on privacy concerns, impacts on accountability efforts, or other matters of importance as determined and identified in such policy by the Secretary.

SEC. 524. DEPARTMENT OF DEFENSE TRACKING OF ALLEGATIONS OF RETALIATION BY VICTIMS OF SEXUAL ASSAULT OR SEXUAL HARASSMENT AND RELATED PERSONS.

(a) IN GENERAL.—Chapter 80 of title 10, United States Code, is amended by inserting after section 1562 the following new section:

''§ 1562a. Complaints of retaliation by victims of sexual assault or sexual harassment and related persons: tracking by Department of Defense

''(a) DESIGNATION OF RESPONSIBLE COMPONENT.—The Secretary of Defense shall designate a component of the Office of the Secretary of Defense to be responsible for documenting and tracking all covered allegations of retaliation and shall ensure that the Secretaries concerned and the Inspector General of the Department of Defense provide to such component the information required to be documented and tracked as described in subsection (b).

''(b) TRACKING OF ALLEGATIONS.—The head of the component designated by the Secretary under subsection (a) shall document and track each covered allegation of retaliation, including—

''(1) that such an allegation has been reported and by whom;

''(2) the date of the report;

''(3) the nature of the allegation and the name of the person or persons alleged to have engaged in such retaliation;

''(4) the Department of Defense component or other entity responsible for the investigation of or inquiry into the allegation;

''(5) the entry of findings;

''(6) referral of such findings to a decision-maker for review and action, as appropriate;

''(7) the outcome of final action; and

''(8) any other element of information pertaining to the allegation determined appropriate by the Secretary or the head of the component designated by the Secretary.

''(c) COVERED ALLEGATION OF RETALIATION DEFINED.—In this section, the term 'covered allegation of retaliation' means an allegation of retaliation—

''(1) made by—

''(A) an alleged victim of sexual assault or sexual harassment;

''(B) an individual charged with providing services or support to an alleged victim of sexual assault or sexual harassment;

''(C) a witness or bystander to an alleged sexual assault or sexual harassment; or

''(D) any other person associated with an alleged victim of a sexual assault or sexual harassment; and

''(2) without regard to whether the allegation is reported to or investigated or inquired into by—

''(A) the Department of Defense Inspector General or any other inspector general;

''(B) a military criminal investigative organization;

''(C) a commander or other person at the direction of the commander;

''(D) another military or civilian law enforcement organization; or

''(E) any other organization, officer, or employee of the Department of Defense.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 80 of title 10, United States Code, is amended by inserting after the item relating to section 1562 the following new item:

''1562a. Complaints of retaliation by victims of sexual assault or sexual harassment and related persons: tracking by Department of Defense.''.

SEC. 525. SPECIAL VICTIM'S COUNSEL REPRESENTATION OF CIVILIAN VICTIMS OF SEX-RELATED OFFENSES.

Section 1044e(a)(2) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

''(D) A civilian who is a victim of an alleged sex-related offense, if the alleged perpetrator was subject to the jurisdiction of the Uniform Code of Military Justice at the time of the offense.''.

SEC. 526. NOTICE TO VICTIMS OF FURTHER ADMINISTRATIVE ACTION FOLLOWING A DETERMINATION NOT TO REFER TO TRIAL BY COURT-MARTIAL.

Section 549 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 806b note) is amended—

(1) by striking ''Under regulations'' and inserting ''Notwithstanding section 552a of title 5, United States Code (commonly referred to as the 'Privacy Act' or the 'Privacy Act of 1974') and under regulations'';

(2) by striking ''alleged sexual assault'' and inserting ''an alleged sex-related offense''; and

(3) by adding at the end the following new sentence: ''Upon such final determination, the commander shall notify the victim of the type of action taken on such case, the outcome of the action (including any punishments assigned or characterization of service, as applicable), and such other information as the commander determines to be relevant.''.

SEC. 527. RECOMMENDATIONS ON SEPARATE PUNITIVE ARTICLE IN THE UNIFORM CODE OF MILITARY JUSTICE ON VIOLENT EXTREMISM.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing such recommendations as the Secretary considers appropriate with respect to the establishment of a separate punitive article in chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), on violent extremism.

SEC. 528. DETERMINATION AND REPORTING OF MISSING, ABSENT UNKNOWN, ABSENT WITHOUT LEAVE, AND DUTY STATUS-WHEREABOUTS UNKNOWN SERVICE MEMBERS.

(a) COMPREHENSIVE REVIEW OF MISSING PERSONS REPORTING.—The Secretary of Defense shall instruct the Secretary of each military department to undertake a comprehensive review of the department's policies and procedures for determining and reporting service members as missing, absent unknown, absent without leave, or duty status-whereabouts unknown.

(b) REVIEW OF INSTALLATION-LEVEL PROCEDURES.—In addition to such other requirements as may be set forth by the Secretary of Defense pursuant to subsection (a), the Secretary of each military department shall with regard to the department concerned—

(1) direct each military installation, including any tenant command or activity present on such installation, to review its policies and procedures for carrying out the determination and reporting activities described under subsection (a); and

(2) update such installation-level policies and procedures, including any tenant command or activity policies and procedures, with a view towards force protection, enhanced security for service members living on the military installation, and prioritizing reporting at the earliest practicable time to local law enforcement at all levels, and Federal law enforcement field offices with overlapping jurisdiction with that installation, when a service member is determined to be missing, absent unknown, absent without leave, or duty status-whereabouts unknown.

(c) INSTALLATION-SPECIFIC REPORTING PROTOCOLS.—

(1) IN GENERAL.—The commander of each military installation shall establish a protocol applicable to all persons and organizations present on the installation, including tenant commands and activities, for sharing information with local and Federal law enforcement agencies about service members who are missing, absent-unknown, absent without leave, or duty status-whereabouts unknown. The protocol shall provide for the an immediate entry regarding the service member concerned in the Missing Persons File of the National Crimes Information Center data and for the commander to immediately notify all local law enforcement agencies with jurisdictions in the immediate area of the military installation, when the status of a service member assigned to such installation has been determined to be missing, absent unknown, absent without leave, or duty status-whereabouts unknown.

(2) REPORTING TO MILITARY INSTALLATION COMMAND.—The commander of each military installation shall submit the protocol established pursuant to paragraph (1) to the Secretary of the military department concerned.

SEC. 529. CONDUCT UNBECOMING AN OFFICER.

(a) IN GENERAL.—Section 933 of title 10, United States Code (article 133 of the Uniform Code of Military Justice) is amended—

(1) in the section heading, by striking ''**and a gentleman**''; and

(2) by striking ''and a gentleman''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter X of chapter 47 of such title is amended in the item relating to section 933 (article 133) by striking ''and a gentleman''.

SEC. 530. ANALYSIS OF THE USE OF NON-JUDICIAL PUNISHMENT.

(a) IN GENERAL.—The Secretary of Defense shall conduct statistical analysis of information on punishments imposed under section 815 of title 10, United States Code (article 15 of the Uniform Code of Military Justice).

(b) SCOPE.—The information analyzed under subsection (a) shall include the following:

(1) The race, ethnicity, gender, rank, and grade of—

(A) members of the armed forces punished under section 815 of title 10, United States Code (article 15 of the Uniform Code of Military Justice);

(B) commanders who imposed such punishment; and

(C) victims of the conduct for which such punishment was imposed.

(2) For punishments imposed under such section (article), the Secretary shall—

(A) analyze the offenses under this chapter for which punishment was imposed; and

(B) analyze investigations conducted before the imposition of punishment.

SEC. 530A. SEXUAL ASSAULT RESPONSE COORDINATOR MILITARY OCCUPATIONAL SPECIALTY.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the optimal execution of a Sexual Assault Response Coordinator (SARC) Military Occupational Specialty (MOS).

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

(1) A recommendation on the required rank and experience of a SARC MOS.

(2) Recommendations for strengthening recruitment and retention of members of the Armed Forces of the required rank and experience identified under paragraph (1), including—

(A) designating SARC as a secondary MOS instead of a primary MOS;

(B) providing initial or recurrent bonuses or duty stations of choice to service members who qualify for the SARC MOS;

(C) limiting the amount of time that a service member who has qualified for the SARC MOS can serve as a SARC in a given period of time; or

(D) requiring evaluations for service members who have qualified for the SARC MOS and are serving as a SARC to be completed by an officer of the rank of O–6 or higher.

(3) Recommendations for standardizing training and education for service members seeking a SARC MOS or serving as a SARC, including by institutionalizing relevant academies for each of the services.

(4) An analysis of the impact of a SARC MOS on the talent management of the existing SARC program, including recruitment and retention.

(5) An analysis of the requirements for a SARC-specific chain of command.

(6) A plan to execute a SARC MOS within two years.

(7) Analysis of the cost of a SARC MOS program.

(8) Any other matter the Secretary of Defense considers relevant for inclusion.

(c) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall provide the congressional defense committees a briefing on the report required under subsection (a).

SEC. 530B. IMPLEMENTATION OF RECOMMENDATIONS OF THE INDEPENDENT REVIEW COMMISSION ON SEXUAL ASSAULT IN THE MILITARY.

(a) IRC REPORT DEFINED.—In this section, the term ''IRC report'' means the 2021 report entitled, ''Hard Truths and the Duty to

Change: Recommendations from the Independent Review Commission on Sexual Assault in the Military''.

(b) LINE OF EFFORT 2.—The Secretary of Defense shall implement the following recommendations included in Line of Effort 2: Prevention of section III of the IRC report:

(1) 2.1 Equip all leaders with prevention competencies and evaluate their performance.

(A) 2.1 a The Under Secretary of Defense for Personnel and Readiness (USD(P&R)) should define the competencies leaders must have to oversee prevention.

(B) 2.1 b The Services and the National Guard Bureau (NGB) should develop and hold leaders appropriately accountable for prevention.

(C) 2.1 c The Services and the NGB should equip all leaders to develop and deliver informed prevention messages in formal and informal settings.

(2) 2.2 Establish a dedicated primary prevention workforce

(A) 2.2 a USD(P&R) should develop a model for a dedicated and capable prevention workforce.

(B) 2.2 b USD(P&R) should develop a professional credential for the prevention workforce.

(C) 2.2 c The Services should determine the optimum full-time prevention workforce, and equip all echelons of active duty, reserve, and guard organizations.

(3) 2.3 Implement community-level prevention strategies unique to Service members' environments.

(A) 2.3 a The Services and the NGB should resource and implement prevention strategies at organizational and community levels.

(B) 2.3 b USD(P&R) should identify a nonclinical OSD-level Office of Primary Responsibility for alcohol policy and develop relevant policy guidance and oversight.

(4) 2.4 Modernize prevention education and skill-building to reflect today's generation of Service members.

(5) 2.5 Identify and actively support Service members with the most effective prevention interventions.

(A) 2.5 a The Services and the NGB should institute a pilot program to link Service members with resources and support.

(B) 2.5 b The Services and the NGB should employ virtual platforms to provide support to all Service members.

(6) 2.6 Create a state-of-the-art DoD prevention research capability.

(A) 2.6 a DoD should establish a dedicated research center for the primary prevention of interpersonal and self-directed violence.

(B) 2.6 b USD(P&R), the Services, and the NGB should continually review and update all policies that unnecessarily restrict data collection on important populations of Service members.

(C) 2.6 c The Secretary of Defense should immediately authorize operational testing of the Air Force Compatibility Assessment with a cross-Service pre-accession sample, allowing for important research and intervention development.

(D) 2.6 d The USD(P&R) should commission research on gender and masculinities to develop effective social marketing strategies to facilitate primary prevention efforts.

(7) 2.7 Establish a comprehensive National Guard primary prevention strategy.

(A) 2.7 a The NGB should develop Army National and Air National Guard prevention strategies aligned with DoD's Prevention Plan of Action, based on the National Guard's unique construct and missions.

(B) 2.7 b USD(P&R) should submit a legislative proposal providing authorization and funding for the NGB to conduct recurring National Guard unit inspections and staff assistance visits for prevention oversight and assistance.

(8) 2.8 USD(P&R) should update the Department's prevention strategy, including the DoD Prevention Plan of Action, to incorporate approved IRC recommendations.

(c) LINE OF EFFORT 3.—The Secretary of Defense shall implement the following recommendations included in Line of Effort 3: Climate and Culture of section III of the IRC report:

(1) 3.1 USD(P&R) should codify in policy and direct the development and implementation of metrics related to sexual harassment and sexual assault as part of readiness tracking and reporting.

(2) 3.2 USD(P&R) should direct the Services to educate the force about sexual harassment and sexual assault within the context of the Services' core values.

(3) 3.3 DoD must execute on the principle that addressing sexual harassment and sexual assault in the 21st century requires engaging with the cyber domain.

(A) 3.3 a Collect data to measure the problem of cyberharassment (and related harms).

(B) 3.3 b Educate leaders on cyberharassment and technology-facilitated sexual harassment and sexual assault.

(C) 3.3 c Hold Service members appropriately accountable who engage in cyberharassment and other forms of technology-facilitated sexual harassment and sexual assault.

(4) 3.4 DoD should ensure that there is an internal focus on preventing sexual harm and gender-based violence across the force in implementing the 2017 National Women, Peace, and Security (WPS) Act.

(A) 3.4 a Elevate and standardize the gender advisor workforce.

(B) 3.4 b Use qualitative data as part of indicators for Defense Objective One of the WPS Strategic Framework.

(C) 3.4 c Integrate a gender analysis into the military's planning & operational frameworks.

(D) 3.4 d Review and revise Professional Military Education (PME) and DoD schoolhouse curricula to mainstream WPS priorities.

(E) 3.4 e Congress should support DoD's inclusion of Personnel & Readiness in WPS implementation and codify in legislation.

(5) 3.5 Use qualitative data to select, develop, and evaluate the right leaders for command positions.

(A) 3.5 a Use qualitative data to select and develop the right leaders.

(B) 3.5 b Include a meaningful narrative section in performance evaluations for officers and NCOs.

(6) 3.6 Building a climate for the reduction of sexual harassment and sexual assault as a fundamental leader development requirement.

(7) 3.7 USD(P&R) should undertake a series of enhancements to the climate survey process to ensure that timely, actionable data can be used to improve unit climate on sexual harassment and assault.

(A) 3.7 a USD(P&R) should develop a standardized ''pulse survey'' tool that would enable unit-level commanders to collect real-time climate data on sexual harassment and sexual assault from Service members in their units between required administrations of the Defense Organizational Climate Survey (DEOCS).

(B) 3.7 b The Secretary of Defense should direct the Services to develop a formal system to share climate survey data at the unit level and initiate and evaluate corrective action plans.

(C) 3.7 c USD(P&R) should accelerate efforts to develop a validated ''Climate Benchmark'' to measure healthy and unhealthy climate at the unit level.

(D) 3.7 d The Secretary of Defense should assess whether current DoD policies, relevant components, and the Service-level Equal Opportunity workforce have the capacity to help commanders resolve climate issues.

(8) 3.8 The Services should publish the nature and results of all disciplinary actions related to sexual misconduct and disseminate this information to troops periodically.

(d) LINE OF EFFORT 4.—The Secretary of Defense shall implement the following recommendations included in Line of Effort 4: Victim Care and Support of section III of the IRC report:

(1) 4.1 Optimize the victim care and support workforce.

(A) 4.1 a Move SARCs and SAPR VAs from the command reporting structure.

(B) 4.1 b Eliminate collateral duty for SARCs and SAPR VAs, with exceptions for ships, submarines, and isolated installations.

(C) 4.1 c Explore the co-location of SAPR and SHARP with other special victim services, such as FAP, to improve coordination, collaboration, and consistency in victim support.

(D) 4.1 d Train Independent Duty Corpsmen to be Sexual Assault Medical Forensic Examiners so patient care and evidence collection can be provided in deployed and isolated environments.

(2) 4.2 Expand victim service options to meet the needs of all survivors of sexual assault and sexual harassment.

(A) 4.2 a Increase access to and visibility of civilian community-based care.

(B) 4.2 b Authorize Service members to access the full spectrum of VA services for conditions related to military sexual assault and sexual harassment confidentially, and without a referral.

(C) 4.2 c Expand access to CATCH to include victims of sexual harassment and enable Service members to self-service access to CATCH.

(D) 4.2 d Create survivor-led peer support programs that allow for in-person, virtual, and telephone interaction.

(E) 4.2 e Amplify victims' rights and services in the post-trial period.

(3) 4.3 Center the survivor to facilitate healing and restoration.

(A) 4.3 a Implement the No Wrong Door approach to sexual harassment, sexual assault, and domestic abuse across the Services and NGB.

(B) 4.3 b Institute a ''Commander's Package'' from the SAPR VA with recommendations for victim care and support.

(C) 4.3 c Allow survivors flexibility to take non-chargeable time off for seeking services or time for recovery from sexual assault.

(D) 4.3 d Increase victim agency and control of the response process by: maximizing adherence to survivor preference on reporting status, and centering survivor preferences in expedited transfers.

(E) 4.3 e Study the methods our allies have used to make amends to survivors, including restorative engagement to acknowledge harm, and potential victim compensation.

(4) 4.4 Re-envision training and research to improve victim care and support.

(A) 4.4 a Establish a Defense Sexual Assault and Sexual Harassment Center of Excellence that administers a core curriculum of trauma and response trainings for all SAPR VAs and SARCs, chaplains, and other response personnel.

(B) 4.4 b Develop training to build the capacity of SARCs and SAPR VAs to provide culturally competent care to Service members from communities of color, LGBTQ+ Service members, religious minorities, and men.

(C) 4.4 c Revise and update training modules on appropriate response to sexual assault and sexual harassment in PME for officers and NCOs.

(D) 4.4 d Use an action research model to identify root problems, test interventions, and create best practices with survivors' input.

Subtitle D—Military Justice Reform and Sexual Assault Prevention

PART I—MILITARY JUSTICE MATTERS

SEC. 531. SPECIAL VICTIM PROSECUTORS.

(a) IN GENERAL.—Subchapter V of chapter 47 of title 10, United States Code, is amended by inserting after section 824 (article 24 of the Uniform Code of Military Justice) the following new section:

"§ 824a. Art 24a. Special victim prosecutors

''(a) DETAIL OF SPECIAL VICTIM PROSECUTORS AND ASSISTANT SPECIAL VICTIM PROSECUTORS.—Each Secretary concerned shall detail commissioned officers to serve as special victim prosecutors and assistant special victim prosecutors.

''(b) QUALIFICATIONS.—A special victim prosecutor or assistant special victim prosecutor shall be a commissioned officer who—

''(1) is a member of the bar of a Federal court or a member of the bar of the highest court of a State; and

''(2) is certified to be qualified, by reason of education, training, experience, and temperament, for duty as a special victim prosecutor or assistant special victim prosecutor by the Judge Advocate General of the armed force of which the officer is a member.

''(c) DUTIES AND AUTHORITIES.—

''(1) IN GENERAL.—Special victim prosecutors and assistant special victim prosecutors shall carry out the duties described in this chapter (the Uniform Code of Military Justice) and any other duties prescribed by the Secretary of Defense, in consultation with the Secretary of Homeland Security (with respect to the Coast Guard when it is not operating as a service in the Navy), by regulation.

''(2) DETERMINATION OF SPECIAL VICTIM OFFENSE; RELATED CHARGES.—

''(A) AUTHORITY.—A special victim prosecutor shall have exclusive authority to determine if a reported offense is a special victim offense and shall exercise authority over any such offense in accordance with this chapter (the Uniform Code of Military Justice).

''(B) RELATED OFFENSES.—If a special victim prosecutor determines that a reported offense is a special victim offense, the special victim prosecutor may also exercise authority over any offense that the special victim prosecutor determines to be related to the special victim offense and any other offense alleged to have been committed by a person alleged to have committed the special victim offense.

''(3) DISMISSAL; REFERRAL; PLEA BARGAINS.—Subject to paragraph (4), with respect to charges and specifications alleging any offense over which a special victim prosecutor exercises authority, a special victim prosecutor shall have exclusive authority to, in accordance with this chapter (the Uniform Code of Military Justice)—

''(A) on behalf of the Government, dismiss the charges and specifications or make a motion to dismiss the charges and specifications;

''(B) refer the charges and specifications for trial by a special or general court-martial;

''(C) enter into a plea agreement; and

''(D) determine if an ordered rehearing is impracticable.

''(4) DEFERRAL TO CONVENING AUTHORITY.—If a special victim prosecutor exercises authority over an offense and elects not to prefer charges and specifications for such offense or, with respect to charges and specifications for such offense preferred by a person other than a special victim prosecutor, elects not to refer such charges and specifications, a convening authority may exercise any of the authorities of the convening authority under this chapter (the Uniform Code of Military Justice) with respect to such offense, except that the convening authority may not refer charges and specifications for a special victim offense for trial by special or general court-martial.''.

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of subchapter V of chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), is amended by inserting after the item relating to section 824 (article 24) the following new item:

''824a. Art 24a. Special victim prosecutors.''.

SEC. 532. POLICIES WITH RESPECT TO SPECIAL VICTIM PROSECUTORS.

(a) IN GENERAL.—Chapter 53 of title 10, United States Code, is amended by inserting after section 1044e the following new section:

"§ 1044f. Policies with respect to special victim prosecutors

''(a) POLICIES REQUIRED.—The Secretary of Defense shall establish policies with respect to the appropriate mechanisms and procedures that the Secretaries of the military departments shall establish and carry out relating to the activities of special victim prosecutors, including expected milestones for the Secretaries to fully implement such mechanisms and procedures. The policies shall include the following:

''(1) Provide for the establishment of a dedicated office in the Secretariat of each military department from which office the activities of the special victim prosecutors of the military services concerned shall be supervised and overseen.

''(2) Direct each Secretary of a military department to appoint one lead special victim prosecutor for each military service under the authority, direction, and control of the Secretary concerned, which lead special prosecutor shall be a judge advocate of that service in a grade no lower than O–6, with significant experience in military justice, who shall be responsible for the overall supervision and oversight of the activities of the special victim prosecutors of that service.

''(3) Direct each Secretary of a military department to designate one of the lead special victim prosecutors appointed pursuant to paragraph (2) to lead the office required to be established pursuant to paragraph (1).

''(4) Ensure that the office created pursuant to paragraph (1), the lead special victim prosecutors and other personnel assigned or detailed to the office, and the special victim prosecutors of the military services concerned—

''(A) are independent of the military chains of command of both the victims and those accused of special victim offenses and any other offenses over which a special victim prosecutor at any time exercises authority in accordance with section 824a of this title (article 24a of the Uniform Code of Military Justice); and

''(B) conduct assigned activities free from unlawful or unauthorized influence or coercion.

''(5) Provide that special victim prosecutors and assistant special victim prosecutors shall be well-trained, experienced, highly skilled, and competent in handling special victim cases.

''(6) Provide that commanders of the victim and the accused in a special victim case shall have the opportunity to provide their candid input to the special victim prosecutor regarding case disposition, but that the input is not binding on the special victim prosecutor.

''(b) UNIFORMITY.—The Secretary of Defense shall ensure that any lack of uniformity in the implementation of policies, mechanisms, and procedures established under subsection (a) does not render unconstitutional any such policy, mechanism, or procedure.

''(c) REPORT.—Not later than 270 days after the date of the enactment of this section, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report setting forth the policies proposed to be established pursuant to subsection (a) and the expected roadmap and milestones for the implementation of such policies and the mechanisms and procedures to which they apply.

''(d) QUARTERLY BRIEFING.—Not later than January 1, 2023, and at the beginning of each fiscal quarter thereafter until the policies established pursuant to subsection (a) and the mechanisms and procedures to which they apply are fully implemented and operational, the Secretary of Defense and the Secretaries of the military departments shall jointly provide to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a briefing detailing the actions taken and progress made by the Office of the Secretary of Defense and each of the military departments in meeting the milestones established as required by subsection (a).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 53 of title 10, United States Code, is amended by inserting after the item relating to section 1044e the following new item:

''1044f. Department of Defense policies with respect to special victim prosecutors.''.

SEC. 533. DEFINITION OF MILITARY MAGISTRATE, SPECIAL VICTIM OFFENSE, AND SPECIAL VICTIM PROSECUTOR.

Section 801 of title 10, United States Code (article 1 of the Uniform Code of Military Justice), is amended—

(1) by inserting after paragraph (10) the following new paragraph:

''(11) The term 'military magistrate' means a commissioned officer certified for duty as a military magistrate in accordance with section 826a of this title (article 26a of the Uniform Code of Military Justice).''; and

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

''(17) The term 'special victim offense' means—

''(A) an offense under section 917a (article 117a), section 920 (article 120), section 920b (article 120b), section 920c (article 120c), section 928b (article 128b), section 930 (article 130), section 932 (article 132), the standalone offense of sexual harassment punishable under section 934 (article 134), or the standalone offense of child pornography punishable under section 934 (article 134) of this chapter (the Uniform Code of Military Justice);

''(B) a conspiracy to commit an offense specified in subparagraph (A) as punishable under section 881 of this title (article 81);

''(C) a solicitation to commit an offense specified in subparagraph (A) as punishable under section 882 of this title (article 82); or

''(D) an attempt to commit an offense specified in subparagraph (A), (B), or (C) as punishable under section 880 of this title (article 80).

''(17) The term 'special victim prosecutor' means a judge advocate detailed as a special

victim prosecutor in accordance with section 824a of this title (article 24a of the Uniform Code of Military Justice).''.

SEC. 534. CLARIFICATION OF APPLICABILITY OF DOMESTIC VIOLENCE AND STALKING TO DATING PARTNERS.

(a) ARTICLE 128B; DOMESTIC VIOLENCE.—Section 928b of title 10, United States Code (article 128b of the Uniform Code of Military Justice), is amended—

(1) in the matter preceding paragraph (1), by striking ''Any person'' and inserting ''(a) IN GENERAL.—Any person'';

(2) in subsection (a), as designated by paragraph (1) of this subsection, by inserting ''a dating partner,'' after ''an intimate partner,'' each place it appears; and

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

''(b) DEFINITIONS.—In this section (article), the terms 'dating partner', 'immediate family', and 'intimate partner' have the meaning given such terms in section 930 of this title (article 130 of the Uniform Code of Military Justice).''.

(b) ARTICLE 130; STALKING.—Section 930 of such title (article 130 of the Uniform Code of Military Justice) is amended—

(1) in subsection (a), by striking ''or to his or her intimate partner'' each place it appears and inserting ''to his or her intimate partner, or to his or her dating partner''; and

(2) in subsection (b)—

(A) by redesignating paragraphs (3) through (5) as paragraphs (4) through (6), respectively; and

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

''(3) The term 'dating partner', in the case of a specific person, means a person who is or has been in a social relationship of a romantic or intimate nature with such specific person based on a consideration of—

''(A) the length of the relationship;

''(B) the type of relationship; and

''(C) the frequency of interaction between the persons involved in the relationship.''.

SEC. 535. CLARIFICATION RELATING TO WHO MAY CONVENE COURTS-MARTIAL.

(a) GENERAL COURTS-MARTIAL.—Section 822(b) of title 10, United States Code (article 22(b) of the Uniform Code of Military Justice), is amended—

(1) by striking ''If any'' and inserting ''(1) If any''; and

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

''(2) A commanding officer shall not be considered an accuser solely due to the role of the commanding officer in convening a general court-martial to which charges and specifications were referred by a special victim prosecutor in accordance with this chapter (the Uniform Code of Military Justice).''.

(b) SPECIAL COURTS-MARTIAL.—Section 823(b) of title 10, United States Code (article 23(b) of the Uniform Code of Military Justice), is amended—

(1) by striking ''If any'' and inserting ''(1) If any'';

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

''(2) A commanding officer shall not be considered an accuser solely due to the role of the commanding officer in convening a special court-martial to which charges and specifications were referred by a special victim prosecutor in accordance with this chapter (the Uniform Code of Military Justice).''.

SEC. 536. INCLUSION OF SEXUAL HARASSMENT AS GENERAL PUNITIVE ARTICLE.

(a) AMENDMENT TO MANUAL FOR COURTS-MARTIAL.—Not later than 30 days after the date of the enactment of this Act, the President shall amend Part IV of the Manual for Courts-Martial to include sexual harassment as a standalone offense punishable under section 934 of title 10, United States Code (article 134 of the Uniform Code of Military Justice).

(b) ELEMENTS OF OFFENSE.—The amendment to Part IV of the Manual for Courts-Martial required under subsection (a) shall include the following in the proper place and form:

(1) ELEMENTS.—The required elements constituting the offense of sexual harassment are as follows:

(A) That the accused knowingly made sexual advances, demands, or requests for sexual favors, or engaged in other conduct of a sexual nature.

(B) That such conduct was unwelcome.

(C) That under the circumstances, such conduct—

(i) would cause a reasonable person to, believe, and a certain person does believe that submission to such conduct would be made, either explicitly or implicitly, a term or condition of a person's job, pay, career, benefits, or entitlements;

(ii) would cause a reasonable person to believe, and a certain person does believe that submission to, or rejection of, such conduct would be used as a basis for career or employment decisions affecting that person; or

(iii) was so severe, repetitive, or pervasive, that a reasonable person would perceive, and a certain person does perceive, an intimidating, hostile, or offensive duty or working environment.

(D) That under the circumstances, the conduct of the accused was either—

(i) to the prejudice of good order and discipline in the Armed Forces;

(ii) of a nature to bring discredit upon the Armed Forces; or

(iii) to the prejudice of good order and discipline in the Armed Forces and of a nature to bring discredit on the Armed Forces.

(2) SCOPE OF CONDUCT CONSIDERED SEXUAL IN NATURE.—Whether other conduct is ''of a sexual nature'' shall be dependent upon the circumstances of the act or acts alleged and may include conduct that, without context, would not appear to be sexual in nature.

(3) NATURE OF VICTIM.—For purposes of paragraph (1)(C), a ''certain person'' extends to any person, regardless of gender or seniority, or whether subject to the Uniform Code of Military Justice, who by some duty or military-related reason may work or associate with the accused.

(4) TIMING AND LOCATION OF ACT.—The act constituting sexual harassment can occur at any location, regardless of whether the victim or accused is on or off duty at the time of the alleged act or acts. Physical proximity is not required, and the acts may be committed through online or other electronic means.

(5) MENS REA.—The accused must have actual knowledge that the accused is making sexual advances, demands or requests for sexual favors, or engaging in other conduct of a sexual nature. Actual knowledge is not required for the other elements of the offense.

SEC. 537. DETERMINATIONS OF IMPRACTICABILITY OF REHEARING.

(a) TRANSMITTAL AND REVIEW OF RECORDS.—Section 865(e)(3)(B) of title 10, United States Code (article 65(e)(3)(B) of the Uniform Code of Military Justice), is amended—

(1) by striking ''IMPRACTICAL.—If the Judge Advocate General'' and inserting the following: ''IMPRACTICABLE.—''

''(i) IN GENERAL.—Subject to clause (ii), if the Judge Advocate General'';

(2) by striking ''impractical'' and inserting ''impracticable''; and

(3) by adding at the end the following new clause:

''(ii) CASES REFERRED BY SPECIAL VICTIM PROSECUTOR.—If a case was referred to trial by a special victim prosecutor, a special victim prosecutor shall determine if a rehearing is impracticable and shall dismiss the charges if the special victim prosecutor so determines.''.

(b) COURTS OF CRIMINAL APPEALS.—Section 866(f)(1)(C) of title 10, United States Code (article 66(f)(1)(C) of the Uniform Code of Military Justice), is amended—

(1) by striking ''IMPRACTICABLE.—If the Court of Criminal Appeals'' and inserting the following: ''IMPRACTICABLE.—

''(i) IN GENERAL.—Subject to clause (ii), if the Court of Criminal Appeals''; and

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

''(ii) CASES REFERRED BY SPECIAL VICTIM PROSECUTOR.—If a case was referred to trial by a special victim prosecutor, a special victim prosecutor shall determine if a rehearing is impracticable and shall dismiss the charges if the special victim prosecutor so determines.''.

(c) REVIEW BY THE COURT OF APPEALS FOR THE ARMED FORCES.—Section 867(e) of title 10, United States Code (article 67(e) of the Uniform Code of Military Justice), is amended by adding at the end the following new sentence: ''Notwithstanding the preceding sentence, if a case was referred to trial by a special victim prosecutor, a special victim prosecutor shall determine if a rehearing is impracticable and shall dismiss the charges if the special victim prosecutor so determines.''.

(d) REVIEW BY JUDGE ADVOCATE GENERAL.—Section 869(c)(1)(D) of title 10, Untied States Code (article 69(c)(1)(D) of the Uniform Code of Military Justice), is amended—

(1) by striking ''If the Judge Advocate General'' and inserting ''(i) Subject to clause (ii), if the Judge Advocate General'';

(2) by striking ''impractical'' and inserting ''impracticable''; and

(3) by adding at the end the following new clause:

''(ii) If a case was referred to trial by a special victim prosecutor, a special victim prosecutor shall determine if a rehearing is impracticable and shall dismiss the charges if the special victim prosecutor so determines.''.

SEC. 538. PLEA AGREEMENTS.

(a) AUTHORITY TO ENTER INTO AGREEMENTS.—Subsection (a) of section 853a of title 10, United States Code (article 53a of the Uniform Code of Military Justice), is amended—

(1) in paragraph (1), by striking ''At any time'' and inserting ''Subject to paragraph (3), at any time''; and

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

''(3) With respect to charges and specifications referred to court-martial by a special victim prosecutor, a plea agreement under this section may only be entered into between a special victim prosecutor and the accused. Such agreement shall be subject to the same limitations and conditions applicable to other plea agreements under this section (article).''.

(b) BINDING EFFECT.—Subsection (d) of such section (article) is amended by inserting after ''parties'' the following: ''(including the convening authority and the special victim prosecutor in the case of a plea agreement entered into under subsection (a)(3))''.

SEC. 539. OPPORTUNITY TO OBTAIN WITNESS AND OTHER EVIDENCE IN TRIALS BY COURT-MARTIAL.

Subsection 846(d)(2) of title 10, United States Code (article 46(d)(2) of the Uniform Code of Military Justice), is amended—

(1) by striking ''only if a general court-martial'' and inserting the following: ''only if—

''(A) a general court-martial;'';

(2) in subparagraph (A), as designated by paragraph (1) of this section, by striking ''a subpoena or a military judge'' and inserting the following: ''a subpoena;

''(B) a military judge'';

(3) In subparagraph (B), as designated by paragraph (2), by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following new subparagraphs:

''(C) a special victim prosecutor issues such a subpoena; or

''(D) the military counsel detailed to defend an individual suspected or accused of an offense over which a special victim prosecutor exercises authority in accordance with section 824a of this title (article 824a of the Uniform Code of Military Justice) issues such a subpoena.''.

SEC. 540. FORMER JEOPARDY.

Section 844(c) of title 10, United States Code (article 44(c) of the Uniform Code of Military Justice), is amended—

(1) in paragraph (1) in the matter following subparagraph (B), by inserting ''or the special victim prosecutor'' after ''the convening authority''; and

(2) in paragraph (2) in the matter following subparagraph (B), by inserting ''or the special victim prosecutor'' after ''the convening authority''.

SEC. 541. ADVICE TO CONVENING AUTHORITY BEFORE REFERRAL FOR TRIAL.

Section 834 of title 10, United States Code (article 34 of the Uniform Code of Military Justice), is amended—

(1) In subsection (a)(1)—

(A) by striking ''Before referral'' and inserting ''Subject to subsection (c), before referral'';

(B) by redesignating subparagraph (C) as subparagraph (D); and

(C) by inserting after subparagraph (B) the following new subparagraph:

''(C) there is sufficient admissible evidence to obtain and sustain a conviction on the charged offense.''.

(2) in subsection (b), by striking ''Before referral'' and inserting ''Subject to subsection (c), before referral'';

(3) by redesignating subsections (c) and (d) as subsections (d) and (e) respectively;

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

''(c) SPECIAL VICTIM OFFENSES.—A referral to a general or special court-martial for trial of charges and specifications over which a special victim prosecutor exercises authority may only be made—

''(1) by a special victim prosecutor, subject to a special victim prosecutor's written determination accompanying the referral that—

''(A) each specification under a charge alleges an offense under this chapter;

''(B) there is probable cause to believe that the accused committed the offense charged; and

''(C) there is sufficient admissible evidence to obtain and sustain a conviction on the charged offense; or

''(2) in the case of charges and specifications that do not allege a special victim offense and as to which a special victim prosecutor declines to prefer or, in the case of charges and specifications preferred by a person other than a special victim prosecutor, refer charges, by the convening authority in accordance with this section.''; and

(5) in subsection (e), as redesignated by paragraph (3) of this section, by inserting ''or, with respect to charges and specifications over which a special victim prosecutor exercises authority in accordance with section 824a of this title (article 824a of the Uniform Code of Military Justice), a special victim prosecutor,'' after ''convening authority''.

SEC. 542. PRELIMINARY HEARING.

(a) DETAIL OF HEARING OFFICER; WAIVER.—Subsection (a)(1) of section 832 of title 10, United States Code (article 32 of the Uniform Code of Military Justice), is amended—

(1) in subparagraph (A), by striking ''hearing officer'' and all that follows through the period at the end and inserting ''hearing officer detailed in accordance with subparagraph (C).'';

(2) in subparagraph (B), by striking ''written waiver'' and all that follows through the period at the end and inserting the following: ''written waiver to—

''(i) except as provided in clause (ii), the convening authority and the convening authority determines that a hearing is not required; and

''(ii) with respect to charges and specifications over which the special victim prosecutor is exercising authority in accordance with section 824a of this title (article 24a of the Uniform Code of Military Justice), the special victim prosecutor and the special victim prosecutor determines that a hearing is not required.''; and

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

''(C)(i) Except as provided in clause (ii), the convening authority shall detail a hearing officer.

''(ii) If a special victim prosecutor is exercising authority over the charges and specifications subject to a preliminary hearing under this section (article), the special victim prosecutor shall request a military judge or military magistrate to serve as the hearing officer, and a military judge or military magistrate shall be provided, in accordance with regulations prescribed by the President.''.

(b) REPORT OF PRELIMINARY HEARING OFFICER.—Subsection (c) of such section is amended—

(1) in the heading, by inserting ''OR SPECIAL VICTIM PROSECUTOR'' after ''CONVENING AUTHORITY''; and

(2) in the matter preceding paragraph (1) by striking ''to the convening authority'' and inserting ''to the convening authority or, in the case of a preliminary hearing in which the hearing officer is provided at the request of a special victim prosecutor, to the special victim prosecutor,''.

SEC. 543. DETAIL OF TRIAL COUNSEL.

Section 827 of title 10, United States Code (article 27 of the Uniform Code of Military Justice), is amended by adding at the end the following new subsection:

''(e)(1) For each general and special court-martial for which charges and specifications were referred by a special victim prosecutor—

''(A) a special victim prosecutor or an assistant special victim prosecutor shall be detailed as trial counsel;

''(B) a special victim prosecutor may detail a special victim prosecutor or an assistant special victim prosecutor as an assistant trial counsel; and

''(C) a special victim prosecutor may request that a counsel other than a special victim prosecutor or assistant special victim prosecutor be detailed as an assistant trial counsel.

''(2) Details of counsel under this subsection shall be made in accordance with regulations prescribed by the President.''.

SEC. 544. SENTENCING REFORM.

(a) ARTICLE 53; FINDINGS AND SENTENCING.—Section 853 of title 10, United States Code (article 53 of the Uniform Code of Military Justice), is amended—

(1) in subsection (b), by amending paragraph (1) to read as follows:

''(1) GENERAL AND SPECIAL COURTS-MARTIAL.—Except as provided in subsection (c) for capital offenses, if the accused is convicted of an offense in a trial by general or special court-martial, the military judge shall sentence the accused. The sentence determined by the military judge constitutes the sentence of the court-martial.''; and

(2) in subsection (c)—

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

''(1) IN GENERAL.—In a capital case, if the accused is convicted of an offense for which the court-martial may sentence the accused to death—

''(A) the members shall determine—

''(i) whether the sentence for that offense shall be death or life in prison without eligibility for parole; or

''(ii) whether the matter shall be returned to the military judge for determination of a lesser punishment; and

''(B) the military judge shall sentence the accused for that offense in accordance with the determination of the members under subparagraph (A).''; and

(B) in paragraph (2), by striking ''the court-martial'' and inserting ''the military judge''.

(b) ARTICLE 53A; PLEA AGREEMENTS.—Section 853a of title 10, United States Code (article 53a of the Uniform Code of Military Justice), as amended by section 538 of this Act, is further amended—

(1) by redesignating subsections (b), (c), and (d), as subsections (c), (d), and (e), respectively; and

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

''(b) ACCEPTANCE OF PLEA AGREEMENT.—Subject to subsection (c), the military judge of a general or special court-martial shall accept a plea agreement submitted by the parties, except that—

''(1) in the case of an offense with a sentencing parameter set forth in regulations prescribed by the President pursuant to section 544(e) of the National Defense Authorization Act for Fiscal Year 2022, the military judge may reject a plea agreement that proposes a sentence that is outside the sentencing parameter if the military judge determines that the proposed sentence is plainly unreasonable; and

''(2) in the case of an offense for which the President has not established a sentencing parameter pursuant to section 544(e) of the National Defense Authorization Act for Fiscal Year 2022, the military judge may reject a plea agreement that proposes a sentence if the military judge determines that the proposed sentence is plainly unreasonable.''.

(c) ARTICLE 56; SENTENCING.—Section 856 of title 10, United States Code (article 56 of the Uniform Code of Military Justice), is amended—

(1) in subsection (c)—

(A) in paragraph (1)—

(i) in subparagraph (C)(vii), by striking ''and'' at the end;

(ii) in subparagraph (D), by striking the period at the end and inserting ''; and''; and

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

''(E) the applicable sentencing parameters or sentencing criteria set forth in regulations prescribed by the President pursuant to section 544(e) of the National Defense Authorization Act for Fiscal Year 2022.''; and

(B) by striking paragraphs (2) through (4) and inserting the following new paragraphs:

''(2) APPLICATION OF SENTENCING PARAMETERS IN GENERAL AND SPECIAL COURTS-MARTIAL.—

''(A) REQUIREMENT TO SENTENCE WITHIN PARAMETERS.—Except as provided in subparagraph (B), in a general or special court-martial in which the accused is convicted of an offense for which the President has established a sentencing parameter pursuant to section 544(e) of the National Defense Authorization Act for Fiscal Year 2022, the military judge shall sentence the accused for that offense within the applicable parameter.

''(B) EXCEPTION.—The military judge may impose a sentence outside a sentencing parameter upon finding specific facts that warrant such a sentence. If the military judge imposes a sentence outside a sentencing parameter under this subparagraph, the military judge shall include in the record a written statement of the factual basis for the sentence.

''(3) USE OF SENTENCING CRITERIA IN GENERAL AND SPECIAL COURTS-MARTIAL.—In a general or special court-martial in which the accused is convicted of an offense for which the President has established sentencing criteria pursuant to section 544(e) of the National Defense Authorization Act for Fiscal Year 2022, the military judge shall consider the applicable sentencing criteria in determining the sentence for that offense.

''(4) OFFENSE-BASED SENTENCING IN GENERAL AND SPECIAL COURTS-MARTIAL.—In announcing the sentence under section 853 of this title (article 53) in a general or special court-martial, the military judge shall, with respect to each offense of which the accused is found guilty, specify the term of confinement, if any, and the amount of the fine, if any. If the accused is sentenced to confinement for more than one offense, the military judge shall specify whether the terms of confinement are to run consecutively or concurrently.

''(5) INAPPLICABILITY TO DEATH PENALTY.—Sentencing parameters and sentencing criteria shall not apply to a determination of whether an offense should be punished by death.

''(6) SENTENCE OF CONFINEMENT FOR LIFE WITHOUT ELIGIBILITY FOR PAROLE.—

''(A) IN GENERAL.—If an offense is subject to a sentence of confinement for life, a court-martial may impose a sentence of confinement for life without eligibility for parole.

''(B) TERM OF CONFINEMENT.—An accused who is sentenced to confinement for life without eligibility for parole shall be confined for the remainder of the accused's life unless—

''(i) the sentence is set aside or otherwise modified as a result of—

''(I) action taken by the convening authority or the Secretary concerned; or

''(II) any other action taken during post-trial procedure or review under any other provision of subchapter IX of this chapter (the Uniform Code of Military Justice);

''(ii) the sentence is set aside or otherwise modified as a result of action taken by a court of competent jurisdiction; or

''(iii) the accused receives a pardon or another form of Executive clemency.''; and

(4) in subsection (d)(1)—

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

(B) by redesignating subparagraph (B) as subparagraph (C);

(C) by inserting after subparagraph (A) the following new subparagraph:

''(B) in the case of a sentence for an offense with a sentencing parameter under this section, the sentence is a result of an incorrect application of the parameter; or''; and

(D) in subparagraph (C), as redesignated by subparagraph (B) of this paragraph, by striking '', as determined in accordance with standards and procedures prescribed by the President''.

(d) ARTICLE 66; COURTS OF CRIMINAL APPEALS.—Section 866 of title 10, United States Code (article 66 of the Uniform Code of Military Justice), as amended by section 537 of this Act, is further amended—

(1) in subsection (d)(1)(A), by striking the third sentence; and

(2) by amending subsection (e) to read as follows:

''(e) CONSIDERATION OF SENTENCE.—

''(1) IN GENERAL.—In considering a sentence on appeal, other than as provided in section 856(e) of this title (article 56(e)), the Court of Criminal Appeals may consider—

''(A) whether the sentence violates the law;

''(B) whether the sentence is inappropriately severe—

''(i) if the sentence is for an offense for which the President has not established a sentencing parameter pursuant to section 544(e) of the National Defense Authorization Act for Fiscal Year 2022; or

''(ii) in the case of an offense for which the President has established a sentencing parameter pursuant to section 544(e) of the National Defense Authorization Act for Fiscal Year 2022, if the sentence is above the upper range of such sentencing parameter;

''(C) in the case of a sentence for an offense for which the President has established a sentencing parameter pursuant to section 544(e) of the National Defense Authorization Act for Fiscal Year 2022, whether the sentence is a result of an incorrect application of the parameter;

''(D) whether the sentence is plainly unreasonable; and

''(E) in review of a sentence to death or to life in prison without eligibility for parole determined by the members in a capital case under section 853(d) of this title (article 53(d)), whether the sentence is otherwise appropriate, under rules prescribed by the President.

''(2) RECORD ON APPEAL.—In an appeal under this subsection or section 856(e) of this title (article 56(e)), other than review under subsection (b)(2), the record on appeal shall consist of—

''(A) any portion of the record in the case that is designated as pertinent by any party;

''(B) the information submitted during the sentencing proceeding; and

''(C) any information required by rule or order of the Court of Criminal Appeals.''.

(e) ESTABLISHMENT OF SENTENCING PARAMETERS AND SENTENCING CRITERIA.—

(1) IN GENERAL.—Not later than two years after the date of the enactment of this Act, the President shall prescribe regulations establishing sentencing parameters and sentencing criteria related to offenses under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), in accordance with this subsection. Such parameters and criteria—

(A) shall cover sentences of confinement; and

(B) may cover lesser punishments, as the President determines appropriate.

(2) SENTENCING PARAMETERS.—Sentencing parameters established under paragraph (1) shall—

(A) identify a delineated sentencing range for an offense that is appropriate for a typical violation of the offense, taking into consideration—

(i) the severity of the offense;

(ii) the guideline or offense category that would apply to the offense if the offense were tried in a United States district court;

(iii) any military-specific sentencing factors; and

(iv) the need for the sentencing parameter to be sufficiently broad to allow for individualized consideration of the offense and the accused;

(B) include no fewer than 5 and no more than 12 offense categories;

(C) assign such offense under this chapter to an offense category unless the offense is identified as unsuitable for sentencing parameters under paragraph (4)(F)(ii); and

(D) delineate the confinement range for each offense category by setting an upper confinement limit and a lower confinement limit.

(3) SENTENCING CRITERIA.—Sentencing criteria established under paragraph (1) shall identify offense-specific factors the military judge should consider and any collateral effects of available punishments that may aid the military judge in determining an appropriate sentence when there is no applicable sentencing parameter for a specific offense.

(4) MILITARY SENTENCING PARAMETERS AND CRITERIA BOARD.—

(A) IN GENERAL.—There is established within the Department of Defense a board, to be known as the ''Military Sentencing Parameters and Criteria Board'' (referred to in this subsection as the ''Board'').

(B) VOTING MEMBERS.—The Board shall have 5 voting members, as follows:

(i) The 4 chief trial judges designated under section 826(g) of title 10, United States Code (article 26(g) of the Uniform Code of Military Justice), except that, if the chief trial judge of the Coast Guard is not available, the Judge Advocate General of the Coast Guard may designate as a voting member a judge advocate of the Coast Guard with substantial military justice experience.

(ii) A trial judge of the Navy, designated under regulations prescribed by the President, if the chief trial judges designated under section 826(g) of title 10, United States Code (article 26(g) of the Uniform Code of Military Justice), do not include a trial judge of the Navy.

(iii) A trial judge of the Marine Corps, designated under regulations prescribed by the President, if the chief trial judges designated under section 826(g) of title 10, United States Code (article 26(g) of the Uniform Code of Military Justice), do not include a trial judge of the Marine Corps.

(C) NONVOTING MEMBERS.—The Chief Judge of the Court of Appeals for the Armed Forces, the Chairman of the Joint Chiefs of Staff, and the General Counsel of the Department of Defense shall each designate one nonvoting member of the Board. The Secretary of Defense may appoint one additional nonvoting member of the Board at the Secretary's discretion.

(D) CHAIR AND VICE-CHAIR.—The Secretary of Defense shall designate one voting member as chair of the Board and one voting member as vice-chair.

(E) VOTING REQUIREMENT.—An affirmative vote of at least three members is required for any action of the Board under this subsection.

(F) DUTIES OF BOARD.—The Board shall have the following duties:

(i) As directed by the Secretary of Defense, the Board shall submit to the President for approval—

(I) sentencing parameters for all offenses under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), (other than offenses that the Board identifies as unsuitable for sentencing parameters in accordance with clause (ii)); and

(II) sentencing criteria to be used by military judges in determining appropriate sentences for offenses that are identified as unsuitable for sentencing parameters in accordance with clause (ii).

(ii) Identify each offense under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that is unsuitable

for sentencing parameters. The Board shall identify an offense as unsuitable for sentencing parameters if—

(I) the nature of the offense is indeterminate and unsuitable for categorization; and

(II) there is no similar criminal offense under the laws of the United States or the laws of the District of Columbia.

(iii) In developing sentencing parameters and criteria, the Board shall consider the sentencing data collected by the Military Justice Review Panel pursuant to section 946(f)(2) of title 10, United States Code (article 146(f)(2) of the Uniform Code of Military Justice).

(iv) In addition to establishing parameters for sentences of confinement under clause (i)(I), the Board shall consider the appropriateness of establishing sentencing parameters for punitive discharges, fines, reductions, forfeitures, and other lesser punishments authorized under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice).

(v) The Board shall regularly—

(I) review, and propose revision to, in consideration of comments and data coming to the Board's attention, the sentencing parameters and sentencing criteria prescribed under paragraph (1); and

(II) submit to the President, through the Secretary of Defense, proposed amendments to the sentencing parameters and sentencing criteria, together with statements explaining the basis for the proposed amendments.

(vi) The Board shall develop means of measuring the degree to which applicable sentencing, penal, and correctional practices are effective with respect to the sentencing factors and policies set forth in this section.

(vii) In fulfilling its duties and in exercising its powers, the Board shall consult authorities on, and individual and institutional representatives of, various aspects of the military criminal justice system. The Board may establish separate advisory groups consisting of individuals with current or recent experience in command and in senior enlisted positions, individuals with experience in the trial of courts-martial, and such other groups as the Board deems appropriate.

(viii) The Board shall submit to the President, through the Secretary of Defense, proposed amendments to the rules for courts-martial with respect to sentencing proceedings and maximum punishments, together with statements explaining the basis for the proposed amendments.

SEC. 545. UNIFORM, DOCUMENT-BASED DATA SYSTEM.

(a) IN GENERAL.—The Secretary of Defense shall—

(1) establish a single mechanism and process into and through which records, data, and information shall be collected, tracked, and maintained regarding the reporting, investigation, processing, adjudication, and final disposition of all offenses under the Uniform Code of Military Justice arising in any component of the Department of Defense;

(2) prescribe uniform data points, definitions, standards, and criteria applicable to all components of the Department of Defense, for the entry of records, data, and information in and through the single mechanism and process required by paragraph (1);

(3) ensure the security of the single mechanism and process and the records, data, and information maintained therein, with a particular emphasis on the security of classified information, personally identifiable information, protected health information, information that is subject to a judicial protective order or that has been placed under seal by appropriate authority, and other information of a sensitive nature, as determined by the Secretary;

(4) authorize access to the single mechanism and process and the records, data, and information maintained therein to appropriately cleared personnel of a component of the Department of Defense and such other persons as the Secretary of Defense may determine, each of whom shall have a demonstrated need for such access derived from the official business of the Department of Defense;

(5) maintain indefinitely all records, data, and information collected in and through the single mechanism and process; and

(6) analyze the records, data, and information maintained in and through the single mechanism and process—

(A) to promote the effective management and timeliness of the investigation, processing, adjudication, and disposition of offenses under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice);

(B) to ascertain the effects of the changes in law and policy required under this part and the amendments made by this part on the prevention of and response to offenses over which a special victim prosecutor at any time exercises authority in accordance with section 824a of this title (article 24a of the Uniform Code of Military Justice);

(C) to inform and improve the policies, processes, reporting, and decision-making of the Department of Defense;

(D) to enhance the quality of periodic reviews required by law, including under section 946 of this title (article 146 of the Uniform Code of Military Justice);

(E) to enhance the quality of reports and briefings to Congress and the Committee on Armed Forces of the Senate and the Committee on Armed Forces of the House of Representatives, including those required by section 532 of the National Defense Authorization Act for Fiscal year 2007 (Public Law 109–364); section 1361 of the National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383), as amended by section 575 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239), section 542 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291), sections 543 and 544 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328), sections 537 and 538 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91), and section 537 of the National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283); section 574 of the National Defense Authorization Act for Fiscal Year 2017 (Public law 114–328); and section 539C of the National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283); and

(F) for such other purposes as the Secretary of Defense may prescribe.

(b) INFORMATION INCLUDED.—The records, data, and information collected, tracked, and maintained in the single mechanism and process required under subsection (a) shall include—

(1) the data points and uniform definitions set forth in memoranda of the General Counsel of the Department of Defense entitled ''Uniform Standards and Criteria Required by Article 140a, Uniform Code of Military Justice'', dated December 17, 2018, and ''Recording Court-Martial Demographic Information'', dated June 3, 2020, and the Appendices thereto, expanded to include—

(A) the progress of an offense under the Uniform Code of Military Justice through each stage of the investigative process, including a summary of the initial complaint giving rise to an inquiry or investigation by a military law enforcement, security, or intelligence organization or military criminal investigative organization, a description of how the complaint became known to such organization, and any referral to or from civilian law enforcement or investigative authorities;

(B) demographic data pertaining to each victim and accused, including age, race, ethnicity, sex, and rank, as applicable, together with the nature of the relationship, if any, between a victim and an accused;

(C) any action taken relative to a service member suspected or accused of an offense under the Uniform Code of Military Justice through each stage of such action from initiation to final disposition, and appeal, if any, including—

(i) a decision to take no action;

(ii) trial by court-martial or other judicial process;

(iii) non-judicial punishment under section 815 of title 10, United States Code (article 15 of the Uniform Code of Military Justice); and

(iv) adverse or corrective administrative action; and

(D) the age, race, ethnicity, sex, and rank, as applicable, of any person who took an action documented pursuant to subparagraph (C);

(2) the date on which each key action or decision relative to the offense occurred or was made;

(3) a true copy of each source document or record relating to the reporting, investigation, processing, adjudication, and disposition of each offense; and

(4) any other record, data, or information as prescribed by the Secretary of Defense.

(c) DEADLINE.—The single mechanism and process required under subsection (a) shall be fully operational by the effective date specified in section 552 and will be used to collect, track, and maintain records, data, and information about the reporting, investigation, processing, adjudication, and final disposition of each offense under the Uniform Code of Military Justice that occurs after that date.

(d) DEFINITIONS.—In this section:

(1) SINGLE MECHANISM AND PROCESS.—

(A) IN GENERAL.—The term ''single mechanism and process'' is defined as a database, tracking system, or other mechanism and process established by the Secretary of Defense, in which records, data, and information relative to an offense under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice) arising in any component of the Department of Defense are consolidated.

(B) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit a component of the Department of Defense from creating and maintaining a separate mechanism or process for purposes similar to those described under subparagraph (A), provided that all requisite records, data, and information are primarily collected and tracked in the ''single mechanism and process'' required.

(2) RACE AND ETHNICITY.—For purposes of ensuring the collection of uniform data points concerning race and ethnicity, the terms ''race'' and ''ethnicity'' shall have the meanings established for the terms by the Office of Management and Budget Statistical Policy Directive No. 15, Race and Ethnic Standards for Federal Statistics and Administrative Reporting, or any successor Office of Management and Budget directive.

SEC. 546. PRIMARY PREVENTION WORKFORCE.

(a) ESTABLISHMENT.—The Secretary of Defense shall establish a Primary Prevention Workforce to provide a comprehensive and integrated program across the Department of Defense enterprise for the primary prevention of interpersonal and self-directed violence, including sexual assault, sexual harassment, domestic violence, child abuse and maltreatment, problematic juvenile sexual

behavior, suicide, workplace violence, and substance misuse.

(b) PRIMARY PREVENTION WORKFORCE MODEL.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report setting forth a holistic model for a dedicated and capable Primary Prevention Workforce in the Department of Defense.

(2) ELEMENTS.—The model required under paragraph (1) shall include the following elements:

(A) A description of Primary Prevention Workforce roles, responsibilities, and capabilities, including—

(i) the conduct of research and analysis;

(ii) advising all levels of military commanders and leaders;

(iii) designing and writing strategic and operational primary prevention policies and programs;

(iv) integrating and analyzing data; and

(v) implementing, evaluating, and adapting primary prevention programs and activities.

(B) The design and structure of the Primary Prevention Workforce, including—

(i) consideration of military, civilian, and hybrid manpower options;

(ii) the comprehensive integration of the workforce from strategic to tactical levels of the Department of Defense and its components; and

(iii) mechanisms for individuals in workforce roles to report to and align with installation-level and headquarters personnel.

(C) Strategies, plans, and systematic approaches for recruiting, credentialing, promoting, and sustaining the diversity of work force roles comprising a professional workforce dedicated to primary prevention.

(D) The creation of a professional, primary prevention credential that standardizes a common base of education and experience across the prevention workforce, coupled with knowledge development and skill building requirements built into the career cycle of prevention practitioners such that competencies and expertise increase over time.

(E) Any other matter the Secretary of Defense determines necessary and appropriate to presenting an accurate and complete model of the Primary Prevention Workforce.

(c) REPORTS.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretaries of the military departments and the Chief of the National Guard Bureau each shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report detailing how the military services and the National Guard, as applicable, will adapt and implement the primary prevention workforce model set forth in the report required under subsection (b).

(2) ELEMENTS.—Each report submitted under subsection (a) shall include a description of—

(A) expected milestones to implement the prevention workforce in the component at issue;

(B) challenges associated with implementation of the workforce and the strategies for addressing such challenges; and

(C) additional authorities that may be required to optimize implementation and operation of the workforce.

(d) OPERATING CAPABILITY DEADLINE.—The Primary Prevention Workforce authorized under this section shall attain initial operating capability in each military department and military service and in the National Guard by not later than the effective date specified in section 552.

SEC. 547. ANNUAL PRIMARY PREVENTION RESEARCH AGENDA.

(a) IN GENERAL.—Beginning on October 1, 2022, and annually, on the first day of each fiscal year thereafter, the Secretary of Defense shall publish a Department of Defense research agenda for that fiscal year, focused on the primary prevention of interpersonal and self-directed violence, including sexual assault, sexual harassment, domestic violence, child abuse and maltreatment, problematic juvenile sexual behavior, suicide, workplace violence, and substance misuse.

(b) ELEMENTS.—Each annual primary prevention research agenda published under subsection (a) shall—

(1) identify research priorities for that fiscal year;

(2) assign research projects and tasks to the military departments and other components of the Department of Defense, as the Secretary of Defense determines appropriate;

(3) allocate or direct the allocation of appropriate resourcing for each such project and task; and

(4) be directive in nature and enforceable across all components of the Department of Defense, including with regard to—

(A) providing for timely access to records, data and information maintained by any component of the Department of Defense that may be required in furtherance of an assigned research project or task;

(B) ensuring the sharing across all components of the Department of Defense of the findings and the outcomes of any research project or task; and

(C) any other matter determined by the Secretary of Defense.

(c) GUIDING PRINCIPLES.—The primary prevention research agenda should, as determined by the Secretary of Defense—

(1) reflect a preference for research projects and tasks with the potential to yield or contribute to the development and implementation of actionable primary prevention strategies in the Department of Defense;

(2) be integrated, so as to discover or test cross-cutting interventions across the spectrum of interpersonal and self-directed violence;

(3) incorporate collaboration with other Federal departments and agencies, State governments, academia, industry, federally funded research and development centers, non-profit organizations, and other organizations outside of the Department of Defense; and

(4) minimize unnecessary duplication of effort.

(d) BUDGETING.—The Secretary of Defense shall create a unique Program Element for and shall prioritize recurring funding to ensure the continuity of research pursuant to the annual primary prevention research agenda.

SEC. 548. FULL FUNCTIONALITY OF CERTAIN ADVISORY COMMITTEES AND PANELS.

Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall establish or reconstitute, maintain, and ensure the full functionality of—

(1) the Defense Advisory Committee on the Investigation, Prosecution, and Defense of sexual assault in the Armed Forces, established pursuant to section 546 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 10 U.S.C. 1561 note);

(2) the Defense Advisory Committee for the Prevention of Sexual Misconduct, established pursuant to section 552 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 1561 note); and

(3) the Military Justice Review Panel established pursuant to section 946 of title 10, United States Code (article 146 of the Uniform Code of Military Justice)).

SEC. 549. MILITARY DEFENSE COUNSEL PARITY.

The Secretary of Defense shall—

(1) direct the Secretaries of the military departments to establish the funding, mechanisms, and processes required for service military defense counsel to exercise control of their own funds, beginning not later than one year after the date of the enactment of this Act;

(2) ensure that military defense counsel have timely and reliable access to and funding for defense investigators, expert witnesses, trial support, counsel travel, and other necessary resources;

(3) ensure that military defense counsel detailed to represent a servicemember accused of a special victim offense are well-trained and experienced, highly skilled, and competent in the defense of special victim cases; and

(4) take or direct such other actions regarding military defense counsel as may be warranted in the interest of the fair administration of justice.

SEC. 550. RESOURCING.

(a) REPORT REQUIRED.—Not later than March 1, 2022, the Secretary of Defense, shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report detailing the resourcing necessary to implement this part and the amendments made by this part.

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

(1) The number of additional personnel and personnel authorizations—military and civilian—required by the Office of the Secretary of Defense, each of the military departments, and any other component of the Department of Defense, to implement and execute the provisions of this part and the amendments made by this part by the effective date specified in section 552.

(2) The basis for the number provided pursuant to paragraph (1), including the following: information

(A) A description of the organizational structure in which such personnel or groups of personnel are or will be aligned.

(B) The nature of the duties and functions to be performed by any such personnel or groups of personnel across the domains of policy-making, execution, assessment, and oversight.

(C) The optimum caseload goal assigned to the following categories of personnel who are or will participate in the military justice process: criminal investigators of different levels and expertise, laboratory personnel, defense counsel, special victim prosecutors and assistant special victim prosecutors, military defense counsel, military judges, and military magistrates.

(D) Any required increase in the number of personnel currently authorized in law to be assigned to the Office of the Secretary of Defense and other Department of Defense headquarters.

(3) The nature and scope of any contract required by the Office of the Secretary of Defense, each of the military departments, and any other component of the Department of Defense to implement and execute the provisions of this part and the amendments made by this part by the effective date specified in section 552.

(4) The amount and types of additional funding required by the Department of Defense to implement the provisions of this part and the amendments made by this part by the effective date specified.

(5) Any additional authorities required to implement the provisions of this part and

the amendments made by this part by the effective date specified.

(6) Any additional information the Secretary of Defense determines is necessary to ensure the manning, equipping, and resourcing of the Department of Defense to implement and execute the provisions of this part and the amendments made by this part.

SEC. 551. APPLICABILITY TO THE UNITED STATES COAST GUARD.

The Secretary of Defense shall consult and enter into an agreement with the Secretary of Homeland Security to apply the provisions of this part and the amendments made by this part, and the policies, mechanisms, and processes established pursuant to such provisions, to the United States Coast Guard when it is operating as a service in the Department of Homeland Security.

SEC. 552. EFFECTIVE DATE.

(a) IN GENERAL.—The amendments made by this part shall take effect on the date that is two years after the date of the enactment of this Act and shall apply with respect to offenses that occur after that date.

(b) REGULATIONS.—

(1) REQUIREMENT.—The President shall prescribe regulations to carry out this part, including the regulations setting forth the sentencing parameters and guidelines required under section 544(e), and the amendments made by this part not later than two years after the date of the enactment of this Act.

(2) IMPACT OF DELAY OF ISSUANCE.—If the President does not prescribe regulations to carry out this part, including the regulations setting forth the sentencing parameters and guidelines required under section 544(e), before the date that is two years after the date of the enactment of this Act, the amendments made by this part shall take effect on the date on which such regulations are prescribed and shall apply with respect to offenses that occur on or after that date.

PART II—MILITARY JUSTICE IMPROVEMENT AND INCREASING PREVENTION

SEC. 561. SHORT TITLE.

This part may be cited as the ''Military Justice Improvement and Increasing Prevention Act of 2021''.

SEC. 562. IMPROVEMENT OF DETERMINATIONS ON DISPOSITION OF CHARGES FOR CERTAIN OFFENSES UNDER UCMJ WITH AUTHORIZED MAXIMUM SENTENCE OF CONFINEMENT OF MORE THAN ONE YEAR.

(a) IMPROVEMENT OF DETERMINATIONS.—

(1) MILITARY DEPARTMENTS.—With respect to charges under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that allege an offense specified in subsection (b) and not excluded under subsection (c), the Secretary of Defense shall require the Secretaries of the military departments to provide as described in subsection (d) for the determinations as follows:

(A) Determinations under section 830 of such chapter (article 30 of the Uniform Code of Military Justice) on the preferral of charges.

(B) Determinations under section 830 of such chapter (article 30 of the Uniform Code of Military Justice) on the disposition of charges.

(C) Determinations under section 834 of such chapter (article 34 of the Uniform Code of Military Justice) on the referral of charges.

(2) HOMELAND SECURITY.—With respect to charges under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that allege an offense specified in subsection (b) and not excluded under subsection (c) against a member of the Coast Guard (when it is not operating as a service in the Navy), the Secretary of Homeland Security shall provide as described in subsection (d) for the determinations as follows:

(A) Determinations under section 830 of such chapter (article 30 of the Uniform Code of Military Justice) on the preferral of charges.

(B) Determinations under section 830 of such chapter (article 30 of the Uniform Code of Military Justice) on the disposition of charges.

(C) Determinations under section 834 of such chapter (article 34 of the Uniform Code of Military Justice) on the referral of charges.

(3) RULE OF CONSTRUCTION.—This section shall not be construed to terminate or otherwise alter the authorities enumerated in any articles of the Uniform Code of Military Justice other than articles 30 and 34 (10 U.S.C. 830, 834).

(b) COVERED OFFENSES.—An offense specified in this subsection is an offense as follows:

(1)(A) Offenses under the following sections of chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), for which the maximum punishment authorized under that chapter includes confinement for more than one year: sections 893a, 917a, 918, 919, 919a, 919b, 920, 920a, 920b, 920c, 921, 921a, 921b, 922, 924, 924a, 924b, 925, 926, 927, 928(b) and (c), 928a, 928b, 930, 931, 931a, 931b, 931c, 931d, 931e, 931f, 931g, and 932 (articles 93a, 117a, 118, 119, 119a, 119b, 120, 120a, 120b, 120c, 121, 121a, 121b, 122, 124, 124a, 124b, 125, 126, 127, 128(b) and (c), 128a, 128b, 130, 131, 131a, 131b, 131c, 131d, 131e, 131f, 131g, and 132, respectively, of the Uniform Code of Military Justice).

(B) The offenses of child pornography, negligent homicide, indecent conduct, indecent language communicated to any child under the age of 16 years, and pandering and prostitution, as punishable under the general punitive article in 934 of such title (article 134 of the Uniform Code of Military Justice).

(2) A conspiracy to commit an offense specified in paragraph (1) as punishable under section 881 of title 10, United States Code (article 81 of the Uniform Code of Military Justice).

(3) A solicitation to commit an offense specified in paragraph (1) as punishable under section 882 of title 10, United States Code (article 82 of the Uniform Code of Military Justice).

(4) An attempt to commit an offense specified in paragraph (1) as punishable under section 880 of title 10, United States Code (article 80 of the Uniform Code of Military Justice).

(c) EXCLUDED OFFENSES.—Subsection (a) does not apply to an offense as follows:

(1) An offense under sections 883 through 917 of title 10, United States Code (articles 83 through 117 of the Uniform Code of Military Justice), but not an offense under section 893a of such title (article 93a of the Uniform Code of Military Justice).

(2) An offense under section 922a, 923, 923a, or 928(a) of title 10, United States Code (articles 122a, 123, 123a, and 128(a) of the Uniform Code of Military Justice).

(3) An offense under section 933 or 934 of title 10, United States Code (articles 133 and 134 of the Uniform Code of Military Justice), but not the offense of child pornography, negligent homicide, indecent conduct, indecent language communicated to any child under the age of 16 years, or pandering and prostitution as punishable under the general punitive article in section 934 of such title (article 134 of the Uniform Code of Military Justice).

(4) A conspiracy to commit an offense specified in paragraphs (1) through (3) as punishable under section 881 of title 10, United States Code (article 81 of the Uniform Code of Military Justice).

(5) A solicitation to commit an offense specified in paragraphs (1) through (3) as punishable under section 882 of title 10, United States Code (article 82 of the Uniform Code of Military Justice).

(6) An attempt to commit an offense specified in paragraphs (1) through (3) as punishable under section 880 of title 10, United States Code (article 80 of the Uniform Code of Military Justice).

(d) REQUIREMENTS AND LIMITATIONS.—The disposition of charges covered by subsection (a) shall be subject to the following:

(1) The determination whether to cause charges to be preferred or refer such charges to a court-martial for trial, as applicable, shall be made by a commissioned officer of the Armed Forces designated as a court-martial convening authority in accordance with regulations prescribed for purposes of this subsection from among commissioned officers of the Armed Forces in grade O–6 or higher who—

(A) are available for detail as trial counsel under section 827 of title 10, United States Code (article 27 of the Uniform Code of Military Justice);

(B) have significant experience in trials by general or special court-martial; and

(C) are outside the chain of command of the member subject to such charges.

(2) Upon a determination under paragraph (1) to refer charges to a court-martial for trial, the officer making that determination shall determine whether to refer such charges for trial by a general court-martial convened under section 822 of title 10, United States Code (article 22 of the Uniform Code of Military Justice), or a special court-martial convened under section 823 of title 10, United States Code (article 23 of the Uniform Code of Military Justice).

(3) A determination under paragraph (1) to cause charges to be preferred or refer charges to a court-martial for trial, as applicable, shall cover all known offenses, including lesser included offenses.

(4) The determination to cause charges to be preferred or refer charges to a court-martial for trial, as applicable, under paragraph (1), and the type of court-martial to which to refer under paragraph (2), shall be binding on any applicable convening authority for the referral of such charges.

(5) The actions of an officer described in paragraph (1) in determining under that paragraph whether or not to cause charges to be preferred or refer charges to a court-martial for trial, as applicable, shall be free of unlawful or unauthorized influence or coercion.

(6) The determination under paragraph (1) not to refer charges to a general or special court-martial for trial shall not operate to terminate or otherwise alter the authority of commanding officers to refer charges for trial by special court-martial under section 823 of title 10, United States Code (article 23 of the Uniform Code of Military Justice) or summary court-martial convened under section 824 of title 10, United States Code (article 24 of the Uniform Code of Military Justice), or to impose non-judicial punishment in connection with the conduct covered by such charges as authorized by section 815 of title 10, United States Code (article 15 of the Uniform Code of Military Justice).

(7) The determination under paragraph (1) to refer charges to a general or special court-martial shall not be subject to section 834 of title 10, United States Code (article 34 of the Uniform Code of Military Justice), provided that the officer making the determination determines that—

(A) the specification alleges an offense under the Uniform Code of Military Justice;

(B) there is probable cause to believe that the accused committed the offense charged; and

(C) a court-martial would have jurisdiction over the accused and the offense.

(e) CONSTRUCTION WITH CHARGES ON OTHER OFFENSES.—Nothing in this section shall be construed to alter or affect the preferral, disposition, or referral authority of charges under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that allege an offense for which the maximum punishment authorized under that chapter includes confinement for one year or less, except for the offenses of child pornography, negligent homicide, indecent conduct, indecent language communicated to any child under the age of 16 years, and pandering and prostitution as punishable under the general punitive article in section 934 of such title (article 134 of the Uniform Code of Military Justice).

(f) POLICIES AND PROCEDURES.—

(1) IN GENERAL.—The Secretaries of the military departments and the Secretary of Homeland Security (with respect to the Coast Guard when it is not operating as a service in the Navy) shall revise policies and procedures as necessary to comply with this section.

(2) UNIFORMITY.—The General Counsel of the Department of Defense and the General Counsel of the Department of Homeland Security shall jointly review the policies and procedures revised under this subsection in order to ensure that any lack of uniformity in policies and procedures, as so revised, among the military departments and the Department of Homeland Security does not render unconstitutional any policy or procedure, as so revised.

(g) MANUAL FOR COURTS-MARTIAL.—The Secretary of Defense shall recommend such changes to the Manual for Courts-Martial as are necessary to ensure compliance with this section.

(h) IMPROVED SPECIALIZATION OF CRIMINAL INVESTIGATORS.—The Secretary of Defense shall revise policies and procedures as necessary to improve specialization of criminal investigators to help increase the efficiency and effectiveness of sexual assault and domestic violence investigations.

SEC. 563. MODIFICATION OF OFFICERS AUTHORIZED TO CONVENE GENERAL AND SPECIAL COURTS-MARTIAL FOR CERTAIN OFFENSES UNDER UCMJ WITH AUTHORIZED MAXIMUM SENTENCE OF CONFINEMENT OF MORE THAN ONE YEAR.

(a) IN GENERAL.—Subsection (a) of section 822 of title 10, United States Code (article 22 of the Uniform Code of Military Justice), is amended—

(1) by redesignating paragraphs (8) and (9) as paragraphs (9) and (10), respectively; and

(2) by inserting after paragraph (7) the following new paragraph (8):

''(8) with respect to offenses to which section 562(a) of the Military Justice Improvement and Increasing Prevention Act of 2021 applies, the officers in the offices established pursuant to section 563(c) of that Act or officers in the grade of O–6 or higher who are assigned such responsibility by 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, or the Commandant of the Coast Guard;''.

(b) NO EXERCISE BY OFFICERS IN CHAIN OF COMMAND OF ACCUSED OR VICTIM.—Such section (article) is further amended by adding at the end the following new subsection:

''(c) An officer specified in subsection (a)(8) may not convene a court-martial under this section if the officer is in the chain of command of the accused or the victim.''.

(c) OFFICES OF CHIEFS OF STAFF ON COURTS-MARTIAL.—

(1) OFFICES REQUIRED.—Each Chief of Staff of the Armed Forces or Commandant specified in paragraph (8) of section 822(a) of title 10, United States Code (article 22(a) of the Uniform Code of Military Justice), as amended by subsection (a), shall establish an office to do the following:

(A) To convene general and special courts-martial under sections 822 and 823 of title 10, United States Code (articles 22 and 23 of the Uniform Code of Military Justice), pursuant to paragraph (8) of section 822(a) of title 10, United States Code (article 22(a) of the Uniform Code of Military Justice), as so amended, with respect to offenses to which section 562(a) applies.

(B) To detail under section 825 of title 10, United States Code (article 25 of the Uniform Code of Military Justice), members of courts-martial convened as described in subparagraph (A).

(2) PERSONNEL.—The personnel of each office established under paragraph (1) shall consist of such members of the Armed Forces and civilian personnel of the Department of Defense, or such members of the Coast Guard or civilian personnel of the Department of Homeland Security, as may be detailed or assigned to the office by the Chief of Staff or Commandant concerned. The members and personnel so detailed or assigned, as the case may be, shall be detailed or assigned from personnel billets in existence as of the effective date for this part specified in section 570.

SEC. 564. DISCHARGE USING OTHERWISE AUTHORIZED PERSONNEL AND RESOURCES.

(a) IN GENERAL.—The Secretaries of the military departments and the Secretary of Homeland Security (with respect to the Coast Guard when it is not operating as a service in the Navy) shall carry out sections 562 and 563 using personnel, funds, and resources otherwise authorized by law.

(b) NO AUTHORIZATION OF ADDITIONAL PERSONNEL OR RESOURCES.—Sections 562 and 563 shall not be construed as authorizations for personnel, personnel billets, or funds for the discharge of the requirements in such sections.

SEC. 565. MONITORING AND ASSESSMENT OF MODIFICATION OF AUTHORITIES BY DEFENSE ADVISORY COMMITTEE ON INVESTIGATION, PROSECUTION, AND DEFENSE OF SEXUAL ASSAULT IN THE ARMED FORCES.

Section 546(c) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (10 U.S.C. 1561 note) is amended—

(1) in paragraph (1)—

(A) by striking ''on the investigation'' and inserting ''on the following:

''(A) The investigation''; and

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

''(B) The implementation and efficacy of sections 562 through 564 of the Military Justice Improvement and Increasing Prevention Act of 2021 and the amendments made by such sections.''; and

(2) in paragraph (2), by striking ''paragraph (1)'' and inserting ''paragraph (1)(A)''.

SEC. 566. LIMITATION ON MODIFICATIONS TO SEXUAL ASSAULT REPORTING PROCEDURES.

(a) IN GENERAL.—The Secretary of Defense may not amend section 4 of enclosure 4 of Department of Defense Instruction (DoDI) 6495.02, relating to Sexual Assault Prevention and Response (SAPR) Program Procedures, or otherwise prescribe any regulations or guidance relating to the treatment and handling of unrestricted and restricted reports of sexual assault, until 30 days after notifying the congressional defense committees of the proposed amendment or modification.

(b) CONGRESSIONAL DEFENSE COMMITTEES DEFINED.—In this section, the term ''congressional defense committees'' has the meaning given the term in section 101(a) of title 10, United States Code.

SEC. 567. PROFESSIONALIZATION OF MILITARY PROSECUTORS.

(a) IN GENERAL.—The Secretary of Defense shall increase enhanced and specialized training to certain prosecutors on the proper conduct, presentation, and handling of sexual assault and domestic violence cases.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the program implemented under subsection (a).

SEC. 568. INCREASED TRAINING AND EDUCATION ON MILITARY SEXUAL ASSAULT.

(a) UNIFORMED OFFICERS AND SENIOR ENLISTED LEADERS.—

(1) UNIFORMED OFFICERS.—All uniformed officers of the military services shall be required within 2 years of the date of the enactment of this Act to complete training on military sexual assault prevention equivalent to that provided to Sexual Assault Prevention and Response Victim Advocates before those officers may be considered for promotion to a grade at or above O–5. A portion of this training shall be in-person, facilitated training.

(2) ENLISTED LEADERS.—All senior enlisted leaders of the military services will be required within 2 years of the date of the enactment of this Act to complete a training on military sexual assault prevention equivalent to that provided to the Sexual Assault Prevention and Response Victim Advocates before enlisted service members may be considered for promotion to a grade at or above E–9. A portion of this training shall be in-person, facilitated training.

(b) OFFICER CANDIDATES AND ROTC.—

(1) IN GENERAL.—The United States Army Cadet Command, the Naval Education and Training Command, the Air Education and Training Command, and the Coast Guard Recruiting Command shall carry out a program for increasing training on the prevention of military sexual assault within cadet ranks. A portion of this training shall be in-person, facilitated training.

(2) REPORT ON DEVELOPMENT OF PLAN.—Not later than 180 days after the date of the enactment of this Act, the United States Army Cadet Command, the Naval Education and Training Command, the Air Education and Training Command, and the Coast Guard Recruiting Command shall submit to the congressional defense committees a report on the development of the program required under paragraph (1) and a plan for execution.

(3) REPORT ON IMPLEMENTATION.—Not later than 2 years after the date of the enactment of this Act, the United States Army Cadet Command, the Naval Education and Training Command, the Air Education and Training Command, and the Coast Guard Recruiting Command shall submit to the congressional defense committees a report on the implementation of the program required under paragraph (1).

(c) MILITARY SERVICE ACADEMIES.—

(1) IN GENERAL.—The Superintendents of the military service academies shall carry out additional military sexual assault prevent training and education at the academies. A portion of this training shall be in-person, facilitated training.

(2) REPORT.—The Secretary of Defense, in consultation with the Superintendents of the military service academies, shall submit a report to the congressional defense committees describing the additional training and education implemented pursuant to paragraph (1).

SEC. 569. INCREASING THE PHYSICAL SECURITY OF MILITARY INSTALLATIONS.

(a) SURVEY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall conduct a survey of all lodging and living spaces on military installations to identify, replace, or repair locking mechanisms on points of entry, identify areas of installation of closed-circuit television (CCTV) security cameras, and other passive security measures as necessary to increase the prevention of crimes, including sexual assault, on military installations.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the results of the survey conducted under subsection (a).

(c) PROGRAM.—Based on the results of the survey conducted under subsection (a), the Secretary of Defense shall carry out a program for increasing the security of all lodging and living spaces on military installations, including replacing or repairing locking mechanisms on points of entry, installation of CCTV security cameras, and other passive security measures as necessary to increase the prevention of crimes, including sexual assault, on military installations.

SEC. 570. EFFECTIVE DATE AND APPLICABILITY.

(a) EFFECTIVE DATE AND APPLICABILITY.—This part and the amendments made by this part shall take effect 180 days after the date of the enactment of this Act, and shall apply with respect to any allegation of charges of an offense specified in subsection (b) of section 562, and not excluded under subsection (c) of section 562, which offense occurs on or after such effective date.

(b) REVISIONS OF POLICIES AND PROCEDURES.—Any revision of policies and procedures required of the military departments or the Department of Homeland Security as a result of this part and the amendments made by this part shall be completed so as to come into effect together with the coming into effect of this part and the amendments made by this part in accordance with subsection (a).

Subtitle E—Member Education, Training, and Transition

SEC. 571. MODIFICATION OF GRANT PROGRAM SUPPORTING SCIENCE, TECHNOLOGY, ENGINEERING, AND MATH EDUCATION IN THE JUNIOR RESERVE OFFICERS' TRAINING CORPS TO INCLUDE QUANTUM INFORMATION SCIENCES.

Section 2036(g)(2) of title 10, United States Code, as added by section 513(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283), is amended—

(1) by redesignating subparagraphs (J) through (M) as subparagraphs (K) through (N), respectively; and

(2) by inserting after subparagraph (I) the following new subparagraph:

''(J) quantum information sciences;''.

SEC. 572. ALLOCATION OF AUTHORITY FOR NOMINATIONS TO THE MILITARY SERVICE ACADEMIES IN THE EVENT OF THE DEATH, RESIGNATION, OR EXPULSION FROM OFFICE OF A MEMBER OF CONGRESS.

(a) UNITED STATES MILITARY ACADEMY.—

(1) IN GENERAL.—Chapter 753 of title 10, United States Code, is amended by inserting after section 7442 the following new section:

''§ 7442a. Cadets: nomination in event of death, resignation, or expulsion from office of member of Congress otherwise authorized to nominate

''(a) SENATORS.—In the event a Senator does not submit nominations for cadets for an academic year in accordance with section 7442(a)(3) of this title due to death, resignation from office, or expulsion from office and the date of the swearing-in of the Senator's successor as Senator occurs after the date of the deadline for submittal of nominations for cadets for the academic year, the nominations for cadets otherwise authorized to be made by the Senator pursuant to such section shall be made instead by the other Senator from the State concerned.

''(b) REPRESENTATIVES.—In the event a Representative from a State does not submit nominations for cadets for an academic year in accordance with section 7442(a)(4) of this title due to death, resignation from office, or expulsion from office and the date of the swearing-in of the Representative's successor as Representative occurs after the date of the deadline for submittal of nominations for cadets for the academic year, the nominations for cadets otherwise authorized to be made by the Representative pursuant to such section shall be made instead by the Senators from the State from the district of the Representative, with such nominations divided equally among such Senators and any remainder going to the senior Senator from the State.

''(c) CONSTRUCTION OF AUTHORITY.—Any nomination for cadets made by a Senator pursuant to this section is in addition to any nomination for cadets otherwise authorized the Senator under section 7442 of this title or any other provision of law.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 753 of such title is amended by inserting after the item relating to section 7442 the following new item:

''7442a. Cadets: nomination in event of death, resignation, or expulsion from office of member of Congress otherwise authorized to nominate.''.

(b) UNITED STATES NAVAL ACADEMY.—

(1) IN GENERAL.—Chapter 853 of title 10, United States Code, is amended by inserting after section 8454 the following new section:

''§ 8454a. Midshipmen: nomination in event of death, resignation, or expulsion from office of member of Congress otherwise authorized to nominate

''(a) SENATORS.—In the event a Senator does not submit nominations for midshipmen for an academic year in accordance with section 8454(a)(3) of this title due to death, resignation from office, or expulsion from office and the date of the swearing-in of the Senator's successor as Senator occurs after the date of the deadline for submittal of nominations for midshipmen for the academic year, the nominations for midshipmen otherwise authorized to be made by the Senator pursuant to such section shall be made instead by the other Senator from the State concerned.

''(b) REPRESENTATIVES.—In the event a Representative from a State does not submit nominations for midshipmen for an academic year in accordance with section 8454(a)(4) of this title due to death, resignation from office, or expulsion from office and the date of the swearing-in of the Representative's successor as Representative occurs after the date of the deadline for submittal of nominations for midshipmen for the academic year, the nominations for midshipmen otherwise authorized to be made by the Representative pursuant to such section shall be made instead by the Senators from the State from the district of the Representative, with such nominations divided equally among such Senators and any remainder going to the senior Senator from the State.

''(c) CONSTRUCTION OF AUTHORITY.—Any nomination for midshipmen made by a Senator pursuant to this section is in addition to any nomination for midshipmen otherwise authorized the Senator under section 8454 of this title or any other provision of law.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 853 of such title is amended by inserting after the item relating to section 8454 the following new item:

''8454a. Midshipmen: nomination in event of death, resignation, or expulsion from office of member of Congress otherwise authorized to nominate.''.

(c) AIR FORCE ACADEMY.—

(1) IN GENERAL.—Chapter 953 of title 10, United States Code, is amended by inserting after section 9442 the following new section:

''§ 9442a. Cadets: nomination in event of death, resignation, or expulsion from office of member of Congress otherwise authorized to nominate

''(a) SENATORS.—In the event a Senator does not submit nominations for cadets for an academic year in accordance with section 9442(a)(3) of this title due to death, resignation from office, or expulsion from office and the date of the swearing-in of the Senator's successor as Senator occurs after the date of the deadline for submittal of nominations for cadets for the academic year, the nominations for cadets otherwise authorized to be made by the Senator pursuant to such section shall be made instead by the other Senator from the State concerned.

''(b) REPRESENTATIVES.—In the event a Representative from a State does not submit nominations for cadets for an academic year in accordance with section 9442(a)(4) of this title due to death, resignation from office, or expulsion from office and the date of the swearing-in of the Representative's successor as Representative occurs after the date of the deadline for submittal of nominations for cadets for the academic year, the nominations for cadets otherwise authorized to be made by the Representative pursuant to such section shall be made instead by the Senators from the State from the district of the Representative, with such nominations divided equally among such Senators and any remainder going to the senior Senator from the State.

''(c) CONSTRUCTION OF AUTHORITY.—Any nomination for cadets made by a Senator pursuant to this section is in addition to any nomination of cadets otherwise authorized the Senator under section 9442 of this title or any other provision of law.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 953 of such title is amended by inserting after the item relating to section 9442 the following new item:

''9442a. Cadets: nomination in event of death, resignation, or expulsion from office of member of Congress otherwise authorized to nominate.''.

SEC. 573. TROOPS-TO-TEACHERS PROGRAM.

(a) REQUIREMENT TO CARRY OUT PROGRAM.—Section 1154(b) of title 10, United States Code, is amended by striking ''may'' and inserting ''shall''.

(b) REPORTING REQUIREMENT.—Section 1154 of title 10, United States Code, is amended—

(1) by redesignating subsection (i) as subsection (j); and

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

''(i) ANNUAL REPORT.—(1) Not later than December 1, 2022, and annually thereafter, the Secretary of Defense shall submit to the appropriate congressional committees a report on the Program.

''(2) The report required under paragraph (1) shall include the following elements:

''(A) The total cost of the Program for the most recent fiscal year.

''(B) The total number of teachers placed during such fiscal year and the locations of such placements.

''(C) An assessment of the STEM backgrounds of the teachers placed, the number of placements in high-need schools, and any other metric or information the Secretary considers appropriate to illustrate the cost and benefits of the program to members of the armed forces, veterans, and local educational agencies.

''(3) In this subsection, the term 'appropriate congressional committees' means—

''(A) the Committee on Armed Services and the Committee on Help, Education, Labor, and Pensions of the Senate; and

''(B) the Committee on Armed Services and the Committee on Education and Labor of the House of Representatives.''.

(c) SUNSET.—Section 1154 of title 10, United States Code, as amended by subsection (b), is further amended by adding at the end the following new subsection:

''(k) SUNSET.—The Program shall terminate on July 1, 2025, with respect to the selection of new participants for the program. Participants in the Program as of that date may complete their program, and remain eligible for benefits under this section.''.

SEC. 574. COMBATING FOREIGN MALIGN INFLUENCE.

Section 589E of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) is amended—

(1) by striking subsections (d) and (e); and

(2) by inserting after subsection (c) the following new subsections:

''(d) ESTABLISHMENT OF WORKING GROUP.—(1) Not later than one year after the date of the enactment of this subsection, the Secretary of Defense shall establish a working group to assist the official designated under subsection (b), as follows:

''(A) In the identification of mediums used by covered foreign countries to identify, access, and endeavor to influence servicemembers and Department of Defense civilian employees through foreign malign influence campaigns and the themes conveyed through such mediums.

''(B) In coordinating and integrating the training program under this subsection in order to enhance and strengthen servicemember and Department of Defense civilian employee awareness of and defenses against foreign malign influence, including by bolstering information literacy.

''(C) In such other tasks deemed appropriate by the Secretary of Defense or the official designated under subsection (b).

''(2) The official designed under subsection (b) and the working group established under this subsection shall consult with the Foreign Malign Influence Response Center established pursuant to section 3059 of title 50, United States Code.

''(e) REPORT REQUIRED.—Not later than 18 months after the establishment of the working group, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the results of the working group, its activities, the effectiveness of the counter foreign malign influence activities carried out under this section, the metrics applied to determined effectiveness, and the actual costs associated with actions undertaken pursuant to this section.

''(f) DEFINITIONS.—In this section:

''(1) FOREIGN MALIGN INFLUENCE.—The term 'foreign malign influence' has the meaning given that term in section 119C of the National Security Act of 1947 (50 U.S.C. 3059).

''(2) COVERED FOREIGN COUNTRY.—The term 'covered foreign country' has the meaning given that term in section 119C of the National Security Act of 1947 (50 U.S.C. 3059)

''(3) INFORMATION LITERACY.—The term 'information literacy' means the set of skills needed to find, retrieve, understand, evaluate, analyze, and effectively use information (which encompasses spoken and broadcast words and videos, printed materials, and digital content, data, and images).''.

SEC. 575. PROHIBITION ON IMPLEMENTATION BY UNITED STATES AIR FORCE ACADEMY OF CIVILIAN FACULTY TENURE SYSTEM.

The Secretary of Defense may not implement a civilian faculty tenure system for the United States Air Force Academy (in this section referred to as the ''Academy'') until the Secretary submits to the Committees on Armed Services of the Senate and the House of Representatives a report assessing the following:

(1) How a civilian faculty tenure system would promote the mission of the Academy.

(2) How a civilian faculty tenure system would affect the current curricular governance process of the Academy.

(3) How the Academy will determine the number of civilian faculty at the Academy who would be granted tenure.

(4) How a tenure system would be structured for Federal employees at the Academy, including exact details of specific protections and limitations.

(5) The budget implications of implementing a tenure system for the Academy.

(6) The faculty qualifications that would be required to earn and maintain tenure.

(7) The reasons for termination of tenure that will be implemented and how a tenure termination effort would be conducted.

Subtitle F—Military Family Readiness and Dependents' Education

SEC. 581. CERTAIN ASSISTANCE TO LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MILITARY AND CIVILIAN PERSONNEL.

(a) CONTINUATION OF AUTHORITY TO ASSIST LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.—

(1) ASSISTANCE TO SCHOOLS WITH SIGNIFICANT NUMBERS OF MILITARY DEPENDENT STUDENTS.—Of the amount authorized to be appropriated for fiscal year 2022 by section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, $50,000,000 shall be available only for the purpose of providing assistance to local educational agencies under subsection (a) of section 572 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 20 U.S.C. 7703b).

(2) LOCAL EDUCATIONAL AGENCY DEFINED.—In this subsection, the term ''local educational agency'' has the meaning given that term in section 7013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

(b) IMPACT AID FOR CHILDREN WITH SEVERE DISABILITIES.—

(1) IN GENERAL.—Of the amount authorized to be appropriated for fiscal year 2022 pursuant to section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, $10,000,000 shall be available for payments under section 363 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–77; 20 U.S.C. 7703a).

(2) ADDITIONAL AMOUNT.—Of the amount authorized to be appropriated for fiscal year 2022 pursuant to section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, $10,000,000 shall be available for use by the Secretary of Defense to make payments to local educational agencies determined by the Secretary to have higher concentrations of military children with severe disabilities.

(3) REPORT.—Not later than March 31, 2022, the Secretary shall brief the Committees on Armed Services of the Senate and the House of Representatives on the Department's evaluation of each local educational agency with higher concentrations of military children with severe disabilities and subsequent determination of the amounts of impact aid each such agency shall receive.

SEC. 582. PILOT PROGRAM TO ESTABLISH EMPLOYMENT FELLOWSHIP OPPORTUNITIES FOR MILITARY SPOUSES.

(a) ESTABLISHMENT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense may establish a three-year pilot program to provide employment support to the spouses of members of the Armed Forces through a paid fellowship with employers across a variety of industries. In carrying out the pilot program, the Secretary shall take the following steps:

(1) Enter into a contract or other agreement to conduct a career fellowship pilot program for military spouses.

(2) Determine the appropriate capacity for the pilot program based on annual funding availability.

(3) Establish evaluation criteria to determine measures of effectiveness and cost-benefit analysis of the pilot program in supporting military spouse employment.

(b) LIMITATION ON TOTAL AMOUNT OF ASSISTANCE.—The total amount of the pilot program may not exceed $5,000,000 over the life of the pilot.

(c) REPORTS.—Not later than two years after the Secretary establishes the pilot program, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives an interim report that includes the following elements:

(1) The number of spouses who participated in the pilot program annually.

(2) The amount of funding spent through the pilot program annually.

(3) A recommendation of the Secretary regarding whether to discontinue, expand, or make the pilot program permanent.

(d) FINAL REPORT.—Not later than 180 days after the pilot program ends, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a final report that includes the following elements:

(1) The number of spouses who participated in the pilot program.

(2) The amount of funding spent through the pilot program.

(3) An evaluation of outcomes.

(4) A recommendation of the Secretary regarding whether to make the pilot program permanent.

(e) TERMINATION.—The pilot program shall terminate three years after the date on which the Secretary establishes the pilot program.

Subtitle G—Other Matters and Reports

SEC. 591. AMENDMENTS TO ADDITIONAL DEPUTY INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE.

Section 554(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking ''Secretary of Defense'' and inserting ''Inspector General of the Department of Defense'';

(B) in subparagraph (A), by striking ''of the Department''; and

(C) in subparagraph (B), by striking ''report directly to and serve'' and inserting ''be'';

(2) in paragraph (2)(A)—

(A) in the matter preceding clause (i), by striking ''Conducting and supervising audits, investigations, and evaluations'' and inserting ''Developing and carrying out a plan for the conduct of comprehensive oversight, including through the conduct and supervision of audits, investigations, and inspections''; and

(B) in clause (ii), by striking ''duties of'' and inserting ''duties assigned to''; and

(3) in paragraph (4)—

(A) in subparagraph (B)—

(i) by striking ''Secretary and''; and

(ii) by inserting before the period at the end the following: '', for inclusion in the next semiannual report of the Inspector General under section 5 of the Inspector General Act of 1978 (5 U.S.C. App.).'';

(B) in subparagraph (C), by striking ''and Inspector General'';

(C) in subparagraph (D)—

(i) by striking ''Deputy'';

(ii) by striking ''and the Inspector General''; and

(iii) by striking ''direct'' and inserting ''direct or determine, as the case may be''; and

(D) in subparagraph (E), by striking ''of the Department'' and all that follows through ''Representatives'' and inserting ''consistent with the requirements of the Inspector General Act of 1978 (5 U.S.C. App.)''.

SEC. 592. INCLUSION OF SENIOR RESERVE OFFICERS' TRAINING CORPS DATA IN DIVERSITY AND INCLUSION REPORTING.

Section 113(m) of title 10, United States Code, as amended by section 551(a)(1) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283), is amended—

(1) by redesignating paragraphs (5), (6), and (7) as paragraphs (6), (7), and (8), respectively; and

(2) by inserting after paragraph (4) the following new paragraph:

''(5) The number of graduates of the Senior Reserve Officers' Training Corps during the fiscal year covered by the report, disaggregated by gender, race, and ethnicity, for each military department.''.

SEC. 593. MODIFIED DEADLINE FOR ESTABLISHMENT OF SPECIAL PURPOSE ADJUNCT TO ARMED SERVICES VOCATIONAL APTITUDE BATTERY TEST.

Section 594 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) is amended by striking ''Not later than one year after the date of the enactment of this Act'' and inserting ''Not later than October 1, 2024''.

SEC. 594. REPORTS ON AIR FORCE PERSONNEL PERFORMING DUTIES OF A NUCLEAR AND MISSILE OPERATIONS OFFICER (13N).

(a) IN GENERAL.—The Secretary of the Air Force shall submit to the congressional defense committees a report on personnel performing the duties of a Nuclear and Missile Operations Officer (13N)—

(1) not later than 90 days after the date of the enactment of this Act; and

(2) concurrent with the submission to Congress of the budget of the President for each of fiscal years 2023 through 2027 pursuant to section 1105(a) of title 31, United States Code.

(b) ELEMENTS.—Each report required by subsection (a) shall include the following:

(1) The number of Nuclear and Missile Operations Officers commissioned, by commissioning source, during the most recent fiscal year that ended before submission of the report.

(2) A description of the rank structure and number of such officers by intercontinental ballistic missile operational group during that fiscal year.

(3) The retention rate of such officers by intercontinental ballistic missile operational group during that fiscal year and an assessment of reasons for any loss in retention of such officers.

(4) A description of the rank structure and number of officers by intercontinental ballistic missile operational group performing alert duties by month during that fiscal year.

(5) A description of the structure of incentive pay for officers performing 13N duties during that fiscal year.

(6) A personnel manning plan for managing officers performing alert duties during the period of five fiscal years after submission of the report.

(7) A description of methods, with metrics, to manage the transition of Nuclear and Missile Operations Officers, by intercontinental ballistic missile operational group, to other career fields in the Air Force.

(8) Such other matters as the Secretary considers appropriate to inform the congressional defense committees with respect to the 13N career field during the period of five to ten fiscal years after submission of the report.

SEC. 595. REPORTS ON SECURITY FORCE PERSONNEL PERFORMING PROTECTION LEVEL ONE DUTIES.

(a) IN GENERAL.—The Secretary of the Air Force shall submit to the congressional defense committees a report on the status of security force personnel performing protection level one (PL–1) duties—

(1) not later than 90 days after the date of the enactment of this Act; and

(2) concurrent with the submission to Congress of the budget of the President for each of fiscal years 2023 through 2027 pursuant to section 1105(a) of title 31, United States Code.

(b) ELEMENTS.—Each report required by subsection (a) shall include the following:

(1) The number of Air Force personnel performing, and the number of unfilled billets designated for performance of, PL–1 duties on a full-time basis during the most recent fiscal year that ended before submission of the report.

(2) The number of such personnel disaggregated by mission assignment during that fiscal year.

(3) The number of such personnel and unfilled billets at each major PL–1 installation during that fiscal year and a description of the rank structure of such personnel.

(4) A statement of the time, by rank structure, such personnel were typically assigned to perform PL–1 duties at each major PL–1 installation during that fiscal year.

(5) The retention rate for security personnel performing such duties during that fiscal year.

(6) The number of Air Force PL–1 security force members deployed to support another Air Force mission or a joint mission with another military department during that fiscal year.

(7) A description of the type of training for security personnel performing PL–1 duties during that fiscal year.

(8) An assessment of the status of replacing the existing fleet of high mobility multipurpose wheeled vehicles (HMMWV) and BearCat armored vehicles, by PL–1 installation.

(9) Such other matters as the Secretary considers appropriate relating to security force personnel performing PL–1 duties during the period of five fiscal years after submission of the report.

TITLE VI—MILITARY COMPENSATION

SEC. 601. BASIC NEEDS ALLOWANCE FOR MEMBERS ON ACTIVE SERVICE IN THE ARMED FORCES.

(a) IN GENERAL.—Chapter 7 of title 37, United States Code, is amended by inserting after section 402a the following new section:

''§ 402b. Basic needs allowance for members on active service in the armed forces

''(a) ALLOWANCE REQUIRED.—The Secretary concerned shall pay to each member who is eligible under subsection (b) a basic needs allowance in the amount determined for such member under subsection (c).

''(b) ELIGIBLE MEMBERS.—A member on active service in the armed forces is eligible for the allowance under subsection (a) if—

''(1) the member has completed initial entry training;

''(2) the gross household income of the member during the most recent calendar year did not exceed an amount equal to 130 percent of the Federal poverty guidelines of the Department of Health and Human Services for the location of the member and the number of individuals in the household of the member for such year; and

''(3) the member—

''(A) is not ineligible for the allowance under subsection (d); and

''(B) does not elect under subsection (g) not to receive the allowance.

''(c) AMOUNT OF ALLOWANCE.—The amount of the monthly allowance payable to a member under subsection (a) shall be the amount equal to—

''(1)(A) 130 percent of the Federal poverty guidelines of the Department of Health and Human Services for the calendar year during which the allowance is paid based on the location of the member and the number of individuals in the household of the member during the month for which the allowance is paid; minus

''(B) the gross household income of the member during the preceding calendar year; divided by

''(2) 12.

''(d) BASES OF INELIGIBILITY.—

''(1) IN GENERAL.—The following members are ineligible for the allowance under subsection (a):

''(A) A member who does not have any dependents.

''(B) A cadet at the United States Military Academy, the United States Air Force Academy, or the Coast Guard Academy, a midshipman at the United States Naval Academy, or a cadet or midshipman serving elsewhere in the armed forces.

''(2) HOUSEHOLD WITH MORE THAN ONE ELIGIBLE MEMBER.—In the event a household contains two or more members determined under subsection (f) to be eligible to receive the allowance under subsection (a), only one allowance may be paid to a member among such members as such members shall jointly elect.

''(3) AUTOMATIC INELIGIBILITY OF MEMBERS RECEIVING CERTAIN PAY INCREASES.—A member determined to be eligible under subsection (f) for the allowance under subsection (a) whose monthly gross household income increases as a result of a promotion or other permanent increase to pay or allowances under this title to an amount that, on an annualized basis, would exceed the amount described in subsection (b)(2) is ineligible for the allowance. If such member is receiving the allowance, payment of the allowance shall automatically terminate within a reasonable time, as determined by the Secretary of Defense in regulations prescribed under subsection (j).

''(4) INELIGIBILITY OF CERTAIN CHANGES IN INCOME.—A member whose gross household income for the preceding year decreases because of a fine, forfeiture, or reduction in

rank imposed as a part of disciplinary action or an action under chapter 47 of title 10 (the Uniform Code of Military Justice) is not eligible for the allowance under subsection (a) solely as a result of the fine, forfeiture, or reduction in rank.

''(e) APPLICATION BY MEMBERS SEEKING ALLOWANCE.—

''(1) IN GENERAL.—A member who seeks to receive the allowance under subsection (a) shall submit to the Secretary concerned an application for the allowance that includes such information as the Secretary may require in order to determine whether or not the member is eligible to receive the allowance.

''(2) TIMING OF SUBMISSION.—A member who receives the allowance under subsection (a) and seeks to continue to receive the allowance shall submit to the Secretary concerned an updated application under paragraph (1) at such times as the Secretary may require, but not less frequently than annually.

''(3) VOLUNTARY SUBMISSION.—The submission of an application under paragraph (1) is voluntary.

''(4) SCREENING OF MEMBERS FOR ELIGIBILITY.—The Secretary of Defense shall—

''(A) ensure that all members of the armed forces are screened during initial entry training and regularly thereafter for eligibility for the allowance under subsection (a); and

''(B) notify any member so screened who may be eligible that the member may apply for the allowance by submitting an application under paragraph (1).

''(f) DETERMINATIONS OF ELIGIBILITY.—

''(1) IN GENERAL.—The Secretary concerned shall—

''(A) determine whether each individual who submits an application under subsection (e) is eligible for the allowance under subsection (a); and

''(B) notify each such individual, in writing, of that determination.

''(2) INFORMATION INCLUDED IN NOTICE.—The notice under paragraph (1) shall include information regarding financial management and assistance programs for which the member may be eligible.

''(g) ELECTION NOT TO RECEIVE ALLOWANCE.—

''(1) IN GENERAL.—A member determined under subsection (f) to be eligible for the allowance under subsection (a) may elect, in writing, not to receive the allowance.

''(2) DEEMED INELIGIBLE.—A member who does not submit an application under subsection (e) within a reasonable time (as determined by the Secretary concerned) shall be deemed ineligible for the allowance under subsection (a).

''(h) SPECIAL RULE FOR MEMBERS STATIONED OUTSIDE UNITED STATES.—In the case of a member assigned to a duty location outside the United States, the Secretary concerned shall make the calculations described in subsections (b)(2) and (c)(1) using the Federal poverty guidelines of the Department of Health and Human Services for the continental United States.

''(i) REPORTS REQUIRED.—Not later than December 31, 2025, and June 1, 2028, the Secretary of Defense shall submit to the congressional defense committees a report on the effect of the allowance under subsection (a) on food insecurity among members of the armed forces.

''(j) REGULATIONS.—Not later than one year after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2022, the Secretary of Defense shall prescribe regulations for the administration of this section.

''(k) EFFECTIVE PERIOD.—

''(1) IMPLEMENTATION PERIOD.—The allowance under subsection (a) is payable for months beginning on or after the date that is one year after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2022.

''(2) TERMINATION.—The allowance under subsection (a) may not be paid for any month beginning after December 31, 2027.

''(l) DEFINITIONS.—In this section:

''(1) GROSS HOUSEHOLD INCOME.—The term 'gross household income', with respect to a member, includes all household income derived from any source.

''(2) HOUSEHOLD.—The term 'household' means a member and any dependents of the member enrolled in the Defense Enrollment Eligibility Reporting System, regardless of the location of those dependents.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 7 of such title is amended by inserting after the item relating to section 402a the following new item:

''402b. Basic needs allowance for members on active service in the armed forces.''.

SEC. 602. EQUAL INCENTIVE PAY FOR MEMBERS OF THE RESERVE COMPONENTS OF THE ARMED FORCES.

(a) IN GENERAL.—Subchapter II of chapter 5 of title 37, United States Code, is amended by adding at the end the following new section:

''§ 357. Incentive pay authorities for members of the reserve components of the armed forces

''The Secretary concerned shall pay a member of the reserve component of an armed force incentive pay in the same monthly amount as that paid to a member in the regular component of such armed force performing comparable work requiring comparable skills.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 356 the following:

''357. Incentive pay authorities for members of the reserve components of the armed forces.''.

SEC. 603. EXTENSION OF EXPIRING TRAVEL AND TRANSPORTATION AUTHORITIES.

(a) LODGING IN KIND FOR RESERVE COMPONENT MEMBERS PERFORMING TRAINING.—

(1) IN GENERAL.—Section 12604 of title 10, United States Code, is amended—

(A) by amending the section heading to read as follows: ''**Lodging: Reserves attending training**''; and

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

''(c) LODGING IN KIND.—(1) In the case of a member of a reserve component performing active duty for training or inactive duty training who is not otherwise entitled to travel and transportation allowances in connection with such duty, the Secretary concerned may reimburse the member for housing service charge expenses incurred by the member in occupying transient government housing during the performance of such duty. If transient government housing is unavailable or inadequate, the Secretary concerned may provide the member with lodging in kind.

''(2) Any payment or other benefit under this subsection shall be provided in accordance with regulations prescribed by the Secretary concerned.

''(3) The Secretary may pay service charge expenses under paragraph (1) and expenses of providing lodging in kind under such paragraph out of funds appropriated for operation and maintenance for the reserve component concerned. Use of a Government charge card is authorized for payment of such expenses.

''(4) Decisions regarding the availability or adequacy of government housing at a military installation under paragraph (1) shall be made by the installation commander.''.

(2) CLERICAL AMENDMENT.—The table of sections for chapter 1217 of such title is amended by striking the item relating to section 12604 and inserting the following new item:

''12604. Lodging: Reserves attending training.''.

(b) MANDATORY PET QUARANTINE FEES FOR HOUSEHOLD PETS.—Section 451(b)(8) of title 37, United States Code, is amended by adding at the end the following new sentence: ''Such costs include pet quarantine expenses.''.

(c) STUDENT DEPENDENT TRANSPORTATION.—

(1) IN GENERAL.—Section 452(b) of title 37, United States Code, is amended by adding at the end the following new paragraphs:

''(18) Travel by a dependent child to the United States to obtain formal secondary, undergraduate, graduate, or vocational education, if the permanent duty assignment location of the member of the uniformed services is not in the continental United States, Alaska, or Hawaii.

''(19) Travel by a dependent child within the United States to obtain formal secondary, undergraduate, graduate, or vocational education, if the permanent duty assignment location of the member of the uniformed services is in Alaska or Hawaii and the school is located in a State other than the State of the permanent duty assignment location.''.

(2) DEFINITIONS.—Section 451 of title 37, United States Code, is amended—

(A) in subsection (a)(2)(H), by adding at the end the following new clauses:

''(vii) Transportation of a dependent child of a member of the uniformed services to the United States to obtain formal secondary, undergraduate, graduate, or vocational education, if the permanent duty assignment location of the member is not in the continental United States, Alaska, or Hawaii.

''(viii) Transportation of a dependent child of a member of the uniformed services within the United States to obtain formal secondary, undergraduate, graduate, or vocational education, if the permanent duty assignment location of the member is in Alaska or Hawaii and the school is located in a State other than the State of the permanent duty assignment location.''; and

(B) in subsection (b), by adding at the end the following new paragraph:

''(10)(A) The term 'permanent duty assignment location' means—

''(i) the official station of a member of the uniformed services; or

''(ii) the residence of a dependent of a member of the uniformed services.

''(B) For purposes of subparagraph (A)(ii), the permanent duty assignment location of a dependent who is a student not living with the member while attending school is the residence of the dependent.''.

(d) DEPENDENT TRANSPORTATION INCIDENT TO SHIP CONSTRUCTION, INACTIVATION, AND OVERHAULING.—

(1) IN GENERAL.—Section 452 of title 37, United States Code, as amended by subsection (c), is further amended—

(A) in subsection (b), by adding at the end the following new paragraph:

''(20) Subject to subsection (i), travel by a dependent to a location where a member of the uniformed services is on permanent duty aboard a ship that is overhauling, inactivating, or under construction.''; and

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

''(i) DEPENDENT TRANSPORTATION INCIDENT TO SHIP CONSTRUCTION, INACTIVATION, AND OVERHAULING.—The authority under subsection (a) for travel in connection with circumstances described in subsection (b)(20) shall be subject to the following terms and conditions:

''(1) The member of the uniformed services is required to be permanently assigned to the ship for 31 or more consecutive days to be eligible for allowances, and the transportation allowances accrue on the 31st day and every 60 days thereafter.

''(2) Transportation in kind, reimbursement for personally procured transportation, or a monetary allowance for mileage in place of the cost of transportation may be provided, in lieu of the member's entitlement to transportation, for the member's dependents from the location that was the home port of the ship before commencement of overhaul, inactivation, or construction to the port of overhaul, inactivation, or construction.

''(3) The total reimbursement for transportation for the member's dependents may not exceed the cost of one Government-procured commercial round-trip travel.''.

(2) DEFINITIONS.—Section 451(a)(2)(H) of title 37, United States Code, as amended by subsection (c), is further amended by adding at the end the following new clause:

''(ix) Transportation of a dependent to a location where a member of the uniformed services is on permanent duty aboard a ship that is overhauling, inactivating, or under construction.''.

SEC. 604. REPEAL OF EXPIRING TRAVEL AND TRANSPORTATION AUTHORITIES.

(a) IN GENERAL.—Effective December 31, 2021, subchapter III of chapter 8 of title 37, United States Code, is repealed.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 8 of such title is amended by striking the items relating to subchapter III and sections 471 through 495.

SEC. 605. ONE-YEAR EXTENSION OF CERTAIN EXPIRING BONUS AND SPECIAL PAY AUTHORITIES.

(a) AUTHORITIES RELATING TO RESERVE FORCES.—Section 910(g) of title 37, United States Code, relating to income replacement payments for reserve component members experiencing extended and frequent mobilization for active duty service, is amended by striking ''December 31, 2021'' and inserting ''December 31, 2022''.

(b) TITLE 10 AUTHORITIES RELATING TO HEALTH CARE PROFESSIONALS.—The following sections of title 10, United States Code, are amended by striking ''December 31, 2021'' and inserting ''December 31, 2022'':

(1) Section 2130a(a)(1), relating to nurse officer candidate accession program.

(2) Section 16302(d), relating to repayment of education loans for certain health professionals who serve in the Selected Reserve.

(c) AUTHORITIES RELATING TO NUCLEAR OFFICERS.—Section 333(i) of title 37, United States Code, is amended by striking ''December 31, 2021'' and inserting ''December 31, 2022''.

(d) AUTHORITIES RELATING TO TITLE 37 CONSOLIDATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AUTHORITIES.—The following sections of title 37, United States Code, are amended by striking ''December 31, 2021'' and inserting ''December 31, 2022'':

(1) Section 331(h), relating to general bonus authority for enlisted members.

(2) Section 332(g), relating to general bonus authority for officers.

(3) Section 334(i), relating to special aviation incentive pay and bonus authorities for officers.

(4) Section 335(k), relating to special bonus and incentive pay authorities for officers in health professions.

(5) Section 336(g), relating to contracting bonus for cadets and midshipmen enrolled in the Senior Reserve Officers' Training Corps.

(6) Section 351(h), relating to hazardous duty pay.

(7) Section 352(g), relating to assignment pay or special duty pay.

(8) Section 353(i), relating to skill incentive pay or proficiency bonus.

(9) Section 355(h), relating to retention incentives for members qualified in critical military skills or assigned to high priority units.

(e) AUTHORITY TO PROVIDE TEMPORARY INCREASE IN RATES OF BASIC ALLOWANCE FOR HOUSING.—Section 403(b)(7)(E) of title 37, United States Code, is amended by striking ''December 31, 2021'' and inserting ''December 31, 2022''.

SEC. 606. REQUIREMENTS IN CONNECTION WITH SUSPENSION OF RETIRED PAY AND RETIREMENT ANNUITIES.

(a) NOTICE BEFORE SUSPENSION OF PAYMENT.—

(1) IN GENERAL.—The Defense Finance and Accounting Service may not suspend the payment to a military retiree or annuitant of retired or retainer pay or an annuity otherwise provided by law until 90 days after the date of the delivery of written notice to such military retiree or annuitant, as applicable, or a designated representative, of the suspension.

(2) ELEMENTS.—Each notice of a suspension of payment under paragraph (1) shall set forth the following:

(A) The payment proposed to be suspended.

(B) A full description of the basis for the proposed suspension.

(C) Notice of the right of the military retiree or annuitant concerned, or a designated representative, to submit matters in response to the proposed suspension.

(b) SUSPENSION OF PAYMENT FOLLOWING LACK OF TIMELY RESPONSE.—

(1) IN GENERAL.—If at the end of the 90-day period beginning on the date of the delivery of a notice of suspension of payment under subsection (a) the military retiree or annuitant concerned, or a designated representative, has not submitted to the Defense Finance and Accounting Service a response to such notice, the Service may suspend payment as described in such notice.

(2) CONSTRUCTION OF LACK OF RESPONSE.—The lack of response of a military retiree, annuitant, or designated representative to a notice under subsection (a) within the 90-day period described in paragraph (1) shall not constitute a waiver of the right to submit a response to the suspension of payment proposed in such notice at some date after such period.

(c) DFAS DETERMINATION ON TIMELY RESPONSE.—

(1) IN GENERAL.—If a military retiree, annuitant, or designated representative responds to a notice of suspension of payment under subsection (a) within the 90-day period beginning on the date of delivery of such notice, the Defense Finance and Accounting Service shall, not later than 30 days after the date of receipt of such response—

(A) make a final determination of whether the suspension of payment remains warranted; and

(B) submit to the military retiree, annuitant, or designated representative a notice of such final determination.

(2) PROHIBITION ON SUSPENSION PENDING ACTION.—The Service may not suspend any payment covered by a response described in paragraph (1) while taking action with respect to such response pursuant to that paragraph.

(d) RECOVERY OF OVERPAYMENT.—If the Defense Finance and Accounting Service determines in connection with any suspension of payment provided for pursuant to subsection (b) or (c) that the military retiree or annuitant concerned has received any overpayment of any amount to which such suspension of payment relates, the Secretary of Defense may take appropriate action to recover such overpayment.

(e) PRESERVATION OF AUTHORITY FOR IMMEDIATE SUSPENSION IN CERTAIN CASES.—

(1) IN GENERAL.—Nothing in this section shall be construed to prohibit the Secretary of Defense from immediately suspending payment to a military retiree or annuitant in a case as follows:

(A) A case in which the Secretary determines that the initial claim for payment was based upon a fraudulent application.

(B) A case in which payment is being diverted to a person ineligible to receive payment due to suspected identity theft or similar criminal act.

(C) A case involving immediate termination of retired or retainer pay as a result of a conviction of a criminal offense.

(2) DATE FOR COMMENCEMENT OF SUSPENSION.—Payment may be suspended under this subsection effective upon the date that the Secretary refers the report of the suspected fraud or similar unauthorized payment in question to a law enforcement organization.

(f) ANNUAL ELIGIBILITY DETERMINATION PROCEDURES.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe in regulations a single annual eligibility determination procedure for determinations of eligibility for military retired or retainer pay and survivor annuities in connection with military service as a replacement of the current procedures in connection with the Certificate of Eligibility and Report of Existence for military retirees and annuitants.

(g) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of Veterans Affairs and the Secretary of Homeland Security, submit to the appropriate committees of Congress a report on a process by which notifications of the death of a military retiree or annuitant may be shared among such Secretaries for the purpose of determining the termination of eligibility for benefits administered by such Secretaries.

(h) REGULATIONS.—Subsections (a) through (e) of this section shall be carried out in accordance with regulations prescribed by the Secretary of Defense for purposes of this section.

(i) DEFINITIONS.—In this section:

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

(A) the Committee on Armed Services, the Committee on Veterans' Affairs, and the Committee on Commerce, Science, and Transportation of the Senate; and

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

(2) MILITARY RETIREE; ANNUITANT.—The terms ''military retiree'' and ''annuitant'' shall have the meaning given such terms in the regulations prescribed pursuant to subsection (h).

(3) DESIGNATED REPRESENTATIVE.—The term ''designated representative'' shall have the meaning given such term in the regulations prescribed pursuant to subsection (h), and shall include a guardian and a trustee of a qualified special needs trust of an annuitant.

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE and Other Health Care Benefits

SEC. 701. ADDITION OF PRECONCEPTION AND PRENATAL CARRIER SCREENING COVERAGE AS BENEFITS UNDER TRICARE PROGRAM.

Section 1079(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(18) Preconception and prenatal carrier screening tests shall be provided to eligible

covered beneficiaries, with a limit per beneficiary of one test per condition per lifetime, for the following conditions:

''(A) Cystic Fibrosis.

''(B) Spinal Muscular Atrophy.

''(C) Fragile X Syndrome.

''(D) Tay-Sachs Disease.

''(E) Hemoglobinopathies.

''(F) Conditions linked with Ashkenazi Jewish descent.''.

SEC. 702. COVERAGE OF OVERSEAS SUBACUTE AND HOSPICE CARE FOR ELIGIBLE OVERSEAS DEPENDENTS OF MEMBERS OF THE UNIFORMED SERVICES.

(a) SUBACUTE CARE.—Section 1074j(b) of title 10, United States Code, is amended—

(1) in paragraph (1), by adding at the end the following new sentence: ''For eligible overseas dependents of members of the uniformed services who are on active duty for a period of more than 30 days, the Secretary of Defense may authorize an overseas provider that does not have to be enrolled in the Medicare program under section 1866(j) of the Social Security Act (42 U.S.C. 1395cc(j)) to provide skilled nursing facility care, which shall include services and facility charges, under the program.'';

(2) in paragraph (2)—

(A) in subparagraph (A)—

(i) by striking the period at the end and inserting ''; and'';

(ii) by striking ''`skilled nursing facility' has'' and inserting ''`skilled nursing facility'—

''(i) except as provided in clause (ii), has''; and

(iii) by adding at the end the following new clause:

''(ii) with respect to facilities overseas, means facilities authorized by the Secretary of Defense, which do not have to be enrolled in the Medicare program under section 1866(j) of the Social Security Act (42 U.S.C. 1395cc(j)).''; and

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

''(C) The term 'overseas' means located outside of the 50 States, the District of Columbia, Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands.''; and

(3) in paragraph (3), by adding at the end the following new sentence: ''Notwithstanding the previous sentence, home health care services may be provided to eligible overseas dependents of members of the uniformed services who are on active duty for a period of more than 30 days by home health providers authorized by the Secretary of Defense regardless of whether such providers provide such services in the manner and under the conditions described in section 1861(m) of the Social Security Act (42 U.S.C. 1395x(m)).''.

(b) HOSPICE CARE.—Section 1079(a)(15) of such title is amended—

(1) by striking ''Hospice care'' and inserting ''(A) Except as provided in subparagraph (B), hospice care''; and

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

''(B)(i) With respect to dependents who are overseas, hospice care may be provided in such manner and under such conditions as the Secretary of Defense may authorize.

''(ii) In this subparagraph, the term 'overseas' means located outside of the 50 States, the District of Columbia, Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands.''.

SEC. 703. MODIFICATION OF PILOT PROGRAM ON RECEIPT OF NON-GENERIC PRESCRIPTION MAINTENANCE MEDICATIONS UNDER TRICARE PHARMACY BENEFITS PROGRAM.

Section 706 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) is amended—

(1) in subsection (a)(1), by striking ''may carry out'' and inserting ''shall carry out'';

(2) in subsection (b), by striking ''March 1, 2021'' and inserting ''March 1, 2022'';

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

(4) by inserting after subsection (d) the following new subsection (e):

''(e) REIMBURSEMENT.—If the Secretary carries out the pilot program under subsection (a)(1), reimbursement of retail pharmacies for medication under the pilot program may not exceed the amount of reimbursement paid to the national mail-order pharmacy program under section 1074g of title 10, United States Code, for the same medication, after consideration of all manufacturer discounts, refunds, rebates, pharmacy transaction fees, and other costs.''; and

(5) in subsection (f), as redesignated by paragraph (3)—

(A) by striking paragraph (1) and inserting the following new paragraph (1):

''(1) BRIEFING.—Not later than 90 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2022, the Secretary shall provide to the Committees on Armed Services of the House of Representatives and the Senate a briefing on the implementation of the pilot program under subsection (a)(1) or on the determination of the Secretary under subsection (a)(2) that the Secretary is not permitted to carry out the pilot program.''; and

(B) in paragraph (3)(A), by striking ''March 1, 2024'' and inserting ''March 1, 2025''.

Subtitle B—Health Care Administration

SEC. 721. REVISIONS TO TRICARE PROVIDER NETWORKS.

(a) TRICARE SELECT.—Section 1075 of title 10, United States Code, is amended—

(1) by redesignating subsection (h) as subsection (i); and

(2) by inserting after subsection (g) the following new subsection (h):

''(h) AUTHORITY FOR MULTIPLE NETWORKS IN THE SAME GEOGRAPHIC AREA.—(1) The Secretary may establish a system of multiple networks of providers under TRICARE Select in the same geographic area or areas.

''(2) Under a system established under paragraph (1), the Secretary may—

''(A) require covered beneficiaries enrolling in TRICARE Select to enroll in a specific provider network established under such system, in which case providers not in that provider network are deemed to be out-of-network providers under this section (even if they are in a different TRICARE Select provider network) and under any other applicable authorities limiting coverage of health care services or certain terms for providing services to those provided by network providers; and

''(B) include beneficiaries covered by subsection (c)(2).''.

(b) TRICARE PRIME.—Section 1097a of such title is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following new subsection (e):

''(e) AUTHORITY FOR MULTIPLE NETWORKS IN THE SAME GEOGRAPHIC AREA.—(1) The Secretary may establish a system of multiple networks of providers under TRICARE Prime in the same geographic area or areas.

''(2) Under a system established under paragraph (1), the Secretary may require covered beneficiaries enrolling in TRICARE Prime to enroll in a specific provider network established under such system, in which case providers not in that provider network are deemed to be out-of-network providers (even if they are in a different TRICARE Prime provider network) under applicable authorities limiting coverage of health care services or certain terms for providing services to those provided by network providers.''.

SEC. 722. IMPLEMENTATION OF AN INTEGRATED TRICARE PROGRAM THROUGH EFFECTIVE MARKET MANAGEMENT.

(a) IN GENERAL.—Not later than April 1, 2022, the Secretary of Defense, acting through the Director of the Defense Health Agency, shall implement integration of the direct care and purchased care components of the TRICARE program through effective management of geographic markets.

(b) ELEMENTS OF INTEGRATION.—The integration actions required by subsection (a) shall include the following elements:

(1) Designation by the Director of the Defense Health Agency of a single market manager for each geographic market who shall—

(A) report to the Director, through the Assistant Director for Health Care Administration;

(B) be under the authority, direction, and control of the Director; and

(C) be responsible for the development and implementation of a market management plan for the geographic market.

(2) Determinations by the Director, with the assistance of the market manager for the geographic market concerned, that in carrying out section 1073d of title 10, United States Code, and section 703 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 1073d note), the TRICARE preferred provider network in the geographic market has the capacity and capability to meet the needs of covered beneficiaries affected by the restructure or realignment of infrastructure or modification of services of the military medical treatment facility involved.

(3) Expeditious implementation of the requirements under section 725 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 1074 note)—

(A) to ensure that health care services provided through military medical treatment facilities maintain the critical wartime medical readiness skills and core competencies of health care providers within the Armed Forces;

(B) to meet the health care needs of covered beneficiaries under the TRICARE program, subject to meeting the medical readiness requirements of the Armed Forces; and

(C) to maintain the level of care required by such section in facilities in foreign countries.

(4) With respect to TRICARE Prime—

(A) development of a streamlined and effective system of patient referrals for covered beneficiaries enrolled in TRICARE Prime, particularly with respect to referrals from a primary care provider in the TRICARE network to a specialty care provider at a military medical treatment facility for specialty care services available at the military medical treatment facility; and

(B) continued operation of enrollment of covered beneficiaries in TRICARE Prime in geographic areas where the Director determines that such enrollment is appropriate to support the effective operation of one or more military medical treatment facilities.

(c) DEFINITIONS.—In this section:

(1) COVERED BENEFICIARY; TRICARE PRIME; TRICARE PROGRAM.—The terms ''covered beneficiary'', ''TRICARE Prime'', and ''TRICARE program'' have the meanings

given those terms in section 1072 of title 10, United States Code.

(2) GEOGRAPHIC MARKET.—The term ''geographic market'', with respect to the TRICARE program, has the meaning given that term by the Director of the Defense Health Agency and shall include one or more inpatient military medical treatment facilities.

SEC. 723. ESTABLISHMENT OF CENTERS OF EXCELLENCE FOR ENHANCED TREATMENT OF OCULAR INJURIES.

(a) IN GENERAL.—Not later than October 1, 2022, the Secretary of Defense, acting through the Director of the Defense Health Agency, shall establish within the Defense Health Agency not fewer than four regional centers of excellence for the enhanced treatment of—

(1) ocular wounds or injuries; and

(2) vision dysfunction related to traumatic brain injury.

(b) LOCATION OF CENTERS.—Each center of excellence established under subsection (a) shall be located at a military medical center that provides graduate medical education in ophthalmology and its related subspecialties and shall be the primary center for providing specialized medical services for vision for members of the Armed Forces in the region in which the center of excellence is located.

(c) POLICIES FOR REFERRAL OF BENEFICIARIES.—Not later than October 1, 2022, the Director of the Defense Health Agency shall publish on a publicly available internet website of the Department of Defense policies for the referral of eligible beneficiaries of the Department to centers of excellence established under subsection (a) for evaluation and treatment.

(d) IDENTIFICATION OF MEDICAL PERSONNEL BILLETS AND STAFFING.—The Secretary of each military department, in conjunction with the Joint Staff Surgeon and the Director of the Defense Health Agency, shall identify specific medical personnel billets essential for the evaluation and treatment of ocular sensory injuries and ensure that centers of excellence established under subsection (a) are staffed with such personnel at the level required for the enduring medical support of each such center.

(e) REPORT.—Not later than December 31, 2022, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report that—

(1) describes the establishment of each center of excellence established under subsection (a), to include the location, capability, and capacity of each center;

(2) describes the referral policy published by the Defense Health Agency under subsection (c);

(3) identifies the medical personnel billets identified under subsection (d); and

(4) Provides a plan for staffing of personnel at such centers to ensure the enduring medical support of each such center.

(f) MILITARY MEDICAL CENTER DEFINED.—In this section, the term ''military medical center'' means a medical center described in section 1073d(b) of title 10, United States Code.

SEC. 724. MANDATORY TRAINING ON HEALTH EFFECTS OF BURN PITS.

The Secretary of Defense shall provide to each medical provider of the Department of Defense mandatory training with respect to the potential health effects of burn pits.

SEC. 725. REMOVAL OF REQUIREMENT FOR ONE YEAR OF PARTICIPATION IN CERTAIN MEDICAL AND LIFESTYLE INCENTIVE PROGRAMS OF THE DEPARTMENT OF DEFENSE TO RECEIVE BENEFITS UNDER SUCH PROGRAMS.

Section 729 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 1073 note) is amended—

(1) in subsection (a)(1), by striking, ''in the previous year'';

(2) in subsection (b), by striking, ''in the previous year''; and

(3) in subsection (c), by striking, ''in the previous year''.

SEC. 726. AUTHORITY OF SECRETARY OF DEFENSE AND SECRETARY OF VETERANS AFFAIRS TO ENTER INTO AGREEMENTS FOR PLANNING, DESIGN, AND CONSTRUCTION OF FACILITIES TO BE OPERATED AS SHARED MEDICAL FACILITIES.

(a) AUTHORITY OF SECRETARY OF DEFENSE.—

(1) IN GENERAL.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1104 the following new section:

''§ 1104a. Shared medical facilities with Department of Veterans Affairs

''(a) AGREEMENTS.—Secretary of Defense may enter into agreements with the Secretary of Veterans Affairs for the planning, design, and construction of facilities to be operated as shared medical facilities.

''(b) TRANSFER OF FUNDS BY SECRETARY OF DEFENSE.—(1) The Secretary of Defense may transfer to the Secretary of Veterans Affairs amounts as follows:

''(A) For the construction of a shared medical facility, amounts not in excess of the amount authorized under subsection (a)(2) of section 2805 of this title, if—

''(i) the amount of the share of the Department of Defense for the estimated cost of the project does not exceed the amount authorized under such subsection; and

''(ii) the other requirements of such section have been met with respect to funds identified for transfer.

''(B) For the planning, design, and construction of space for a shared medical facility, amounts appropriated for the Defense Health Program.

''(2) The authority to transfer funds under this section is in addition to any other authority to transfer funds available to the Secretary of Defense.

''(3) Section 2215 of this title does not apply to a transfer of funds under this subsection.

''(c) TRANSFER OF FUNDS TO SECRETARY OF DEFENSE.—(1) Any amount transferred to the Secretary of Defense by the Secretary of Veterans Affairs for necessary expenses for the planning, design, and construction of a shared medical facility, if the amount of the share of the Department of Defense for the cost of such project does not exceed the amount specified in section 2805(a)(2) of this title, may be credited to accounts of the Department of Defense available for the construction of a shared medical facility.

''(2) Any amount transferred to the Secretary of Defense by the Secretary of Veterans Affairs for the purpose of the planning and design of space for a shared medical facility may be credited to accounts of the Department of Defense available for such purposes, and may be used for such purposes.

''(3) Using accounts credited with transfers from the Secretary of Veterans Affairs under paragraph (1), the Secretary of Defense may carry out unspecified minor military construction projects, if the share of the Department of Defense for the cost of such project does not exceed the amount specified in section 2805(a)(2) of this title.

''(d) MERGER OF AMOUNTS TRANSFERRED.—Any amount transferred to the Secretary of Veterans Affairs under subsection (b) and any amount transferred to the Secretary of Defense under subsection (c) shall be merged with and available for the same purposes and the same period as the appropriation or fund to which transferred.

''(e) APPROPRIATION IN ADVANCE.—Amounts may be transferred pursuant to the authority under this section only to the extent and in the amounts provided in advance in appropriations Acts.

''(f) SHARED MEDICAL FACILITY DEFINED.—In this section, the term 'shared medical facility'—

''(1) means a building or buildings, or a campus, intended to be used by both the Department of Veterans Affairs and the Department of Defense for the provision of health care services, whether under the jurisdiction of the Secretary of Veterans Affairs or the Secretary of Defense, and whether or not located on a military installation or on real property under the jurisdiction of the Secretary of Veterans Affairs; and

''(2) includes any necessary building and auxiliary structure, garage, parking facility, mechanical equipment, abutting and covered sidewalks, and accommodations for attending personnel.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 55 of such title is amended by inserting after the item relating to section 1104 the following new item:

''1104a. Shared medical facilities with Department of Veterans Affairs.''.

(b) AUTHORITY OF SECRETARY OF VETERANS AFFAIRS.—

(1) IN GENERAL.—Chapter 81 of title 38, United States Code, is amended by inserting after section 8111A the following new section:

''§ 8111B. Shared medical facilities with Department of Defense

''(a) AGREEMENTS.—The Secretary of Veterans Affairs may enter into agreements with the Secretary of Defense for the planning, design, and construction of facilities to be operated as shared medical facilities.

''(b) TRANSFER OF FUNDS BY SECRETARY OF VETERANS AFFAIRS.—(1) The Secretary of Veterans Affairs may transfer to the Department of Defense amounts appropriated to the Department of Veterans Affairs for 'Construction, minor projects' for use for the planning, design, or construction of a shared medical facility if the estimated share of the project costs of the Department of Veterans Affairs does not exceed the amount specified in section 8104(a)(3)(A) of this title.

''(2) The Secretary of Veterans Affairs may transfer to the Department of Defense amounts appropriated to the Department of Veterans Affairs for 'Construction, major projects' for use for the planning, design, or construction of a shared medical facility if—

''(A) the estimated share of the project costs of the Department of Veterans Affairs exceeds the amount specified in section 8104(a)(3)(A) of this title; and

''(B) the other requirements of section 8104 of this title have been met with respect to amounts identified for transfer.

''(c) TRANSFER OF FUNDS TO SECRETARY OF VETERANS AFFAIRS.—(1) Any amount transferred to the Secretary of Veterans Affairs by the Secretary of Defense for necessary expenses for the planning, design, or construction of a shared medical facility, if the estimated share of the project costs of the Department of Veterans Affairs does not exceed the amount specified in section 8104(a)(3)(A) of this title, may be credited to the 'Construction, minor projects' account of the Department of Veterans Affairs and used for the necessary expenses of constructing such shared medical facility.

''(2) Any amount transferred to the Secretary of Veterans Affairs by the Secretary of Defense for necessary expenses for the planning, design, or construction of a shared medical facility, if the estimated share of the project costs of the Department of Veterans Affairs exceeds the amount specified in section 8104(a)(3)(A) of this title, may be

credited to the 'Construction, major projects' account of the Department of Veterans Affairs and used for the necessary expenses of constructing such shared medical facility if the other requirements of section 8104 of this title have been met with respect to amounts identified for transfer.

''(d) MERGER OF AMOUNTS TRANSFERRED.—Any amount transferred to the Secretary of Defense under subsection (b) and any amount transferred to the Secretary of Veterans Affairs under subsection (c) shall be merged with and available for the same purposes and the same period as the appropriation or fund to which transferred.

''(e) APPROPRIATION IN ADVANCE.—Amounts may be transferred pursuant to the authority under this section only to the extent and in the amounts provided in advance in appropriations Acts.

''(f) SHARED MEDICAL FACILITY DEFINED.—In this section, the term 'shared medical facility'—

''(1) means a building or buildings, or a campus, intended to be used by both the Department of Veterans Affairs and the Department of Defense for the provision of health care services, whether under the jurisdiction of the Secretary of Veterans Affairs or the Secretary of Defense, and whether or not located on a military installation or on real property under the jurisdiction of the Secretary of Veterans Affairs; and

''(2) includes any necessary building and auxiliary structure, garage, parking facility, mechanical equipment, abutting and covered sidewalks, and accommodations for attending personnel.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter I of chapter 81 of such title is amended by inserting after the item relating to section 8111A the following new item:

''8111B. Shared medical facilities with Department of Defense.''.

SEC. 727. CONSISTENCY IN ACCOUNTING FOR MEDICAL REIMBURSEMENTS RECEIVED BY MILITARY MEDICAL TREATMENT FACILITIES FROM OTHER FEDERAL AGENCIES.

(a) IN GENERAL.—Section 1085 of title 10, United States Code, is amended—

(1) in the section heading, by striking ''**reimbursement**'' and inserting ''**charges for care**'';

(2) by striking ''If a member'' and inserting ''(a) COLLECTION OF FEES.—(1) If a member'';

(3) in subsection (a), as designated by paragraph (2)—

(A) by striking ''inpatient medical or dental care in a facility'' and inserting ''inpatient or outpatient medical or dental care at or through a facility'';

(B) by striking ''the appropriation for'' and inserting ''the executive department'';

(C) by striking ''shall be reimbursed'' and inserting ''shall charge and collect fees''; and

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

''(2) Amounts collected by an executive department under paragraph (1) shall be credited to the appropriation account currently available for obligation that is used to support the maintenance and operation of facilities at or through which the executive department provided the medical or dental care described in such paragraph.''; and

(4) by adding at the end the following new subsections:

''(b) ESTABLISHMENT OF RATES.—(1) If an executive department incurs expenses in providing medical or dental care described in paragraph (2) or (3), the executive department may charge and collect fees at rates established by the Secretary of such department to reflect the cost of providing or making available the care, as determined by such Secretary.

''(2) The care described in this paragraph is inpatient or outpatient medical or dental care provided at or through a facility under the jurisdiction of the Secretary of Defense to a person who is entitled to receive medical or dental care at a facility under the jurisdiction of another Federal agency.

''(3) The care described in this paragraph is inpatient or outpatient medical or dental care provided at or through a facility under the jurisdiction of a Federal agency that is not the Department of Defense to a person who—

''(A) is entitled to receive medical or dental care at a facility under the jurisdiction of the Secretary of Defense under section 1074 of this title; or

''(B) is a covered beneficiary, as that term is defined in section 1072 of this title.

''(c) RELATIONSHIP TO OTHER AUTHORITIES.—Authority provided by subsections (a)(1) and (b) may be exercised—

''(1) in conjunction with authority for healthcare resource sharing provided to the Secretary of Defense and the Secretary of Veterans Affairs for the mutually beneficial coordination, use, or exchange of use of health care resources under section 1104 of this title and section 8111 of title 38; and

''(2) in lieu of and notwithstanding section 717(c)(2) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 1071 note).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 55 of title 10, United States Code, is amended by striking the item relating to section 1085 and inserting the following new item:

''1085. Medical and dental care from another executive department: charges for care.''.

Subtitle C—Reports and Other Matters

SEC. 741. ACCESS BY UNITED STATES GOVERNMENT EMPLOYEES AND THEIR FAMILY MEMBERS TO CERTAIN FACILITIES OF DEPARTMENT OF DEFENSE FOR ASSESSMENT AND TREATMENT OF ANOMALOUS HEALTH CONDITIONS.

(a) ASSESSMENT.—The Secretary of Defense shall provide to employees of the United States Government and their family members who the Secretary determines are experiencing symptoms of certain anomalous health conditions, as defined by the Secretary for purposes of this section, timely access for medical assessment, subject to space availability, to the National Intrepid Center of Excellence, an Intrepid Spirit Center, or an appropriate military medical treatment facility, as determined by the Secretary.

(b) TREATMENT.—With respect to an individual described in subsection (a) diagnosed with an anomalous health condition or a related affliction, whether diagnosed under an assessment under subsection (a) or otherwise, the Secretary of Defense shall furnish to the individual treatment for the condition or affliction, subject to space availability, at the National Intrepid Center of Excellence, an Intrepid Spirit Center, or an appropriate military medical treatment facility, as determined by the Secretary.

(c) DEVELOPMENT OF PROCESS.—The Secretary of Defense, in consultation with the heads of such Federal agencies as the Secretary considers appropriate, shall develop a process to ensure that employees from those agencies and their family members are afforded timely access to the National Intrepid Center of Excellence, an Intrepid Spirit Center, or an appropriate military medical treatment facility pursuant to subsection (a) by not later than 60 days after the date of the enactment of this Act.

(d) MODIFICATION OF DEPARTMENT OF DEFENSE TRAUMA REGISTRY.—The Secretary of Defense shall modify the Trauma Registry of the Department of Defense to include data on the demographics, condition-producing event, diagnosis and treatment, and outcomes of anomalous health conditions experienced by employees of the United States Government and their family members assessed or treated under this section, subject to an agreement by the employing agency and the consent of the employee.

SEC. 742. EXTENSION OF AUTHORITY FOR JOINT DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY DEMONSTRATION FUND.

Section 1704(e) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2567), as most recently amended by section 732 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1460)), is amended by striking ''September 30, 2021'' and inserting ''September 30, 2023''.

SEC. 743. COMPTROLLER GENERAL STUDY ON IMPLEMENTATION BY DEPARTMENT OF DEFENSE OF RECENT STATUTORY REQUIREMENTS TO REFORM THE MILITARY HEALTH SYSTEM.

(a) STUDY.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study on the implementation by the Department of Defense of statutory requirements to reform the military health system contained in a covered Act.

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

(A) A compilation of a list of, and citation for, each statutory requirement on reform of the military health system contained in a covered Act.

(B) An assessment of the extent to which such requirement was implemented, or is currently being implemented.

(C) An evaluation of the actions taken by the Department of Defense to assess and determine the effectiveness of actions taken pursuant to such requirement.

(D) Such other matters in connection with the implementation of such requirement as the Comptroller General considers appropriate.

(b) BRIEFING AND REPORT.—

(1) BRIEFING.—Not later than May 1, 2022, the Comptroller General shall brief the Committees on Armed Services of the Senate and the House of Representatives on the status of the study conducted under subsection (a).

(2) REPORT.—Not later than May 1, 2023, 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) that includes the elements specified in paragraph (2) of such subsection.

(c) COVERED ACT DEFINED.—In this section, the term ''covered Act'' means any of the following:

(1) The William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283).

(2) The National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92).

(3) The John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232).

(4) The National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91).

(5) The National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328).

(6) The National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92).

(7) The Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291).

(8) The National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66).

(9) The National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239).

(10) The National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81).

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

Subtitle A—Acquisition Policy and Management

SEC. 801. REPEAL OF PREFERENCE FOR FIXED-PRICE CONTRACTS.

Section 829 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 2306 note) is hereby repealed.

SEC. 802. IMPROVING THE USE OF AVAILABLE DATA TO MANAGE AND FORECAST SERVICE CONTRACT REQUIREMENTS.

(a) IMPLEMENTATION REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force and the Secretary of the Navy shall, except as provided under subsection (b), commence implementation of priority recommendation number 1 and priority recommendation number 2, respectively, in the Government Accountability Office report entitled, ''DOD Service Acquisition: Improved Use of Available Data Needed to Better Manage and Forecast Service Contract Requirements'' (GAO–16–119).

(b) EXCEPTIONS.—

(1) DELAYED IMPLEMENTATION.—The Secretary of the Air Force or the Secretary of the Navy, as appropriate, may commence implementation of an open recommendation described in subsection (a) later than the date required under such subsection if, not later than 180 days after the date of the enactment of this Act, the Secretary concerned provides the Committees on Armed Services of the Senate and the House of Representatives with justification for the delay in implementation of such recommendation.

(2) NONIMPLEMENTATION.—The Secretary of the Air Force or the Secretary of the Navy, as appropriate, may opt not to implement an open recommendation described in subsection (a) if, not later than 180 days after the date of the enactment of this Act, the Secretary concerned provides the Committees on Armed Services of the Senate and the House of Representatives—

(A) the reasons for the decision not to implement the recommendation; and

(B) a summary of the alternate actions the Secretary plans to address the purposes underlying the recommendation.

(c) IMPLEMENTATION PLANS.—As to a recommendation described in subsection (a) that the Secretary of the Air Force or the Secretary of the Navy, as appropriate, is implementing or plans to implement, the Secretary concerned shall, not later than 180 days after the date of the enactment of this Act, submit to the Committees on Armed Services of the Senate and the House of Representatives—

(1) a summary of actions that have been taken to implement the recommendation; and

(2) a schedule, with specific milestones, for completing implementation of the recommendation.

(d) ACTION BY SECRETARY OF DEFENSE.—The Secretary of Defense shall establish a mechanism to ensure that the integration of services into the programming process and the development of forecasts on service contract spending provide Department leaders with consistent data.

(e) AMENDMENTS.—Section 2329 of title 10, United States Code, is amended—

(1) in subsection (b)(5) by striking ''be included in the future-years defense program submitted to Congress under section 221 of this title'' and inserting ''include the fiscal year and the period covered by the future-years defense program submitted to Congress under section 221 of this title for that fiscal year'';

(2) in subsection (c)(3)(C) by striking ''after the date of the enactment of this subsection'' and inserting ''after December 12, 2017'';

(3) in subsection (d)—

(A) by inserting ''(1)'' before ''Each Services Requirements Review Board''; and

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

''(2) The Secretary of Defense shall develop and disseminate standard guidelines within the Department of Defense for the evaluation of requirements for services contracts.''; and

(4) in subsection (g)(3) by striking ''dated January 5, 2016'' and inserting ''dated January 10, 2020''.

(f) REPEAL OF OBSOLETE REQUIREMENT.—

(1) IN GENERAL.—Section 235 of title 10, United States Code, is repealed.

(2) CONFORMING AMENDMENT.—The table of sections at the beginning of chapter 9 of title 10, United States Code, is amended by striking the item relating to section 235.

SEC. 803. ASSESSMENT OF IMPEDIMENTS AND INCENTIVES TO IMPROVING THE ACQUISITION OF COMMERCIAL TECHNOLOGY, PRODUCTS, AND SERVICES.

(a) ASSESSMENT REQUIRED.—The Under Secretary of Defense for Acquisition and Sustainment and the Chairman of the Joint Requirements Oversight Council (JROC) shall jointly assess impediments and incentives to fulfilling the goals of sections 1906, 1907, and 3307 of title 41, United States Code, and sections 2375, 2376, and 2377 of title 10, United States Code, regarding preferences for commercial products and services.

(b) ASSESSMENT OBJECTIVE.—The objective of the assessment is to enhance the innovation strategy of the Department of Defense to compete effectively against peer adversaries by rapidly adopting commercial advances in technology.

(c) ELEMENTS OF ASSESSMENT.—The assessment shall include a review of—

(1) policies, regulations, and oversight processes;

(2) acquisition workforce training and education;

(3) the role of requirements in determining acquisitions pathways, including the ability to accommodate evolving commercial functionality, new opportunities identified during market research, and how phasing and uncertainty in requirements are treated;

(4) the role of competitive procedures and source selection procedures, including the ability to structure acquisitions to accommodate multiple or unequal solutions;

(5) the role of planning, programming, and budgeting structures and processes, including appropriations categories;

(6) systemic biases in favor of custom solutions;

(7) risk to contracting officers and acquiring officials of pursuing commercial products and services, and incentives and disincentives for acquisition organizations; and

(8) potential reforms that do not impose additional burdensome and time-consuming constraints on the acquisition process.

(d) BRIEFING.—Not later than 120 days after the date of the enactment of this Act, the Under Secretary and the Chairman of JROC shall brief the congressional defense committees on the results of the required assessment and actions undertaken to improve compliance with the statutory preference for commercial products and services, including any recommendations to Congress for legislative action.

SEC. 804. PILOT PROGRAM ON ACQUISITION PRACTICES FOR EMERGING TECHNOLOGIES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, acting through the Under Secretary of Defense for Acquisition and Sustainment or the Under Secretary's designee, shall establish a pilot program to develop and implement unique acquisition mechanisms for emerging technologies in order to increase the speed of transition of emerging technologies into acquisition programs or into operational use.

(b) ELEMENTS.—The pilot program shall include activities to—

(1) identify and award not less than four agreements for new projects to support high-priority defense modernization activities, consistent with the National Defense Strategy, with consideration given to—

(A) offensive missile capabilities;

(B) space-based assets;

(C) personnel and quality of life improvement; and

(D) energy generation and storage;

(2) develop a unique acquisition plan for each new project identified pursuant to paragraph (1) that is significantly novel from standard Department of Defense acquisition practices, including the use of—

(A) alternative price evaluation models;

(B) alternative independent cost estimation methodologies;

(C) alternative market research methods;

(D) continuous assessment of performance metrics to measure project value for use in program management and oversight;

(E) alternative intellectual property strategies, including activities to support modular open systems architectures and reducing life cycle and sustainment costs; and

(F) other alternative practices as identified by the Secretary;

(3) execute the acquisition plans outlined in paragraph (2) and award agreements in an expedited manner; and

(4) establish mechanisms for projects under the pilot program to request permission to waive appropriate Department, military service, or defense agency regulations, directives, or policies not required by law, to support the goals of the pilot program, including waivers of acquisition, personnel, and technology transfer policies and practices.

(c) PROJECT CANCELLATION.—The Secretary of Defense may establish procedures to terminate agreements awarded under the pilot program, including processes to notify the congressional defense committees 30 days prior to a termination.

(d) PILOT PROGRAM ADVISORY GROUP.—The Under Secretary shall establish a pilot program advisory group to advise the Under Secretary on the selection, management, elements, data collection, and termination of projects, to include at least—

(1) one member from each military department, appointed by the Secretary of the military department concerned;

(2) one member appointed by the Under Secretary of Defense for Research and Engineering;

(3) one member appointed by the Under Secretary of Defense for Acquisition and Sustainment;

(4) one member appointed by the Director of the Strategic Capabilities Office of the Department of Defense;

(5) one member appointed by the Director of the Defense Advanced Research Projects Agency; and

(6) one member appointed by the Director of Operational Test and Evaluation.

(e) DEADLINE FOR APPOINTMENT.—Members of the advisory group shall be appointed not later than 30 days after the date of the establishment of the pilot program under subsection (a).

(f) INFORMATION TO CONGRESS.—

(1) BRIEFING REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, and not less than annually thereafter, the Secretary shall provide to the congressional defense committees a briefing on activities under this section.

(2) BUDGET JUSTIFICATION MATERIALS.—The Secretary shall establish procedures to clearly identify all projects under the pilot program in budget justification materials submitted to the congressional defense committees.

(g) DATA REQUIREMENTS.—

(1) COLLECTION AND ANALYSIS OF DATA.—The Secretary shall establish mechanisms to collect and analyze data on the execution of the pilot program for the purpose of—

(A) developing and sharing best practices for achieving goals established for the pilot program;

(B) providing information to the Secretary and the congressional defense committees on the execution of the pilot; and

(C) providing information to the Secretary and the congressional defense committees on related policy issues.

(2) DATA STRATEGY REQUIRED.—The Secretary may not execute the pilot program prior to completion of a data strategy and plan to meet the requirements of this subsection.

(h) TERMINATION.—The pilot program established under this subsection shall terminate after all the projects identified under subsection (b)(1) have been completed or cancelled by the Department of Defense.

SEC. 805. ANNUAL REPORT ON HIGHEST AND LOWEST PERFORMING ACQUISITION PROGRAMS OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Not later than January 31, 2023, and annually thereafter, the Secretary of Defense shall submit to the congressional defense committees a report that contains a ranking of the five highest performing and five lowest performing covered acquisition programs of the Department of Defense.

(b) RANKING CRITERIA.—

(1) IN GENERAL.—The Secretary of Defense, in consultation with the Under Secretary of Defense for Acquisition and Sustainment, the Service Acquisition Executives, and other appropriate officials, shall determine the criteria to be used for purposes of the rankings.

(2) INCLUSION IN REPORT.—The Secretary of Defense shall include in the report submitted under subsection (a) a discussion of the specific ranking criteria determined under paragraph (2), including a description of how those criteria are consistent with best acquisition practices.

(c) LOWEST PERFORMING ACQUISITION PROGRAMS.—Not later than April 1, 2023, and annually thereafter, the decision authority for each of the five acquisition programs ranked as the lowest performing in the report submitted under subsection (a) for that year shall submit to the congressional defense committees a report that includes the following information for that acquisition program:

(1) A description of the factors that contributed to the program's ranking as low performing.

(2) An assessment of the underlying causes of the program's poor performance.

(3) A plan for addressing the program's challenges and improving performance, including specific actions that will be taken and proposed timelines for completing such actions.

(d) DEFINITIONS.—In this section:

(1) The term ''covered acquisition program'' means—

(A) a major defense acquisition program as defined in section 2430 of title 10, United States Code; or

(B) an acquisition program, subprogram, or project that is estimated by the Secretary of Defense to require an eventual total expenditure described in section 2430(a)(1)(B) of title 10, United States Code.

(2) The term ''decision authority'' means the official within the Department of Defense designated with the overall responsibility and authority for acquisition decisions for the program, subprogram, or project, including authority to approve entry of the program, subprogram, or project into the next phase of the acquisition process.

SEC. 806. SYSTEMS ENGINEERING DETERMINATIONS.

(a) IN GENERAL.—Chapter 139 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2374b. Systems Engineering Determinations

''(a) REQUIREMENT.—The Secretary of Defense shall ensure that any Department of Defense transaction entered into under an authority described in subsection (b) includes System Engineering Determinations as provided under subsection (c).

''(b) COVERED AUTHORITIES.—The authorities described under this subsection are as follows:

''(1) Section 2371 of this title for applied and advanced research project transactions relating to weapons systems.

''(2) Section 2371b of this title for transactions relating to weapons systems.

''(3) Section 2373 of this title.

''(4) Section 2358 of this title for transactions relating to weapons systems.

''(c) SYSTEMS ENGINEERING DETERMINATIONS.—

''(1) SYSTEMS ENGINEERING DETERMINATION 'A'.—(A) The head of the Department of Defense activity that has technical oversight over a transaction covered under this section shall identify, in writing, not later than 30 days after such transaction is entered into, measurable success criteria related to potential military applications to be demonstrated not later than the final day of the transaction's period of performance.

''(B) Not later than 30 days after the end of the period of performance referred to in subparagraph (A), the head of activity shall make one of the following determinations and document such action in writing with notice provided to the performer:

''(i) 'Discontinue': Discontinue support, with rationale noted.

''(ii) 'Retain and extend': Retain within the activity and extend the period of performance for a specified period of time in order to achieve the stated success criteria.

''(iii) 'Endorse and refer': Endorse the project and refer it to the most appropriate Systems Engineering Command, based on the technical attributes of the project and the associated potential military applications, based on meeting or exceeding the success criteria.

''(C) If the head of activity retained the project pursuant to subparagraph (B)(ii), the head of activity shall, at the end of the extension period—

''(i) take the action prescribed in subparagraph (B)(iii) if the success criteria are met; or

''(ii) take the action prescribed in subparagraph (B)(i) if the success criteria are not met.

''(2) SYSTEMS ENGINEERING DETERMINATION 'B'.—(A) Not later than 30 days after receipt of a referral under paragraph (1)(B)(iii), the head of the Systems Engineering Command shall formulate a systems engineering plan with the performer, the Department's technical experts, and prospective Program Executive Officers.

''(B) The systems engineering plan required under subsection (A) shall include the following:

''(i) Measurable baseline technical capability, based on the success criteria met pursuant to paragraph (1)(B)(iii).

''(ii) Measurable transition technical capability, based on the technical needs of the prospective Program Executive Officers to support a current or future program of record.

''(iii) Discrete technical development activities necessary to progress from the baseline capability to the transition capability, including an approximate cost and schedule. Such activities shall include a resolution of—

''(I) interfaces;

''(II) data rights;

''(III) government technical requirements;

''(IV) specific platform technical integration;

''(V) software development;

''(VI) component, subsystem, or system prototyping;

''(VII) scale models;

''(VIII) technical manuals;

''(IX) lifecycle sustainment needs; and

''(X) other needs identified by the Program Executive Officers.

''(iv) Identification and commitment of funding sources to complete the activities under clause (iii).

''(C) Not later than 30 days after the end of the schedule identified in subparagraph (B), the head of the Systems Engineering Command shall make one of the following determinations and document such action in writing with notice provided to the performer and prospective Program Executive Officers:

''(i) 'Discontinue': Discontinue support with rationale noted.

''(ii) 'Retain and extend': Retain within the Command and extend the schedule for a specified period of time in order to achieve stated transition criteria with specific remedial or additional activities noted.

''(iii) 'Endorse and refer':Endorse the item and refer to a Program Executive Officer, based on meeting or exceeding the transition criteria.

''(D) If the head of the Systems Engineering Command retained the project pursuant to subparagraph (C)(ii), the head of the Systems Engineering Command shall, at the end of the extension period—

''(i) take the action prescribed in subparagraph (C)(iii) if the transition criteria are met after such extension; or

''(ii) take the action prescribed in subparagraph (C)(i) if the transition criteria are not met after such extension.

''(d) SYSTEMS ENGINEERING COMMAND DEFINED.—In this section, the term 'Systems Engineering Command' means the specific Department of Defense activity that specializes in the systems engineering of a system, subsystem, component, or capability area, including—

''(1) the Naval Warfare Centers;

''(2) the Army Combat Capabilities Development Command Centers; and

''(3) the Air Force Research Laboratory.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 139 of such title is amended by adding after the item relating to section 2374a the following new item:

''2374b. Systems Engineering Determinations''.

(c) FUTURE TRANSFER.—

(1) TRANSFER AND REDESIGNATION.—Section 2374b of title 10, United States Code, as added by subsection (a), is transferred to chapter 301 of such title, added after section 4004, as

transferred and redesignated by section 1841(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283), and redesignated as section 4005.

(2) CLERICAL AMENDMENTS.—

(A) TARGET CHAPTER TABLE OF SECTIONS.—The table of sections at the beginning of chapter 301 of title 10, United States Code, as added by section 1841(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283), is amended by inserting after the item related to section 4004 the following new item:

''4005. Systems Engineering Determinations''.

(B) ORIGIN CHAPTER TABLE OF SECTIONS.—The table of sections at the beginning of chapter 139 of title 10, United States Code, as amended by subsection (a), is further amended by striking the item relating to section 2374b.

(3) CONFORMING AMENDMENTS TO INTERNAL CROSS-REFERENCES.—Section 2374b(b) of title 10, United States Code, as added by subsection (a), is amended—

(A) in paragraph (1), by striking ''section 2371'' and inserting ''section 4002'';

(B) in paragraph (2), by striking ''section 2371b'' and inserting ''section 4003''; and

(C) in paragraph (3), by striking ''section 2373'' and inserting ''section 4004''.

(4) EFFECTIVE DATE.—The transfer, redesignation, and amendments made by this subsection shall take effect on January 1, 2022.

(5) REFERENCES; SAVINGS PROVISION; RULE OF CONSTRUCTION.—Sections 1883 through 1885 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) shall apply with respect to the transfers, redesignations, and amendments made under this subsection as if such transfers, redesignations, and amendments were made under title XVIII of such Act.

(d) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe regulations to carry out section 4005 of title 10, United States Code, as added by subsection (a) and transferred and redesignated by subsection (c).

(e) BRIEFING REQUIRED.—Not later than 60 days after the date of enactment of this Act, the Secretary of Defense shall provide a briefing to the Committees on Armed Services of the Senate and the House of Representatives with a detailed plan to implement this section.

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

SEC. 811. RECOMMENDATIONS ON THE USE OF OTHER TRANSACTION AUTHORITY.

(a) REVIEW AND RECOMMENDATIONS REQUIRED.—The Secretary of Defense shall review the current use, authorities, regulations, and policies relative to the use of other transaction authority under sections 2371 and 2371b of title 10, United States Code, and assess the merits of modifying or expanding such authorities with respect to—

(1) the inclusion in such transactions for the government and contractors to include force majeure provisions to deal with unforeseen circumstances in execution of the transaction;

(2) the determination of an entity's traditional or nontraditional status based on the entity's parent company or that of its majority owner;

(3) the determination of an entity's traditional or nontraditional status based on the entity's status as a 100-percent employee stock ownership plan;

(4) the ability of the Department of Defense to award agreements for prototypes with all of the costs of the prototype provided by the private sectors partners, to allow for expedited transition into follow-on production agreements for appropriate technologies;

(5) the ability of the Department of Defense to award agreements for procurement, including without the need for prototyping;

(6) the ability of the Department of Defense to award agreements for sustainment of capabilities, including without the need for prototyping;

(7) the ability of the Department of Defense to award agreements to support the organic industrial base;

(8) the ability of the Department of Defense to award agreements for prototyping of services or acquisition of services;

(9) the need for alternative authorities or policies to more effectively and efficiently execute agreements with private sector consortia;

(10) the ability of the Department of Defense monitor and report on individual awards made under consortium-based other transactions; and

(11) other issues as identified by the Secretary.

(b) ISSUES IDENTIFIED AND RECOMMENDATIONS FOR CHANGES TO POLICIES OR AUTHORITIES.—For each of the areas under subsection (a), the Secretary shall—

(1) identify relevant issues and challenges under current other transaction authority;

(2) discuss the advantages and disadvantages of modifying or expanding other transaction authority to address issues identified by the review;

(3) identify policy changes that will be made to address issues identified by the review;

(4) make recommendations to the congressional defense committees for new or modified statutory authorities to address issues identified by the review; and

(5) provide such other information as determined appropriate.

(c) REPORT.— Not later than December 31, 2022, the Secretary of Defense shall submit to the congressional defense committees a report describing activities undertaken pursuant to this section, as well as issues identified, policy changes proposed, justification for any proposed changes, and recommendations for legislative changes.

SEC. 812. MODIFIED CONDITION FOR PROMPT CONTRACT PAYMENT ELIGIBILITY.

Section 2307(a)(2)(B) of title 10, United States Code, as amended by the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283), is further amended by striking ''if the prime contractor agrees or proposes to make payments to the subcontractor'' and inserting ''if the prime contractor agrees to make payments to the subcontractor''.

SEC. 813. EXCLUSION OF CERTAIN SERVICES FROM INTERGOVERNMENTAL SUPPORT AGREEMENTS FOR INSTALLATION-SUPPORT SERVICES.

Section 2679(a)(3) of title 10, United States Code, is amended—

(1) by striking ''used when the Secretary concerned'' and inserting ''used when—

''(A) the Secretary concerned'';

(2) in subparagraph (A), as designated by paragraph (1), by striking the period at the end and inserting ''; and''; and

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

''(B) the installation-support services are not included on the procurement list established pursuant to section 8503 of title 41.''.

SEC. 814. MODIFICATION OF PRIZE AUTHORITY FOR ADVANCED TECHNOLOGY ACHIEVEMENTS.

Section 2374a of title 10, United States Code, is amended—

(1) in subsection (a), by inserting '', including procurement agreements,'' after ''other types of prizes'';

(2) in subsection (b), in the first sentence, by inserting ''and for the selection of recipients of procurement agreements'' after ''cash prizes''; and

(3) in subsection (c)(1), by inserting ''without the approval of the Under Secretary of Defense for Research and Engineering'' before the period at the end.

SEC. 815. COST OR PRICING DATA REPORTING IN DEPARTMENT OF DEFENSE CONTRACTS.

Section 2306a(a)(6) of title 10, United States Code, as amended by the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283), is further amended—

(1) by striking ''Upon the request of a contractor that was required to submit cost or pricing data under paragraph (1)'' and inserting ''Under paragraph (1),''; and

(2) by striking ''modify the contract to reflect subparagraphs (B)(ii) and (C)(ii) of paragraph (1). All such modifications shall be made without requiring consideration'' and inserting ''modify the contract as soon as practicable to reflect subparagraphs (B) and (C) of paragraph (1), without requiring consideration''.

SEC. 816. AUTHORITY TO ACQUIRE INNOVATIVE COMMERCIAL PRODUCTS AND SERVICES USING GENERAL SOLICITATION COMPETITIVE PROCEDURES.

(a) AUTHORITY.—

(1) IN GENERAL.—Chapter 140 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2380c. Authority to acquire innovative commercial products and services using general solicitation competitive procedures

''(a) AUTHORITY.—The Secretary of Defense may acquire innovative commercial products and services through a competitive selection of proposals resulting from a general solicitation and the peer review of such proposals.

''(b) TREATMENT AS COMPETITIVE PROCEDURES.—Use of general solicitation competitive procedures under subsection (a) shall be considered to be use of competitive procedures for purposes of chapter 137 of this title.

''(c) LIMITATIONS.—(1) The Secretary may not enter into a contract or agreement in excess of $100,000,000 using the authority under subsection (a) without a written determination from the Under Secretary of Defense for Acquisition and Sustainment or the relevant service acquisition executive of the efficacy of the effort to meet mission needs of the Department of Defense or the relevant military department.

''(2) Contracts or agreements entered into using the authority under subsection (a) shall be fixed-price, including fixed-price incentive fee contracts.

''(3) Notwithstanding section 2376(1) of this title, products and services acquired using the authority under subsection (a) shall be treated as commercial products and services.

''(d) CONGRESSIONAL NOTIFICATION REQUIRED.—(1) Not later than 45 days after the award of a contract for an amount exceeding $100,000,000 using the authority in subsection (a), the Secretary of Defense shall notify the congressional defense committees of such award.

''(2) Notice of an award under paragraph (1) shall include the following:

''(A) Description of the innovative commercial product or service acquired.

''(B) Description of the requirement, capability gap, or potential technological advancement with respect to which the innovative commercial product or service acquired provides a solution or a potential new capability.

''(C) Amount of the contract awarded.

''(D) Identification of contractor awarded the contract.

''(e) INNOVATIVE DEFINED.—In this section, the term 'innovative' means—

''(1) any technology, process, or method, including research and development, that is new as of the date of submission of a proposal; or

''(2) any application that is new as of the date of submission of a proposal of a technology, process, or method existing as of such date.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 140 of title 10, United States Code, is amended by inserting after the item relating to section 2380b the following new item:

''2380c. Authority to acquire innovative commercial products and services using general solicitation competitive procedures.''.

(b) FUTURE TRANSFER.—

(1) TRANSFER AND REDESIGNATION.—Section 2380c of title 10, United States Code, as added by subsection (a), is transferred to chapter 247 of such title, added after section 3457, as transferred and redesignated by section 1841(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283), and redesignated as section 3458.

(2) CLERICAL AMENDMENTS.—

(A) TARGET CHAPTER TABLE OF SECTIONS.—The table of sections at the beginning of chapter 247 of title 10, United States Code, as added by section 1821(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283), is amended by inserting after the item related to section 3457 the following new item:

''3458. Authority to acquire innovative commercial products and services using general solicitation competitive procedures.''.

(B) ORIGIN CHAPTER TABLE OF SECTIONS.—The table of sections at the beginning of chapter 140 of title 10, United States Code, as amended by subsection (a), is further amended by striking the item relating to section 2380c.

(3) CONFORMING AMENDMENTS TO INTERNAL CROSS-REFERENCES.—Section 2380c of title 10, United States Code, as added by subsection (a), is amended—

(A) in subsection (b), by striking ''chapter 137'' and inserting ''chapter 221''; and

(B) in subsection (c)(3), by striking ''section 2376(1)'' and inserting ''section 3451(1)''.

(4) EFFECTIVE DATE.—The transfer, redesignation, and amendments made by this subsection shall take effect on January 1, 2022.

(5) REFERENCES; SAVINGS PROVISION; RULE OF CONSTRUCTION.—Sections 1883 through 1885 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) shall apply with respect to the transfers, redesignations, and amendments made under this subsection as if such transfers, redesignations, and amendments were made under title XVIII of such Act.

(c) REPEAL OF OBSOLETE AUTHORITY.—Section 879 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 2302 note) is hereby repealed.

SEC. 817. REPORTING REQUIREMENT FOR DEFENSE ACQUISITION ACTIVITIES.

(a) PROCEDURES FOR IDENTIFYING CERTAIN ACQUISITION AGREEMENTS AND ACTIVITIES.—The Secretary of Defense shall establish procedures to identify all agreements awarded to entities through the use of a consortia (including agreements pursuant to the authorities under section 2371 and 2371b of title 10, United States Code), individual task orders awarded under a task order contract (as defined in section 2304d of title 10, United States Code), and individual task orders issued to a federally funded research and development center.

(b) REPORTING.—Not later than one year after the date of the enactment of this Act, and not less than annually thereafter, the Secretary of Defense shall submit to the congressional defense committees a report on the use of agreements and activities described in subsection (a) and associated funding.

(c) PUBLICATION OF INFORMATION.—Not later than one year after the date of enactment of this Act, the Secretary of Defense shall establish procedures to publically release information on individual agreements and activities described in subsection (a) and associated funding, unless such disclosure is deemed inappropriate for individual agreements based on national security concerns.

SEC. 818. DEPARTMENT OF DEFENSE CONTRACTOR PROFESSIONAL TRAINING MATERIAL DISCLOSURE REQUIREMENTS.

(a) PROHIBITION.—Effective immediately, each contractor who enters or has entered into a contract with the Department of Defense to provide goods or services shall make publicly available online at its website all diversity, equal opportunity, equity, inclusion, or tolerance training materials or internal policies, including syllabi, online sources, suggested reading lists, guest speakers and lecturers, instructor lists, internal policy memos, workshop descriptions, outside organizational funding, or other educational or professional materials for review and identification of Critical Race Theory or similar theoretical instruction in a timely manner. Should the contractor have no online presence, the contractor shall provide the materials in hard copy format to the Office of the Under Secretary of Defense for Acquisition and Sustainment in a timely manner.

(b) COVERED THEORIES.—The theories associated with Critical Race Theory and similar theories referred to in subsection (a) are the following theories:

(1) Any race is inherently superior or inferior to any other race.

(2) The United States of America is a fundamentally racist country.

(3) The Declaration of Independence or the United States Constitution are fundamentally racist documents.

(4) An individual's moral character or worth is determined by his or her race.

(5) An individual, by virtue of his or her race, is inherently racist or oppressive, whether consciously or unconsciously.

(6) An individual, because of his or her race, bears responsibility for the actions committed by other members of his or her race.

SEC. 819. REPORT ON PLACE OF PERFORMANCE REQUIREMENTS.

(a) GUIDANCE AND TRAINING.—Not later than July 1, 2022, the Secretary of Defense shall implement guidance and necessary training to improve data reporting on contract place of performance.

(b) REPORT.—

(1) IN GENERAL.—Not later than July 1, 2022, the Secretary of Defense shall submit to the congressional defense committees a report regarding place of performance requirements in Department of Defense contracts.

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

(A) A description of the criteria that is considered when place of performance language is included in a contract.

(B) The percentage of contracts awarded on a yearly basis from fiscal year 2016 to fiscal year 2020 that included place of performance clauses.

(C) An assessment of the extent to which revisions to guidance or regulations related to the use of place of performance clauses could improve the Department of Defense's effectiveness and efficiency, including a description of such revisions.

SEC. 820. MULTIYEAR CONTRACT AUTHORITY FOR DEFENSE ACQUISITIONS SPECIFICALLY AUTHORIZED BY LAW.

Section 2306b(i)(3) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

''(H) The quantity of end items that would be procured with such contract in each fiscal year of the future years defense program at the time of contract award will not decrease during the contract period of performance without prior approval from the congressional defense committees.''.

Subtitle C—Industrial Base Matters

SEC. 831. ADDITION OF CERTAIN ITEMS TO LIST OF HIGH PRIORITY GOODS AND SERVICES FOR ANALYSES, RECOMMENDATIONS, AND ACTIONS RELATED TO SOURCING AND INDUSTRIAL CAPACITY.

Section 849 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) is amended—

(1) in subsection (a)(1)(A)—

(A) by redesignating clauses (ii), (iii), and (iv) as clauses (iii), (iv), and (v), respectively; and

(B) by inserting after clause (i) the following new clause:

''(ii) producers in the United States;''; and

(2) in subsection (c), by adding at the end the following new paragraphs:

''(14) Beef products born, raised, and slaughtered in the United States.

''(15) Molybdenum and molybdenum alloys.

''(16) Optical transmission equipment, including optical fiber and cable equipment.

''(17) Armor on tactical ground vehicles.

''(18) Graphite processing.''.

SEC. 832. PROHIBITION ON ACQUISITION OF PERSONAL PROTECTIVE EQUIPMENT FROM NON-ALLIED FOREIGN NATIONS.

(a) PROHIBITION.—

(1) IN GENERAL.—Chapter 137 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2339d. Prohibition on acquisition of personal protective equipment and certain other items from non-allied foreign nations

''(a) IN GENERAL.—Except as provided in subsection (c), the Secretary of Defense may not procure any covered item in any covered nation.

''(b) APPLICABILITY.—Subsection (a) shall apply to prime contracts and subcontracts at any tier.

''(c) EXCEPTIONS.—Subsection (a) does not apply under the following circumstances:

''(1) If the Secretary of Defense determines that covered materials of satisfactory quality and quantity, in the required form, cannot be procured as and when needed from nations other than covered nations to meet requirements at a reasonable price.

''(2) The procurement of a covered item for use outside of the United States.

''(3) Purchases for amounts not greater than $150,000. A proposed purchase or contract for an amount greater than $150,000 may not be divided into several purchases or contracts for lesser amounts in order to qualify for this exception.

''(d) DEFINITIONS.—In this section:

''(1) COVERED ITEM.—The term 'covered item' means an article or item of—

''(A) personal protective equipment for use in preventing spread of disease, such as by exposure to infected individuals or contamination or infection by infectious material (including surgical masks, respirator masks and powered air purifying respirators and required filters, face shields and protective eyewear, surgical and isolation gowns, and head and foot coverings) or clothing, and the materials and components thereof, other than sensors, electronics, or other items added to and not normally associated with such personal protective equipment or clothing; or

''(B) sanitizing and disinfecting wipes, testing swabs, gauze, and bandages.

''(2) COVERED NATION.—The term 'covered nation' means—

''(A) the Democratic People's Republic of North Korea;

''(B) the People's Republic of China;

''(C) the Russian Federation; and

''(D) the Islamic Republic of Iran.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2339c the following:

''2339d. Prohibition on acquisition of personal protective equipment and certain other items from non-allied foreign nations.''.

(b) FUTURE TRANSFER.—

(1) TRANSFER AND REDESIGNATION.—Section 2339d of title 10, United States Code, as added by subsection (a), is transferred to subchapter I of chapter 283 of such title, added after section 3881, as transferred and redesignated by section 1837(b) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283), and redesignated as section 3882.

(2) CLERICAL AMENDMENTS.—

(A) TARGET CHAPTER TABLE OF SECTIONS.—The table of sections at the beginning of chapter 283 of title 10, United States Code, as added by section 1837(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283), is amended by inserting after the item related to section 3881 the following new item:

''3882. Prohibition on acquisition of personal protective equipment and certain other items from non-allied foreign nations.''.

(B) ORIGIN CHAPTER TABLE OF SECTIONS.—The table of sections at the beginning of chapter 137 of title 10, United States Code, as amended by subsection (a), is further amended by striking the item relating to section 2339d.

(3) EFFECTIVE DATE.—The transfer, redesignation, and amendments made by this subsection shall take effect on January 1, 2022.

(4) REFERENCES; SAVINGS PROVISION; RULE OF CONSTRUCTION.—Sections 1883 through 1885 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) shall apply with respect to the transfers, redesignations, and amendments made under this subsection as if such transfers, redesignations, and amendments were made under title XVIII of such Act.

SEC. 833. FURTHER PROHIBITION ON ACQUISITION OF SENSITIVE MATERIALS.

(a) IN GENERAL.—Section 2533c of title 10, United States Code, is amended—

(1) in subsection (a)(1), by inserting ''or by any covered company'' after ''covered nation''; and

(2) in subsection (d)—

(A) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively; and

(B) by inserting before paragraph (2), as so redesignated, the following new paragraph:

''(1) COVERED COMPANY.—The term 'covered company' means—

''(A) any company or joint venture registered outside of the United States that—

''(i) is partially or fully owned by any state-owned entity from a covered nation; or

''(ii) is 5 percent or more owned by private investors from any covered nation;

''(B) any company or joint venture registered inside the United States that—

''(i) is partially or fully owned by a state-owned entity from a covered nation; or

''(ii) has entered, after the date of enactment of this paragraph, into an agreement or condition with the Committee on Foreign Investment in the United States under paragraph (1)(3)(A) of section 4565 of title 50, United States Code, that does not specifically refer to this section and provide that the company shall be eligible to supply covered products under this section; or

''(C) any other company that the President determines to be a threat to the security of supply of any covered material.''.

(b) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe such regulations as are necessary to carry out section 2533c of title 10, United States Code, as amended by this section.

SEC. 834. REQUIREMENT FOR INDUSTRY DAYS AND REQUESTS FOR INFORMATION TO BE OPEN TO ALLIED DEFENSE CONTRACTORS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, each service acquisition executive shall publish a default requirement that industry days and requests for information for acquisition programs and research and development efforts shall to the maximum extent practicable be open to defense contractors from the national technology and industrial base (NTIB), including when such contractors are acting as subcontractors in partnership with a United States contractor, provided such access is granted only if the Secretary determines that there is reciprocal access for United States companies to equivalent information related to contracting opportunities in the associated NTIB country.

(b) NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.—In this section, the term ''national technology and industrial base'' has the meaning given the term in section 2500 of title 10, United States Code.

SEC. 835. ASSESSMENT OF REQUIREMENTS FOR CERTAIN ITEMS TO ADDRESS SUPPLY CHAIN VULNERABILITIES.

(a) DEFINITIONS.—In this section, the term ''dual use'' has the meaning given in section 2500 of title 10, United States Code.

(b) ASSESSMENT.—The Secretary of Defense shall assess the Department of Defense's requirements for dual-use items covered by section 2533a of title 10, United States Code.

(c) REPORT.—Not later than October 1, 2022, the Secretary of Defense shall submit a report to the congressional defense committees with the Department's findings, in publicly releasable and controlled formats as necessary.

(d) POLICIES.—The Secretary of Defense shall, to the extent practicable, develop or revise relevant policies to reduce fluctuations in the Department's annual procurements of dual-use items.

SEC. 836. REQUIREMENT THAT CERTAIN PROVIDERS OF SYSTEMS TO DEPARTMENT OF DEFENSE DISCLOSE THE SOURCE OF PRINTED CIRCUIT BOARDS WHEN SOURCED FROM CERTAIN COUNTRIES.

(a) DEFINITIONS.—In this section:

(1) The term ''covered nation'' includes the following:

(A) The People's Republic of China.

(B) The Russian Federation.

(C) The Democratic People's Republic of North Korea.

(D) The Islamic Republic of Iran.

(2) The term ''covered system'' means any item, including commercial items and commercially available off-the-shelf items, notwithstanding section 2375 of title 10, United States Code, that is—

(A) a national security system, as defined in section 3552 of title 44, United States Code; or

(B) a system other than a national security system that transmits or stores classified information, including—

(i) data communications and storage, including servers, switches, and networking systems, but excluding personal data storage devices, personal computers, desktop computers, and tablets; and

(ii) any other systems that the Secretary determines should be covered.

(3) The term ''manufactured and assembled'', with respect to a printed circuit board, includes all actions from the fabrication of the printed circuit board from raw materials to the integration of the completed printed circuit board in an end item or component of an end item.

(b) DISCLOSURE.—The Secretary of Defense shall require any provider of a covered system to provide to the Department of Defense, along with delivery of the covered system, a list of the printed circuit boards in the covered system that includes, for each printed circuit board, an attestation of whether—

(1) the printed circuit board was partially or fully manufactured and assembled in a covered nation;

(2) the printed circuit board was fully manufactured and assembled outside of a covered nation; or

(3) the provider cannot determine where the printed circuit board was manufactured and assembled.

(c) REGULATIONS.—Not later than October 1, 2022, the Secretary of Defense shall promulgate such regulations as are necessary to carry out this section, including a process to ensure that proprietary information is appropriately protected by the Department of Defense.

(d) PLAN REQUIRED.—Not later than October 1, 2022, the Secretary of Defense shall submit a plan for the implementation of this provision to the congressional defense committees.

SEC. 837. EMPLOYMENT TRANSPARENCY REGARDING INDIVIDUALS WHO PERFORM WORK IN THE PEOPLE'S REPUBLIC OF CHINA.

(a) DISCLOSURE REQUIREMENTS.—

(1) INITIAL DISCLOSURE.—

(A) IN GENERAL.—The Secretary of Defense shall require any covered entity to disclose if the entity employs one or more individuals who will perform work in the People's Republic of China on a covered contract when it submits a bid or proposal for a covered contract.

(B) MATTERS TO BE INCLUDED.—Each disclosure under subparagraph (A) shall include—

(i) the total number of employees who will perform work in the People's Republic of China funded by the Department of Defense; and

(ii) a description of the physical presence in the People's Republic of China that meets the definition of a covered entity under subsection (d)(2).

(2) RECURRING DISCLOSURES.—

(A) IN GENERAL.—The Secretary of Defense shall require any covered entity that is party to one or more covered contracts to disclose for fiscal year 2023 and 2024 if the entity employs one or more individuals who perform work in the People's Republic of China on such contracts.

(B) MATTERS TO BE INCLUDED.—Each disclosure under subparagraph (A) shall include—

(i) the total number of employees who will perform work in the People's Republic of China funded by the Department of Defense; and

(ii) a description of the physical presence in the People's Republic of China that meets the definition of a covered entity under subsection (d)(2).

(3) AVAILABILITY TO PUBLIC.—All disclosures filed under paragraphs (1) and (2) shall be available to the public through an internet website of the Department of Defense that is accessible to the public.

(b) FUNDING FOR COVERED ENTITIES.—The Secretary of Defense shall not award or renew a covered contract with a covered entity unless the disclosures required under subsection (a) are submitted.

(c) QUARTERLY BRIEFING.—Beginning on or around January 1, 2023, the Secretary of Defense shall provide quarterly briefings to the congressional defense committees on activities under this section, including a description of the amount, length, source, recipient, and intended purpose of covered contracts awarded to covered entities that employ one or more individuals who will perform work in the People's Republic of China funded by the Department of Defense.

(d) DEFINITIONS.—In this section:

(1) COVERED CONTRACT.—The term ''covered contract'' means any Department of Defense contract or subcontract with a value in excess of $5,000,000, excluding contracts for commercial products or services.

(2) COVERED ENTITY.—The term ''covered entity'' means any corporation, company, limited liability company, limited partnership, business trust, business association, or other similar entity, including any subsidiary or affiliate thereof, participating in the performance of work under a covered contract in the People's Republic of China, including by—

(A) employing one or more individuals performing work under the contract, including as employees, independent contractors, or through similar arrangements, who physically work in and reside in the People's Republic of China; or

(B) leasing or owning real property used in the performance of the contract in the People's Republic of China.

Subtitle D—Small Business Matters

SEC. 841. CLARIFICATION OF DUTIES OF DIRECTOR OF SMALL BUSINESS PROGRAMS.

Section 144(c)(1) of title 10, United States Code, is amended by inserting ''to strengthen small businesses in the national technology and industrial base'' after ''exercise such powers regarding these programs''.

SEC. 842. DATA ON PHASE III SMALL BUSINESS INNOVATION RESEARCH AND SMALL BUSINESS TECHNOLOGY TRANSFER PROGRAM AWARDS.

(a) DEFINITIONS.—In this section, the terms ''Phase I'', ''Phase II'', ''Phase III'', ''SBIR'', and ''STTR'' have the meanings given those terms in section 9(e) of the Small Business Act (15 U.S.C. 638(e)).

(b) DATA ON PHASE III AWARDS.—For each fiscal year, the Secretary of each military department shall collect and submit to the President for inclusion in the budget submitted to Congress under section 1105 of title 31, United States Code, for the fiscal year data on the Phase III awards under the SBIR and STTR programs of the military department, which shall include—

(1) the cumulative funding amount for Phase III awards;

(2) the number of Phase III award topics;

(3) the total funding obligated for Phase III awards by State;

(4) the original Phase I or II award topics and the associated Phase III contracts awarded; and

(5) where possible, an identification of the specific program executive office involved in each Phase III transition.

SEC. 843. PILOT PROGRAM TO INCENTIVIZE EMPLOYEE OWNERSHIP IN DEFENSE CONTRACTING.

(a) DEFINITIONS.—In this section:

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

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

(B) the Committee on Armed Services of the House of Representatives.

(2) QUALIFIED BUSINESS WHOLLY-OWNED THROUGH AN EMPLOYEE STOCK OWNERSHIP PLAN.—The term ''qualified businesses wholly-owned through an Employee Stock Ownership Plan'' means an S corporation (as defined in section 1361(a)(1) of the Internal Revenue Code of 1986) for which 100 percent of the outstanding stock is held through an employee stock ownership plan (as defined in section 4975(e)(7) of the Internal Revenue Code).

(b) AUTHORITY TO USE NONCOMPETITIVE PROCEDURES FOR FOLLOW-ON CONTRACTS TO QUALIFIED BUSINESSES WHOLLY OWNED THROUGH AN EMPLOYEE STOCK OWNERSHIP PLAN.—Notwithstanding the requirements of section 2304 of title 10, United States Code, in the case of a follow-on contract for the continued development, production, or provision of products or services that are the same as or substantially similar to the products or services procured by the Department of Defense under a prior contract held by a qualified business wholly owned through an Employee Stock Ownership Plan, such products or services may be deemed to be available only from the holder of the prior contract and may be procured by the Department of Defense through procedures other than competitive procedures if the performance of the qualified business wholly owned through an Employee Stock Ownership Plan on the prior contract was rated as satisfactory (or the equivalent) or better in the applicable past performance database.

(c) VERIFICATION AND REPORTING OF QUALIFIED BUSINESSES WHOLLY OWNED THROUGH AN EMPLOYEE STOCK OWNERSHIP PLAN.—The Secretary of Defense shall prescribe such procedures as may be necessary for—

(1) businesses to verify that they are qualified businesses wholly owned through an Employee Stock Ownership Plan for the purposes of subsection (b) using existing Federal reporting mechanisms;

(2) a qualified businesses wholly owned through an Employee Stock Ownership Plan to certify that not more than 50 percent of the amount paid under the contract will be expended on subcontracts, subject to such necessary and reasonable waivers as the Secretary may prescribe; and

(3) recording information on each use of the authority under subsection (b), including details relevant to the nature of the contract and the qualified business wholly owned through an Employee Stock Ownership Plan, and providing such information to the Comptroller General of the United States.

(d) DATA.—(1) The Secretary shall establish mechanisms to collect and analyze data on the execution of the pilot program for the purposes of—

(A) developing and sharing best practices for achieving goals established for the pilot program established under this section;

(B) providing information to leadership and the congressional defense committees on the execution of the pilot program, including—

(i) company size;

(ii) performance of contract; and

(iii) other information as determined effective or necessary; and

(C) providing information to leadership and the congressional defense committees on related policy issues.

(2) The Secretary may not execute the pilot program prior to completion of a data strategy and plan to meet the requirements of this subsection.

(e) SUNSET.—The authority under subsection (b) shall expire on the date that is five years after the date of the enactment of this Act.

(f) COMPTROLLER GENERAL OF THE UNITED STATES REPORT.—

(1) 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 appropriate committees of Congress a report on the individual and aggregate uses of the authority under subsection (b), using such data as may be available up to that time.

(2) ELEMENTS.—The report under paragraph (1) shall include the following elements:

(A) An assessment of the frequency and nature of the use of the authority under subsection (b).

(B) An assessment of the impact of such programs in supporting the National Defense Strategy.

(C) The number of businesses to become qualified businesses wholly owned through an Employee Stock Ownership Plan in order to qualify for the authority under subsection (b) and factors that influenced the decision.

(D) Acquisition authorities that could incentivize businesses to become qualified businesses wholly owned through an Employee Stock Ownership Plan, including the extension of the authority under subsection (b).

(E) Any related matters the Comptroller General considers appropriate.

Subtitle E—Other Matters

SEC. 851. TECHNOLOGY PROTECTION FEATURES ACTIVITIES.

(a) IN GENERAL.—Section 2357 of title 10, United States Code, is amended—

(1) in subsection (b)—

(A) by inserting ''(1)'' before ''Any'';

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

''(2) If the designated system receives Milestone B approval, then the contractor's portion of the costs, described in paragraph (1), may be treated as allowable independent research and development costs.''; and

(2) in subsection (c)—

(A) by redesignating paragraph (2) as paragraph (4); and

(B) by inserting after paragraph (1) the following new paragraphs:

''(2) The term 'independent research and development costs' has the meaning given the term in section 2372 of this title.

''(3) The term 'Milestone B approval' has the meaning given the term in section 2336(e)(7) of this title''.

(b) CONFORMING REGULATIONS.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall revise the Department of Defense Supplement to the Federal Acquisition Regulation to conform with section 2357 of title 10, United States Code, as amended by subsection (a).

SEC. 852. INDEPENDENT STUDY ON TECHNICAL DEBT IN SOFTWARE-INTENSIVE SYSTEMS.

(a) STUDY REQUIRED.—Not later than July 1, 2022, the Secretary of Defense shall enter into an agreement with a federally funded research and development center to study technical debt in software-intensive systems.

(b) STUDY ELEMENTS.—The study required under subsection (a) shall include analyses and recommendations on the following elements:

(1) Qualitative and quantitative measures which can be used to identify a desired future state for software-intensive programs.

(2) Qualitative and quantitative measures that can be used to assess technical debt.

(3) Policies for data access to identify and assess technical debt and best practices for programs to make such data appropriately available for use.

(4) Forms of technical debt which are suitable for objective or subjective analysis.

(5) Current practices of Department of Defense software-intensive programs to track and use data related to technical debt.

(6) Appropriate individuals or organizations that should be responsible for the identification and assessment of technical debt, including the organization responsible for independent assessments.

(7) Scenarios, frequency, or program phases when technical debt should be assessed.

(8) Best practices to identify and assess technical debt.

(9) Best practices to monitor the accumulating costs of technical debt.

(10) Criteria to support decisions by program officials on whether to incur, carry, or reduce technical debt.

(11) Practices for the Department of Defense to incrementally adopt to initiate practices for managing technical debt.

(c) ACCESS TO DATA AND RECORDS.—The Secretary shall ensure that the federally funded research and development center selected shall have sufficient resources and access to technical data, individuals, organizations, and records necessary to complete the study required under this section.

(d) REPORT REQUIRED.—Not later than 18 months after entering the agreement under subsection (a), the Secretary shall submit to the congressional defense committees a report on the study required under subsection (b), along with any additional information and views as desired in publicly releasable and unclassified forms. The Secretary may also include a classified annex to the study as necessary.

(e) BRIEFING REQUIRED.—Not later than April 1, 2022, the Secretary shall provide a briefing to the congressional defense committees on activities undertaken and planned, any barriers, and resources to be provided to execute activities under this section.

SEC. 853. DETERMINATION WITH RESPECT TO OPTICAL FIBER TRANSMISSION EQUIPMENT FOR DEPARTMENT OF DEFENSE PURPOSES.

(a) DETERMINATION.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall review optical transmission equipment, including optical fiber and cable equipment, for potential inclusion on the list of covered communications equipment pursuant to section 2 of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. 1601), and make a determination as to whether or not such equipment should be included on the list.

(b) NOTIFICATION REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall notify the congressional defense committees of the findings of the review and determination required under subsection (a).

SEC. 854. TWO-YEAR EXTENSION OF SELECTED ACQUISITION REPORT REQUIREMENT.

(a) EXTENSION.—Section 2432(j) of title 10, United States Code, is amended by striking ''fiscal year 2021'' and inserting ''fiscal year 2023''.

(b) DEMONSTRATION REQUIRED.—

(1) IN GENERAL.—Not later than March 1, 2022, the Secretary of Defense shall provide to the congressional defense committees a demonstration of the full operational capability of the reporting system that will replace the Selected Acquisition Report requirements under section 2432 of title 10, United States Code, as amended by subsection (a).

(2) ELEMENTS.— The demonstration required under paragraph (1) shall incorporate the following elements:

(A) The findings of the report required under section 830(b) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1492).

(B) A demonstration of the replacement reporting system's full suite of data sharing capabilities that can be accessed by authorized external users, including the congressional defense committees, for a range of programs across acquisition categories, including those selected under section 831 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1492).

(C) The plan required under subsection (c).

(c) PLAN REQUIRED.—

(1) IN GENERAL.—Not later than February 1, 2022, the Secretary of Defense, in consultation with the Secretaries of the military departments, the Under Secretary of Defense (Comptroller), and the Director of Cost Assessment and Program Evaluation, shall deliver to the congressional defense committees the Department of Defense's plan for reporting to the congressional defense committees on acquisition programs.

(2) OBJECTIVES.—The plan required under paragraph (1) shall ensure that reporting—

(A) addresses program progress against cost, schedule, and performance goals and provides an assessment of program risks; and

(B) includes annual reporting, at a minimum, and provides continuous or periodic updates for external users, as appropriate, to increase the efficiency of and reduce the bureaucratic burdens for reporting data and information on acquisition programs.

(3) ELEMENTS.—The plan shall include the following elements:

(A) The types of programs to be included in reporting, including the dollar value threshold for reporting, and the acquisition methodologies and pathways that are to be included.

(B) The planned reporting schedule, including when reports will be available to external users and the intervals at which data will be updated.

(C) The specific data elements to be included in reporting to assess program performance and associated risks, to include, at a minimum, software development and cybersecurity risks, and an identification of any data elements that cannot be publicly released.

(D) The criteria to initiate, modify, or terminate reporting for programs, as appropriate, based on program characteristics, acquisition methodology or pathway being used, cost growth or changes, and program performance.

(E) The mechanisms by which reporting will be provided to the congressional defense committees and other external users, including—

(i) identification of types of organizations that will have access to the system, including those outside the Department of Defense;

(ii) how the system will be accessed by users, including those outside the Department of Defense;

(iii) how those users will be trained on the use of the system and what level of support will be available for users on an ongoing basis; and

(iv) the data, information, and analytical capabilities supported by the system.

(F) Identification and description of—

(i) the organizations responsible for implementation of and overall operation of the system;

(ii) the organizations responsible for entering data into the system and ensuring that data is entered into the system in a timely fashion;

(iii) schedule and milestones for implementation;

(iv) resources required, including personnel and funding;

(v) implementation risks and how they will be mitigated;

(vi) any necessary updates to policy or guidance required to implement the proposed reporting approach; and

(vii) any legislative changes required to implement the proposed reporting approach.

SEC. 855. MILITARY STANDARDS FOR HIGH-HARDNESS ARMOR IN COMBAT VEHICLE SPECIFICATIONS.

(a) IN GENERAL.—Not later than March 31, 2022, the Secretary of the Army shall establish military standards for high-hardness armor for incorporation into specifications for current and future combat vehicles developed and procured by the Department of the Army.

(b) REPORT REQUIRED.—Not later than June 30, 2022, the Secretary of the Army shall provide a report to the congressional defense committees that describes—

(1) the establishment of military standards for high-hardness armor required pursuant to subsection (a); and

(2) the strategy for incorporation of those standards into combat vehicle specifications.

(c) COMBAT VEHICLE DEFINED.—For purposes of this section, the term ''combat vehicle'' means a tracked or wheeled tactical vehicle incorporating high-hardness armor in its manufacture.

SEC. 856. REVISIONS TO THE UNIFIED FACILITIES CRITERIA REGARDING THE USE OF VARIABLE REFRIGERANT FLOW SYSTEMS.

(a) IN GENERAL.—The Under Secretary of Defense for Acquisition and Sustainment shall publish any proposed revisions to the Unified Facilities Criteria regarding the use of variable refrigerant flow systems in the Federal Register and shall specify a comment period of at least 60 days.

(b) NOTICE.—The Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a written notice and justification for any proposed revisions to the Unified Facilities Criteria regarding the use of variable refrigerant flow systems not later than 30 days after the date of publication in the Federal Register.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

SEC. 901. CHANGE IN ELIGIBILITY REQUIREMENTS FOR APPOINTMENT TO CERTAIN DEPARTMENT OF DEFENSE LEADERSHIP POSITIONS.

(a) ASSISTANT SECRETARY OF DEFENSE FOR SPECIAL OPERATIONS AND LOW INTENSITY CONFLICT.—Section 138(b)(2)(A) of title 10, United States Code, is amended by inserting after the third sentence the following: ''A person may not be appointed as Assistant Secretary within seven years after relief from active duty as a commissioned officer of a regular component of an armed force.''.

(b) SECRETARY OF THE ARMY.—Section 7013(a)(2) of title 10, United States Code, is amended by striking ''five'' and inserting ''seven''.

(c) SECRETARY OF THE NAVY.—Section 8013(a)(2) of title 10, United States Code, is amended by striking ''five'' and inserting ''seven''.

(d) SECRETARY OF THE AIR FORCE.—Section 9013(a)(2) of title 10, United States Code, is amended by striking ''five'' and inserting ''seven''.

(e) TECHNICAL CORRECTIONS RELATING TO OTHER POSITIONS.—

(1) UNDER SECRETARY OF DEFENSE (COMPTROLLER).—Section 135(a)(1) of title 10, United States Code, is amended by striking ''the armed forces'' and inserting ''an armed force''.

(2) UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS.—Section 136(a) of title 10, United States Code, is amended by striking ''the armed forces'' and inserting ''an armed force''.

(3) UNDER SECRETARY OF DEFENSE FOR INTELLIGENCE AND SECURITY.—Section 137(a) of title 10, United States Code, is amended by striking ''the armed forces'' and inserting ''an armed force''.

SEC. 902. RENAMING OF AIR NATIONAL GUARD TO AIR AND SPACE NATIONAL GUARD.

(a) TITLE 10.—Title 10, United States Code, is amended—

(1) in the section headings, by striking ''**Air National Guard**'' each place it appears and inserting ''**Air and Space National Guard**'';

(2) in the tables of sections, by striking ''Air National Guard'' each place it appears and inserting ''Air and Space National Guard''; and

(3) in the text, by striking ''Air National Guard'' each place it appears and inserting ''Air and Space National Guard''.

(b) TITLE 32.—Title 32, United States Code, is amended by striking ''Air National Guard'' each place it appears and inserting ''Air and Space National Guard''.

(c) TITLE 37.—Title 37, United States Code, is amended by striking ''Air National Guard'' each place it appears and inserting ''Air and Space National Guard''.

(d) TITLE 38.—Title 38, United States Code, is amended by striking ''Air National Guard'' each place it appears and inserting ''Air and Space National Guard''.

(e) OTHER PROVISIONS OF LAW.—

(1) TITLE 5.—Title 5, United States Code, is amended—

(A) in section 2108(1)(B), by striking ''Air National Guard'' and inserting ''Air and Space National Guard''; and

(B) in section 5518(2), by striking ''Air National Guard'' and inserting ''Air and Space National Guard''.

(2) TITLE 18.—Section 1716(g)(2) of title 18, United States Code, is amended by striking ''Air National Guard'' and inserting ''Air and Space National Guard''.

(3) TITLE 28.—Section 631(c) of title 28, United States Code, is amended by striking ''Air National Guard'' and inserting ''Air and Space National Guard''.

(4) TITLE 36.—Section 20203 of title 36, United States Code, is amended by striking ''Air National Guard'' each place it appears and inserting ''Air and Space National Guard''.

(5) INTERNAL REVENUE CODE OF 1986.—Section 3309(b)(3)(C) of the Internal Revenue Code of 1986 is amended by striking ''Air National Guard'' and inserting ''Air and Space National Guard''.

(6) TRADE ACT OF 1974.—Section 233(i)(2)(B) of the Trade Act of 1974 (19 U.S.C. 2293(i)(2)(B)) is amended by striking ''Air National Guard'' and inserting ''Air and Space National Guard''.

(f) REFERENCES.—Any reference in law, regulation, document, paper, or other record of the United States to the Air National Guard or the Air National Guard of the United States shall be deemed to be a reference to the Air and Space National Guard or the Air and Space National Guard of the United States, respectively.

(g) 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 report that includes—

(1) a plan to implement the organizational changes necessary to carry out the amendments made by subsections (a) through (f); and

(2) a description of any technical and conforming amendments to provisions of law necessary to fully implement those changes.

SEC. 903. JOINT AVIATION SAFETY COUNCIL.

(a) SHORT TITLE.—This section may be cited as the ''Preventing Loss of Aircrews and Necessary Equipment Act'' or the ''PLANE Act''.

(b) FINDINGS.—Congress makes the following findings:

(1) Section 1087 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1992) established and authorized funding for the National Commission on Military Aviation Safety (in this subsection referred to as the ''Commission'').

(2) The mission of the Commission as an independent establishment was to undertake a comprehensive study of United States military aviation mishaps that occurred between fiscal years 2013 and 2018 in order—

(A) to assess the rates of military aviation mishaps between fiscal years 2013 and 2018 compared to historic aviation mishap rates;

(B) to make an assessment of the underlying causes contributing to accidents arising from the unexplained physiological effects of flying;

(C) to make an assessment of causes contributing to delays in aviation maintenance and limiting operational availability of aircraft;

(D) to make an assessment of the causes contributing to military aviation mishaps; and

(E) to make recommendations on the modifications, if any, of safety, training, maintenance, personnel, or other policies related to military aviation safety.

(3) The Commission released its report to the President and Congress on December 1, 2020, and found that the United States Armed Forces lost a total of 224 lives, $11,600,000,000, and 186 aircraft to training accidents or routine operations between fiscal years 2013 and 2020.

(4) While the Commission conducted its study, 26 lives, 29 aircraft, and $2,250,000,000 were lost.

(5) The Commission made a number of recommendations to correct the increasing number of mishaps in hopes of saving precious lives and resources in the future.

(c) SENSE OF CONGRESS.—It is the sense of Congress that a confluence of factors is contributing to United States military aviation mishaps, including—

(1) lack of centralized joint oversight;

(2) misunderstanding of the physiological effects of the human-machine interface;

(3) byzantine planning, contracting, and program management processes;

(4) continued need for predictable and reliable funding;

(5) over-extension of aviation forces as a result of high demand and low density;

(6) underemphasis on maintainers as professional occupational specialties that require complex, career paths to support aviation safety, readiness, and operational tempo; and

(7) dwindling pilot retention.

(d) ESTABLISHMENT OF JOINT AVIATION SAFETY COUNCIL.—

(1) IN GENERAL.—Chapter 7 of title 10, United States Code, is amended by inserting after section 183a the following new section:

''§ 184. Joint Aviation Safety Council

''(a) ESTABLISHMENT.—There is established, within the Office of the Deputy Secretary of Defense, a Joint Aviation Safety Council (in this section referred to as the 'Council').

''(b) MEMBERSHIP.—

''(1) IN GENERAL.—The Council shall be composed of voting members as follows:

''(A) The Director of Safety for each military department.

''(B) An employee of the Department of Defense appointed by the Deputy Secretary of Defense under paragraph (2)(B).

''(C) One member of each military department appointed by the Secretary concerned.

''(2) APPOINTMENT.—

''(A) DEADLINE.—The initial members of the Council shall be appointed not later than 30 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2022.

''(B) SENIOR EXECUTIVE SERVICE EMPLOYEE.—The Deputy Secretary of Defense shall appoint under paragraph (1)(B) an employee of the Department of Defense who is a career member of the Senior Executive Service with a record of successfully running programs within the Department.

''(C) DIRECTORS OF SAFETY.—Not later than 30 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2022, the Secretary of each military department shall appoint an officer of that department in grade O–8 as Director of Safety for the department.

''(3) REMOVAL.—A member of the Council shall serve at the will of the official who appointed the member.

''(4) VACANCIES.—Any vacancy on the Council shall be filled in the same manner as the original appointment.

''(5) COMPENSATION.—A member of the Council shall serve without compensation in addition to the compensation received by the member for the service of the member as an officer or employee of the United States.

''(6) MEETINGS.—The Council shall meet quarterly and at the call of the chairperson.

''(c) CHAIRPERSON AND VICE CHAIRPERSON.—

''(1) CHAIRPERSON.—

''(A) IN GENERAL.—The Secretary of Defense shall select one of the members of the Council who is a member of the armed forces to serve as chairperson of the Council.

''(B) TERM.—The chairperson shall serve for a term of two years.

''(C) RESPONSIBILITIES OF CHAIRPERSON.—In addition to serving as the head of the Council, the chairperson shall—

''(i) serve as the Director of Aviation Safety for the Department of Defense;

''(ii) serve as principal advisor to the Secretary of Defense regarding military aviation safety and related regulations and policy reforms, including issues regarding maintenance, supply chains, personnel management, and training;

''(iii) oversee all duties and activities of the Council including conduct of military aviation safety studies and issuance of safety guidance to services;

''(iv) work with and advise the Secretaries of the military departments through appointed safety chiefs to implement standardized aviation safety guidance across all military departments;

''(v) submit an annual report to Secretary of Defense and Congress reviewing the compliance of each military department with the guidance described in clause (iv);

''(vi) advise Congress on issues related to military aviation safety and reforms; and

''(vii) oversee coordination with other Federal agencies, including the Federal Aviation Administration, to inform military aviation safety guidance and reforms.

''(2) VICE CHAIRPERSON.—

''(A) IN GENERAL.—The individual appointed under subsection (b)(1)(B) shall serve as vice chairperson of the Council.

''(B) RELATIONSHIP TO CHAIRPERSON.—The vice chairperson of the Council shall report to the chairperson and serve as chairperson

in the absence of the chairperson selected under subparagraph (A).

''(d) RESPONSIBILITIES OF COUNCIL.—

''(1) IN GENERAL.—Subject to subsection (e), the Council shall be responsible for issuing, publishing, and updating regulations related to military aviation safety, including regulations on the reporting and investigation of aviation mishaps.

''(2) MISHAP DATA.—The Council shall—

''(A) establish uniform data collection standards for aviation mishaps in the Department of Defense;

''(B) review the compliance of each military department in adopting and using the uniform data collection standards required under subparagraph (A); and

''(C) review aviation mishap data to assess, identify, and prioritize risk mitigation efforts in military aviation.

''(3) NON-MISHAP DATA.—The Council shall establish—

''(A) standards and requirements for the collection of aircraft, simulator, airfield, and pilot data; and

''(B) requirements for each military department to collect and analyze the issuance of any waiver related to pilot qualifications or standards.

''(4) AVIATION SAFETY MANAGEMENT SYSTEM.—The Council shall—

''(A) establish, in consultation with the Administrator of the Federal Aviation Administration, a requirement for each military department to implement an aviation safety management system;

''(B) review for approval the proposal of each military department for an aviation safety management system; and

''(C) review the implementation of that system by each military department.

''(5) REVIEW OF CIVIL AVIATION SAFETY PROGRAMS AND PRACTICES.—The Council shall review and assess civil aviation safety programs and practices and determine their suitability for implementation in military aviation.

''(e) OVERSIGHT.—The decisions and recommendations of the Council are subject to review and approval by the Deputy Secretary of Defense.

''(f) STAFF.—

''(1) PERMANENT STAFF.—The Council may appoint and fix the rate of basic pay for additional personnel as staff of the Council in accordance with section 3101 of title 5.

''(2) DETAILEES.—The Council may accept individuals on detail from within the Department of Defense and from other Federal agencies on a reimbursable or non-reimbursable basis.

''(g) SPACE FOR COUNCIL.—Not later than 90 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2022, the Administrator of General Services, in consultation with the Secretary of Defense, shall identify and make available suitable excess space within the Federal space inventory to house the operations of the Council. If the Administrator is not able to make such suitable excess space available within such 90-day period, the Council may lease space to the extent that funds are available for such purpose.

''(h) CONTRACTING AUTHORITY.—The Council may enter into contracts for the acquisition of administrative supplies, equipment, and personnel services for use by the Council, to the extent that funds are available for such purposes.

''(i) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The chairperson of the Council may procure temporary and intermittent services under section 3109(b) of title 5 at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

''(j) DATA COLLECTION.—

''(1) ACCESS TO DATABASES.—Under regulations prescribed by the Secretary of Defense, the Council shall have access to databases of the Department of Defense necessary to carry out the duties of the Council.

''(2) SHARING OF AVIATION SAFETY DATA.—Under regulations prescribed by the Secretary of Defense, the Council may enter into agreements with the Federal Aviation Administration, the National Transportation Safety Board, and any other Federal agency regarding the sharing of aviation safety data.

''(3) PRIVILEGE OF DATA.—Except for such data as the Secretary of Defense may choose to provide, and notwithstanding any other provision of law, data collected by the Council under this subsection shall be privileged from disclosure or discovery to any person.''.

(2) CLERICAL AMENDMENT.—The table of sections for chapter 7 of such title is amended by inserting after the item relating to section 183a the following new item:

''184. Joint Aviation Safety Council.''.

(e) TIMELINE FOR ESTABLISHMENT.—The Secretary of Defense shall implement and provide the necessary resources for the Joint Aviation Safety Council established under section 184 of title 10, United States Code, as added by subsection (d), by not later than the date that is 120 days after the date of the enactment of this Act.

(f) REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that includes—

(1) a description of the measures the Department of Defense plans to take to correct the issues identified in the report to the President and Congress of the National Commission on Military Aviation Safety Report, dated December 1, 2020;

(2) a statement of whether the Secretary concurs or disagrees with the findings of that report; and

(3) a detailed plan of action for implementation of each recommendation included in that report.

(g) FUNDING.—The amount authorized to be appropriated for fiscal year 2022 by this Act for military personnel appropriations is hereby increased by $4,000,000, with the amount of the increase to be available for the Joint Aviation Safety Council established under section 184 of title 10, United States Code, as added by subsection (d).

SEC. 904. ASSIGNMENTS FOR PARTICIPANTS IN THE JOHN S. MCCAIN STRATEGIC DEFENSE FELLOWS PROGRAM.

Section 932(e) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 1580 note prec.) is amended—

(1) in paragraph (2)—

(A) by striking ''and each Under Secretary of Defense and Director of a Defense Agency who reports directly to the Secretary of Defense,'' and inserting '', each Under Secretary of Defense, and other officials, as designated by the Secretary of Defense, within the Office of the Secretary of Defense (as defined in section 131 of title 10, United States Code) who report directly to the Secretary of Defense''; and

(B) by striking ''or Director'' and inserting ''or official within the Office of the Secretary of Defense'';

(2) in paragraph (3)—

(A) by striking ''Under Secretaries and Directors'' and inserting ''Under Secretaries of Defense and other officials within the Office of the Secretary of Defense''; and

(B) by striking ''Under Secretary, or Director'' and inserting ''Under Secretary of Defense, or other official within the Office of the Secretary of Defense''; and

(3) in paragraph (7), by striking ''shall be on a first-come, first-served basis'' and inserting ''may require a minimum service agreement, as determined by the Secretary''.

SEC. 905. ALIGNMENT OF CLOSE COMBAT LETHALITY TASK FORCE.

(a) IN GENERAL.—Until the Secretary of Defense submits to the congressional defense committees the report described in subsection (b), the Secretary shall reinstate—

(1) the initial alignment of the Close Combat Lethality Task Force (CCLTF) so that the Task Force reports directly to the Secretary; and

(2) the designation of the Task Force as a cross-functional team under section 911 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 111 note).

(b) REPORT DESCRIBED.—The report described in this subsection is a report on a proposed alternative alignment for the Close Combat Lethality Task Force that includes—

(1) a description of—

(A) how the proposed alignment of the Task Force would—

(i) facilitate the effective pursuit of, and support for, both materiel and non-materiel initiatives by the Task Force;

(ii) maintain benefits for the Task Force similar to the benefits associated with reporting directly to the Secretary of Defense and designation as a cross-functional team; and

(iii) ensure collaboration and support from the primary stakeholders in the Task Force, including the Army, the Marine Corps, and the United States Special Operations Command; and

(B) how the Task Force would be funded and gain appropriate resourcing for cross-functional team initiatives supported by the Secretary; and

(2) supporting analysis for the matters described in paragraph (1).

(c) EXCEPTION.—Subsection (a) does not apply if the President submits to the congressional defense committees—

(1) a certification that implementing that subsection would be detrimental to the defense interests of the United States; and

(2) a justification for the certification.

SEC. 906. MANAGEMENT INNOVATION ACTIVITIES.

(a) IN GENERAL.—The Secretary of Defense shall establish a set of activities to improve the effectiveness of management activities within the Department of Defense, with the goals of incorporating appropriate private sector management practices and technologies and enhancing the capabilities of the defense management workforce.

(b) MANAGEMENT ACTIVITIES.—The activities established under subsection (a) may include the following:

(1) Public-private partnerships with appropriate private sector and government organizations.

(2) Personnel exchange programs with appropriate industry, academic, and government organizations to enhance the capabilities of the defense management workforce.

(3) Research, development, and technology and business process prototyping activities to create new technological capabilities to support management missions, or development and testing of new management concepts and business transformation activities.

(4) A designated activity or agency to lead management innovation activities.

(5) A process by which defense business process owners and other personnel of the Department of Defense can identify management and business process challenges and opportunities that could be addressed by activities established under this section.

(6) Processes to develop, prototype, test, and field new business processes and practices to improve defense management capabilities.

(7) Academic research and educational activities related to defense management missions to promote—

(A) development of innovative management concepts;

(B) analyses and addressing of current management challenges; and

(C) development of programs and activities to develop a future defense management workforce.

(8) Such other activities as the Secretary considers appropriate.

(c) PLAN REQUIRED.—Not later than February 1, 2023, the Secretary shall submit to the congressional defense committees a plan for activities established under this section.

(d) BRIEFINGS.—Not later than July 1, 2022, and July 1, 2023, the Secretary shall provide to the congressional defense committees briefings on activities established and plans developed under this section.

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

SEC. 1001. GENERAL TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

(1) AUTHORITY.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this division for fiscal year 2022 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) LIMITATION.—Except as provided in paragraph (3), the total amount of authorizations that the Secretary may transfer under the authority of this section may not exceed $6,000,000,000.

(3) EXCEPTION FOR TRANSFERS BETWEEN MILITARY PERSONNEL AUTHORIZATIONS.—A transfer of funds between military personnel authorizations under title IV shall not be counted toward the dollar limitation in paragraph (2).

(b) LIMITATIONS.—The authority provided by subsection (a) to transfer authorizations—

(1) may only be used to provide authority for items that have a higher priority than the items from which authority is transferred; and

(2) may not be used to provide authority for an item that has been denied authorization by Congress.

(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) NOTICE TO CONGRESS.—The Secretary shall promptly notify Congress of each transfer made under subsection (a).

SEC. 1002. COMMISSION ON PLANNING, PROGRAMMING, BUDGETING, AND EXECUTION REFORM.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is hereby established, as of the date specified in paragraph (2), an independent commission in the legislative branch to be known as the ''Commission on Planning, Programming, Budgeting, and Execution Reform'' (in this section referred to as the ''Commission'').

(2) DATE OF ESTABLISHMENT.—The date of establishment referred to in paragraph (1) is 30 days after the date of the enactment of this Act.

(b) MEMBERSHIP.—

(1) NUMBER AND APPOINTMENT.—The Commission shall be composed of 10 members from private civilian life who are recognized experts and have relevant professional experience in matters relating to the planning, programming, budgeting, and execution process of the Department of Defense. The members shall be appointed as follows:

(A) The Secretary of Defense shall appoint two members.

(B) The Chair and the Ranking Member of the Committee on Armed Services of the Senate shall each appoint one member.

(C) The Chair and the Ranking Member of the Committee on Armed Services of the House of Representatives shall each appoint one member.

(D) The Chair and the Ranking Member of the Subcommittee on Defense of the Committee on Appropriations of the Senate shall each appoint one member.

(E) The Chair and the Ranking Member of the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives shall each appoint one member.

(2) DEADLINE FOR APPOINTMENT.—Members shall be appointed to the Commission under paragraph (1) not later than 45 days after the Commission establishment date specified under subsection (a)(2).

(3) EFFECT OF LACK OF APPOINTMENT BY APPOINTMENT DATE.—If one or more appointments under paragraph (1) is not made by the appointment date specified in paragraph (2), the authority to make such appointment or appointments shall expire, and the number of members of the Commission shall be reduced by the number equal to the number of appointments so not made.

(c) CHAIR AND VICE CHAIR.—

(1) CHAIR.—The Chair of the Committee on Armed Services of the Senate and the Chair of the Committee on Armed Services of the House of Representatives shall jointly designate one member of the Commission to serve as Chair of the Commission.

(2) VICE CHAIR.—The ranking member of the Committee on Armed Services of the Senate and the ranking member of the Committee on Armed Services of the House of Representatives shall jointly designate one member of the Commission to serve as Vice Chair of the Commission.

(d) PERIOD OF APPOINTMENT AND VACANCIES.—Members shall be appointed for the life of the Commission. A vacancy in the Commission shall not affect its powers and shall be filled in the same manner as the original appointment was made.

(e) PURPOSE.—The purpose of the Commission is to examine and make recommendations with respect to the planning, programming, budgeting, and execution process of the Department of Defense.

(f) SCOPE AND DUTIES.—In order to provide the fullest understanding of the matters required under subsection (e), the Commission shall perform the following duties:

(1) The Commission shall review the planning, programming, budgeting, and execution process of the Department of Defense, including the development and production of the Defense Planning Guidance, the Program Objective Memorandum, and the Budget Estimate Submission.

(2) The Commission shall conduct a comprehensive assessment of the efficacy and efficiency of all phases of the planning, programming, budgeting, and execution process, including the roles of key Department officials and the timelines to complete the process.

(g) COMMISSION REPORT AND RECOMMENDATIONS.—

(1) REPORT.—Not later than one year after the Commission establishment date specified under subsection (a)(2), the Commission shall transmit to the Secretary of Defense and to Congress a report containing the review and assessment conducted under subsection (f), together with any recommendations of the Commission. The report shall include the following elements:

(A) An examination of the development of the Defense Planning Guidance, the Program Objective Memorandum, the Budget Estimate Submission, and any supporting documents.

(B) An analysis of the timelines involved in developing an annual budget request and the Future Years Defense Program, including the ability to make program changes within those timelines.

(C) A review of the sufficiency of the civilian personnel workforce in the Office of the Secretary of Defense and the Office of Cost Assessment and Program Evaluation to conduct budgetary and program evaluation analysis.

(D) An examination of the obstacles that inhibit, and the efforts to develop, new and agile programming and budgeting processes to enable rapid development and integration of emerging technology to enable the United States to more effectively counter near-peer competitors.

(E) A review of the frequency and sufficiency of budget and program execution analysis, to include any existing data analytics tools and any suggested improvements.

(F) Recommendations for reform for the Department to make internally.

(G) Recommendations for reform that require legislation.

(H) Any other elements the Commission considers appropriate.

(2) INTERIM BRIEFING.—Not later than 180 days after the Commission establishment date specified in subsection (a)(2), the Commission shall provide to the Committees on Armed Services of the Senate and the House of Representatives and the Subcommittees on Defense of the Committees on Appropriations of the Senate and the House of Representatives a briefing on the status of its review and assessment to include a discussion of any interim recommendations.

(3) FORM.—The report submitted to Congress under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(h) GOVERNMENT COOPERATION.—

(1) COOPERATION.—In carrying out its duties, the Commission shall receive the full and timely cooperation of the Secretary of Defense in providing the Commission with analysis, briefings, and other information necessary for the fulfillment of its responsibilities.

(2) LIAISON.—The Secretary shall designate at least one officer or employee of the Department of Defense to serve as a liaison officer between the Department and the Commission.

(3) DETAILEES AUTHORIZED.—The Secretary may provide, and the Commission may accept and employ, personnel detailed from the Department of Defense, without reimbursement.

(4) FACILITATION.—

(A) INDEPENDENT, NON-GOVERNMENT INSTITUTE.—Not later than 45 days after the Commission establishment date specified in subsection (a)(2), the Secretary of Defense shall make available to the Commission the services of an independent, non-governmental institute described in section 501(c)(3) of the Internal Revenue Code of 1986, and exempt from tax under section 501(a) of such Code, that has recognized credentials and expertise in national security and military affairs in order to facilitate the Commission's discharge of its duties under this section.

(B) FEDERALLY FUNDED RESEARCH AND DEVELOPMENT CENTER.—On request of the Commission, the Secretary of Defense shall make available the services of a federally funded research and development center that is covered by a sponsoring agreement of the Department of Defense in order to enhance the Commission's efforts to discharge its duties under this section.

(i) STAFF.—

(1) STATUS AS FEDERAL EMPLOYEES.—Notwithstanding the requirements of section 2105 of title 5, United States Code, including the required supervision under subsection (a)(3) of such section, the members of the commission shall be deemed to be Federal employees.

(2) EXECUTIVE DIRECTOR.—The Commission shall appoint and fix the rate of basic pay for an Executive Director in accordance with section 3161(d) of title 5, United States Code.

(3) PAY.—The Executive Director, with the approval of the Commission, may appoint and fix the rate of basic pay for additional personnel as staff of the Commission in accordance with section 3161(d) of title 5, United States Code.

(j) PERSONAL SERVICES.—

(1) AUTHORITY TO PROCURE.—The Commission may—

(A) procure the services of experts or consultants (or of organizations of experts or consultants) in accordance with the provisions of section 3109 of title 5, United States Code; and

(B) pay in connection with such services travel expenses of individuals, including transportation and per diem in lieu of subsistence, while such individuals are traveling from their homes or places of business to duty stations.

(2) MAXIMUM DAILY PAY RATES.—The daily rate paid an expert or consultant procured pursuant to paragraph (1) may not exceed the daily rate paid a person occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(k) AUTHORITY TO ACCEPT GIFTS.—The Commission may accept, use, and dispose of gifts or donations of services, goods, and property from non-Federal entities for the purposes of aiding and facilitating the work of the Commission. The authority in this subsection does not extend to gifts of money. Gifts accepted under this authority shall be documented, and conflicts of interest or the appearance of conflicts of interest shall be avoided. Subject to the authority in this section, commissioners shall otherwise comply with rules set forth by the Select Committee on Ethics of the Senate and the Committee on Ethics of the House of Representatives governing Senate and House employees.

(l) FUNDING.—Of the amounts authorized to be appropriated by this Act for fiscal year 2022 for the Department of Defense, up to $5,000,000 shall be made available to the Commission to carry out its duties under this subtitle. Funds made available to the Commission under the preceding sentence shall remain available until expended.

(m) LEGISLATIVE ADVISORY COMMITTEE.—The Commission shall operate as a legislative advisory committee and shall not be subject to the provisions of the Federal Advisory Committee Act (Public Law 92–463; 5 U.S.C. App) or section 552b, United States Code (commonly known as the Government in the Sunshine Act).

(n) CONTRACTING AUTHORITY.—The Commission may acquire administrative supplies and equipment for Commission use to the extent funds are available.

(o) USE OF GOVERNMENT INFORMATION.—The Commission may secure directly from any department or agency of the Federal Government such information as the Commission considers necessary to carry out its duties. Upon such request of the chair of the Commission, the head of such department or agency shall furnish such information to the Commission.

(p) POSTAL SERVICES.—The Commission may use the United States mail in the same manner and under the same conditions as departments and agencies of the United States.

(q) SPACE FOR USE OF COMMISSION.—Not later than 30 days after the establishment date of the Commission, the Administrator of General Services, in consultation with the Commission, shall identify and make available suitable excess space within the Federal space inventory to house the operations of the Commission. If the Administrator is not able to make such suitable excess space available within such 30-day period, the Commission may lease space to the extent the funds are available.

(r) REMOVAL OF MEMBERS.—A member may be removed from the Commission for cause by the individual serving in the position responsible for the original appointment of such member under subsection (b)(1), provided that notice has first been provided to such member of the cause for removal and voted and agreed upon by three quarters of the members serving. A vacancy created by the removal of a member under this subsection shall not affect the powers of the Commission, and shall be filled in the same manner as the original appointment was made.

(s) TERMINATION.—The Commission shall terminate 90 days after the date on which it submits the report required by subsection (g).

SEC. 1003. PLAN FOR CONSOLIDATION OF INFORMATION TECHNOLOGY SYSTEMS USED IN THE PLANNING, PROGRAMMING, BUDGETING, AND EXECUTION PROCESS.

Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense (Comptroller), in consultation with the Chief Information Officer and the Chief Data Officer, shall submit to the congressional defense committees a plan to consolidate the information technology (IT) systems used to manage data and support the planning, programming, budgeting, and execution (PPBE) process of the Department of Defense. The plan should incorporate those systems used by the military departments as well as those used by the defense-wide agencies, and should address the retirement or elimination of such systems.

Subtitle B—Counterdrug Activities

SEC. 1011. CODIFICATION AND EXPANSION OF AUTHORITY FOR JOINT TASK FORCES OF THE DEPARTMENT OF DEFENSE TO SUPPORT LAW ENFORCEMENT AGENCIES CONDUCTING COUNTER-TERRORISM, COUNTER-ILLICIT TRAFFICKING, OR COUNTER-TRANSNATIONAL ORGANIZED CRIME ACTIVITIES.

(a) CODIFICATION OF SECTION 1022 OF FY 2004 NDAA.—Chapter 15 of title 10, United States Code, is amended by adding at the end a new section 285 consisting of—

(1) a heading as follows:

"§ 285. Authority for joint task forces to support law enforcement agencies conducting counter-terrorism, counter-illicit trafficking, or counter-transnational organized crime activities"; and

(2) a text consisting of the text of section 1022 of the National Defense Authorization Act for Fiscal Year 2004 (10 U.S.C. 271 note).

(b) AMENDMENTS.—Section 285 of title 10, United States Code, as added by subsection (a), is amended—

(1) in subsection (a), by inserting '', counter-illicit trafficking activities,'' after ''counter-terrorism activities'';

(2) in subsection (b)—

(A) by striking ''During fiscal years 2006 through 2022, funds for drug interdiction'' and inserting ''Funds for drug interdiction''; and

(B) by inserting '', counter-illicit trafficking,'' after ''counter-terrorism'';

(3) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking ''of each year in which the authority in subsection (a) is in effect'' and inserting ''of each year''; and

(B) in paragraph (1)—

(i) by inserting ''counter-illicit trafficking,'' after ''on counter-drug,''; and

(ii) by inserting '', counter-illicit trafficking,'' after ''provide counter-terrorism,'';

(4) in subsection (d)—

(A) in paragraph (2)(A)—

(i) by inserting '', counter-illicit trafficking,'' after ''counter-terrorism''; and

(ii) by striking ''significantly'';

(B) by striking ''(d) CONDITIONS.—(1)'' and all that follows through ''(2)(A) Support'' and inserting ''(d) CONDITIONS.—(1) Support'';

(C) by redesignating subparagraph (B) as paragraph (2); and

(D) in paragraph (2), as so redesignated—

(i) in the first sentence—

(I) by striking ''subparagraph (A)'' and inserting ''paragraph (1)''; and

(II) by striking ''vital to'' and inserting ''in''; and

(ii) in the second sentence, by striking ''the vital'' and inserting ''the''; and

(5) by striking subsection (e) and inserting the following new subsection (e):

''(e) DEFINITIONS.—(1) In this section:

''(A) The term 'illicit trafficking' means the trafficking of money, human trafficking, illicit financial flows, illegal trade in natural resources and wildlife, illegal maritime activities, or trade in illegal drugs and weapons, whether conducted by a transnational criminal organization or a state actor.

''(B) The term 'transnational organized crime' has the meaning given such term in section 284(i) of this title.

''(2) For purposes of applying the definition of transnational organized crime under paragraph (1)(B) to this section, the term 'illegal means', as it appears in such definition, includes—

''(A) illicit trafficking; and

''(B) any other form of illegal means determined by the Secretary of Defense.''.

(c) CONFORMING REPEAL.—Section 1022 of the National Defense Authorization Act for Fiscal Year 2004 (10 U.S.C. 271 note) is repealed.

(d) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 15 of such title is amended by adding at the end the following new item:

''285. Authority for joint task forces to support law enforcement agencies conducting counter-terrorism, counter-illicit trafficking, or counter-transnational organized crime activities.''.

SEC. 1012. EXTENSION OF AUTHORITY TO SUPPORT A UNIFIED COUNTERDRUG AND COUNTERTERRORISM CAMPAIGN IN COLOMBIA.

Section 1021 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2042), as most recently amended by section 1021 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1577), is further amended—

(1) in subsection (a)(1), by striking ''2022'' and inserting ''2023''; and

(2) in subsection (c), by striking ''2022'' and inserting ''2023''.

Subtitle C—Naval Vessels

SEC. 1021. MODIFICATION TO ANNUAL NAVAL VESSEL CONSTRUCTION PLAN.

(a) IN GENERAL.—Section 231 of title 10, United States Code, is amended—

(1) in subsection (b)(2), by adding at the end the following new subparagraphs:

''(G) The expected service life of each vessel in the naval vessel force provided for under the naval vessel construction plan, disaggregated by ship class, and the rationale for any changes to such expectations from the previous year's plan.

''(H) A certification by the appropriate Senior Technical Authority designated under section 8669b of this title of the expected service life of each vessel in the naval vessel force provided for under the naval vessel construction plan, disaggregated by ship class, and the rationale for any changes to such expectations from the previous year's plan.''; and

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

''(6) The term 'expected service life' means the number of years a naval vessel is expected to be in service.''.

(b) REPEAL OF TERMINATION OF ANNUAL NAVAL VESSEL CONSTRUCTION PLAN.—Section 1061(c) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 111 note) is amended by striking paragraph (15).

SEC. 1022. NAVY BATTLE FORCE SHIP ASSESSMENT AND REQUIREMENT REPORTING.

(a) IN GENERAL.—Chapter 863 of title 10, United States Code, is amended—

(1) by redesignating the second section 8692, as added by section 1026 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283), as section 8693; and

(2) by inserting after section 8693, as redesignated by paragraph (1), the following new section:

''§ 8694. Navy battle force ship assessment and requirement reporting

''(a) IN GENERAL.—Not later than 180 days after the date on which a covered event occurs, the Chief of Naval Operations shall submit to the congressional defense committees a battle force ship assessment and requirement.

''(b) ASSESSMENT.—Each assessment required by subsection (a) shall include the following:

''(1) A review of the strategic guidance of the Federal Government, the Department of Defense, and the Navy for identifying priorities, missions, objectives, and principles, in effect as of the date on which the assessment is submitted, that the force structure of the Navy must follow.

''(2) An identification of the steady-state demand for maritime security and security force assistance activities.

''(3) An identification of the force options that can satisfy the steady-state demands for activities required by theater campaign plans of combatant commanders.

''(4) A force optimization analysis that produces a day-to-day global posture required to accomplish peacetime and steady-state tasks assigned by combatant commanders.

''(5) A modeling of the ability of the force to fight and win scenarios approved by the Department of Defense.

''(6) A calculation of the number and global posture of each force element required to meet steady-state presence demands and warfighting response timelines.

''(c) REQUIREMENT.—(1) Each requirement required by subsection (a) shall—

''(A) be based on the assessment required by subsection (b); and

''(B) identify, for each of the fiscal years that are five, 10, 15, 20, 25, and 30 years from the date of the covered event—

''(i) the total number of battle force ships required;

''(ii) the number of battle force ships required in each of the categories described in paragraph (2);

''(iii) the classes of battle ships included in each of the categories described in paragraph (2); and

''(iv) the number of battle force ships required in each such class.

''(2) The categories described in this paragraph are the following:

''(A) Aircraft carriers.

''(B) Large surface combatants.

''(C) Small surface combatants.

''(D) Amphibious warfare ships.

''(E) Attack submarines.

''(F) Ballistic missile submarines.

''(G) Combat logistics force.

''(H) Expeditionary fast transport.

''(I) Expeditionary support base.

''(J) Command and support.

''(K) Other.

''(d) DEFINITIONS.—In this section:

''(1) The term 'battle force ship' means the following:

''(A) A commissioned United States Ship warship capable of contributing to combat operations.

''(B) A United States Naval Ship that contributes directly to Navy warfighting or support missions.

''(2) The term 'covered event' means a significant change to any of the following:

''(A) Strategic guidance that results in changes to theater campaign plans or warfighting scenarios.

''(B) Strategic construction of vessels or aircraft that affects sustainable peacetime presence or warfighting response timelines.

''(C) Operating concepts, including employment cycles, crewing constructs, or operational tempo limits, that affect peacetime presence or warfighting response timelines.

''(D) Assigned missions that affect the type or quantity of force elements.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 863 of such title is amended by striking the item relating to the second section 8692 and inserting the following new items:

''8693. Biennial report on shipbuilder training and the defense industrial base.

''8694. Navy battle force ship assessment and requirement reporting.''.

(c) BASELINE ASSESSMENT AND REQUIREMENT REQUIRED.—The date that is 180 days after the date of the enactment of this Act is deemed to be a covered event for the purposes of establishing a baseline battle force ship assessment and requirement under section 8694 of title 10, United States Code, as added by subsection (a).

Subtitle D—Counterterrorism

SEC. 1031. EXTENSION OF PROHIBITION ON USE OF FUNDS FOR TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO THE UNITED STATES.

Section 1033 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1953), as most recently amended by section 1041 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283), is further amended by striking ''December 31, 2021'' and inserting ''December 31, 2022''.

SEC. 1032. EXTENSION OF PROHIBITION ON USE OF FUNDS TO CONSTRUCT OR MODIFY FACILITIES IN THE UNITED STATES TO HOUSE DETAINEES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

Section 1034(a) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1954), as most recently amended by section 1042 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283), is further amended by striking ''December 31, 2021'' and inserting ''December 31, 2022''.

SEC. 1033. EXTENSION OF PROHIBITION ON USE OF FUNDS FOR TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO CERTAIN COUNTRIES.

Section 1035 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1954), as most recently amended by section 1043 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283), is further amended by striking ''December 31, 2021'' and inserting ''December 31, 2022''.

SEC. 1034. EXTENSION OF PROHIBITION ON USE OF FUNDS TO CLOSE OR RELINQUISH CONTROL OF UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

Section 1036 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1551), as most recently amended by section 1044 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283), is further amended by striking ''fiscal years 2018 through 2021'' and inserting ''any of fiscal years 2018 through 2022''.

SEC. 1035. REPORT ON MEDICAL CARE PROVIDED TO DETAINEES AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Chief Medical Officer of United States Naval Station, Guantanamo Bay (in this section referred to as the ''Chief Medical Officer''), shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the provision of medical care to individuals detained at Guantanamo.

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

(1) An assessment of the quality of medical care provided to individuals detained at Guantanamo, including whether such care meets applicable standards of care.

(2) A description of the medical facilities and resources at United States Naval Station, Guantanamo Bay, Cuba, available to individuals detained at Guantanamo.

(3) A description of the medical facilities and resources not at United States Naval Station, Guantanamo Bay, that would be made available to individuals detained at Guantanamo as necessary to meet applicable standards of care.

(4) A description of the range of medical conditions experienced by individuals detained at Guantanamo as of the date on which the report is submitted.

(5) A description of the range of medical conditions likely to be experienced by individuals detained at Guantanamo, given the medical conditions of such individuals as of the date on which the report is submitted and the likely effects of aging.

(6) An assessment of any gaps between—

(A) the medical facilities and resources described in paragraphs (2) and (3); and

(B) the medical facilities and resources required to provide medical care necessary to

meet applicable standards of care for the medical conditions described in paragraphs (4) and (5).

(7) The plan of the Chief Medical Officer to address the gaps described in paragraph (6), including the estimated costs associated with addressing such gaps.

(8) An assessment of whether the Chief Medical Officer has secured from the Department of Defense access to individuals, information, or other assistance that the Chief Medical Officer considers necessary to enable the Chief Medical Officer to carry out the Chief Medical Officer's duties, including full and expeditious access to the following:

(A) Any individual detained at Guantanamo.

(B) Any medical records of any individual detained at Guantanamo.

(C) Medical professionals of the Department who are working, or have worked, at United States Naval Station, Guantanamo Bay.

(c) FORM OF REPORT.—The report required by subsection (a) shall be submitted in classified form.

(d) DEFINITIONS.—In this section, the terms ''individual detained at Guantanamo'', ''medical care'', and ''standard of care'' have the meanings given those terms in section 1046(e) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1586; 10 U.S.C. 801 note).

Subtitle E—Miscellaneous Authorities and Limitations

SEC. 1041. NOTIFICATION OF SIGNIFICANT ARMY FORCE STRUCTURE CHANGES.

(a) NOTICE REQUIREMENTS.—No irrevocable action may be taken to implement a significant change to Army force structure, including the temporary establishment or stationing of a new or experimental unit of significance, or to announce such a change, until the Secretary of Defense or the Secretary of the Army submits to the congressional defense committees written notification of the plan, including—

(1) details and timing of the planned change;

(2) justification for the planned change; and

(3) the estimated costs and implications of the planned change.

(b) EXCEPTION.—The notification requirement under subsection (a) does not apply if the Secretary of Defense certifies to the congressional defense committees in advance that the planned Army force structure change must be implemented immediately for reasons of national security or military emergency.

(c) DEFINITION.—In this section, the term ''significant change to Army force structure'' means—

(1) a change in the number, type, or component of brigade-level organizations or higher-echelon headquarters;

(2) a change in the number or component of a high-interest capability such as THAAD or hypersonic weapon battery; or

(3) an increase or decrease of 1,000 or more military and or civilian personnel from a military function or specialty.

SEC. 1042. EXTENSION OF ADMISSION TO GUAM OR THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS FOR CERTAIN NONIMMIGRANT H–2B WORKERS.

Section 6(b)(1)(B) of the Joint Resolution entitled ''A Joint Resolution to approve the 'Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America', and for other purposes'', approved March 24, 1976 (48 U.S.C. 1806(b)(1)(B)), is amended by striking ''December 31, 2023'' and inserting ''December 31, 2029''.

Subtitle F—Studies and Reports

SEC. 1051. REPORT ON IMPLEMENTATION OF IRREGULAR WARFARE STRATEGY.

(a) REPORT.—Not later than 180 days after the date of enactment of this Act, and annually thereafter through fiscal year 2027, the Secretary of Defense shall submit to the congressional defense committees a report on the activities and programs of the Department of Defense to implement the irregular warfare strategy consistent with the 2019 Annex to the National Defense Strategy.

(b) ELEMENTS OF REPORT.—The report required by section (a) shall include the following elements:

(1) A description and assessment of efforts to institutionalize the approach of the Department of Defense to irregular warfare and maintain a baseline of capabilities and expertise in irregular warfare in both conventional and special operations forces, including efforts to—

(A) institutionalize irregular warfare in force development and design;

(B) transform the approach of the Department of Defense to prioritize investments in and development of human capital for irregular warfare;

(C) ensure an approach to irregular warfare that is agile, efficient, and effective by investing in and developing capabilities in a cost-informed and resource-sustainable manner; and

(D) integrate irregular warfare approaches into operational plans and warfighting concepts for competition, crisis, and conflict.

(2) A description and assessment of efforts to operationalize the approach of the Department of Defense to irregular warfare to meet the full range of challenges posed by adversaries and competitors, including efforts to—

(A) execute proactive, enduring campaigns using irregular warfare capabilities to control the tempo of competition, shape the environment, and increase the cost of hostilities against the United States and its allies;

(B) adopt a resource-sustainable approach to countering violent extremist organizations and consolidating gains against the enduring threat from these organizations;

(C) improve the ability of the Department of Defense to understand and operate within the networked, contested, and multi-domain environment in which adversaries and competitors operate;

(D) foster and sustain unified action in irregular warfare including through collaboration and support of interagency partners in the formulation of assessments, plans, and the conduct of operations; and

(E) expand networks of allies and partners, including for the purpose of increasing the ability and willingness of allies and partners to defend their sovereignty, contribute to coalition operations, and advance common security initiatives.

(3) A description of the status of the plan, to be produced by the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict and the Chairman of the Joint Chiefs of Staff, in coordination with the Combatant Commands and Services, to implement the objectives described in the 2019 Irregular Warfare Annex to the National Defense Strategy, and a description of efforts by the Components of the Department of Defense to expeditiously implement this plan, including the allocation of resources to implement the plan.

(4) An assessment by the Secretary of Defense of the resources, plans, and authorities required to establish and sustain irregular warfare as a fully-integrated core competency for the Joint Forces.

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

SEC. 1052. OPTIMIZATION OF IRREGULAR WARFARE TECHNICAL SUPPORT DIRECTORATE.

(a) PLAN REQUIRED.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict shall submit to the congressional defense committees a plan for improving the support provided by the Irregular Warfare Technical Support Directorate to meet military requirements.

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

(A) Specific actions to—

(i) ensure adequate focus on rapid fielding of required capabilities;

(ii) improve metrics and methods for tracking projects that have transitioned into programs of record; and

(iii) minimize overlap with other research, development, and acquisition efforts.

(B) Such other matters as the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict considers relevant.

(b) DEPARTMENT OF DEFENSE INSTRUCTION REQUIRED.—Not later than 270 days after the date of the enactment of this Act, the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict, in coordination with the Under Secretary of Defense for Research and Engineering, the Under Secretary of Defense for Acquisition and Sustainment, and the Secretaries of the military departments, shall publish an updated Department of Defense Instruction in order to—

(1) define the objectives, organization, mission, customer base, and role of the Irregular Warfare Technical Support Directorate;

(2) ensure coordination with external program managers assigned to the military departments and the United States Special Operations Command;

(3) facilitate adequate oversight by the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict, the Under Secretary of Defense for Research and Engineering, and the Under Secretary of Defense for Acquisition and Sustainment; and

(4) address such other matters as the the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict considers relevant.

SEC. 1053. QUARTERLY BRIEFINGS ON ANOMALOUS HEALTH INCIDENTS.

(a) BRIEFINGS REQUIRED.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter for two years, the Secretary of Defense shall brief the congressional defense committees on efforts of the Department of Defense to address anomalous health incidents.

(b) ELEMENTS.—Each briefing required by subsection (a) shall include the following:

(1) An explanation of efforts of the Department to investigate, attribute, and mitigate the cause of anomalous health incidents, including any additional resources or authorities necessary to enhance such efforts.

(2) A description of the process used to ensure timely assessment and treatment of United States Government personnel who have suffered from an anomalous health incident, including any additional resources or authorities necessary to ensure adequate care for such personnel and their families.

(3) An articulation of efforts—

(A) to improve training of personnel most at risk of experiencing anomalous health incidents; and

(B) to encourage reporting of such incidents when they occur.

(4) Such other matters as the Secretary considers relevant.

Subtitle G—Other Matters

SEC. 1061. COMMISSION ON THE NATIONAL DEFENSE STRATEGY.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is hereby established, as of the date specified in paragraph (2), an independent commission in the legislative branch to be known as the Commission on the National Defense Strategy for the United States (in this subtitle referred to as the ''Commission'').

(2) DATE OF ESTABLISHMENT.—The date of establishment referred to in paragraph (1) is the date that is not later than 30 days after the date on which the Secretary of Defense provides a national defense strategy as required by section 113(g) of title 10, United States Code.

(b) MEMBERSHIP.—

(1) NUMBER AND APPOINTMENT.—The Commission shall be composed of 12 members from private civilian life who are recognized experts in matters relating to the national security of the United States. The members shall be appointed as follows:

(A) The Chair of the Committee on Armed Services of the Senate shall appoint 3 members.

(B) The Ranking Member of the Committee on Armed Services of the Senate shall appoint 3 members.

(C) The Chair of the Committee on Armed Services of the House of Representatives shall appoint 3 members.

(D) The Ranking Member of the Committee on Armed Services of the House of Representatives shall appoint 3 members.

(2) DEADLINE FOR APPOINTMENT.—Members shall be appointed to the Commission under paragraph (1) not later than 45 days after the Commission establishment date specified under subsection (a)(2).

(3) EFFECT OF LACK OF APPOINTMENT BY APPOINTMENT DATE.—If one or more appointments under paragraph (1) is not made by the appointment date specified in paragraph (2), the authority to make such appointment or appointments shall expire, and the number of members of the Commission shall be reduced by the number equal to the number of appointments so not made.

(c) CHAIR AND VICE CHAIR.—

(1) CHAIR.—The Chair of the Committee on Armed Services of the Senate and the Chair of the Committee on Armed Services of the House of Representatives shall jointly designate 1 member of the Commission to serve as Chair of the Commission.

(2) VICE CHAIR.—The Ranking Member of the Committee on Armed Services of the Senate and the Ranking Member of the Committee on Armed Services of the House of Representatives shall jointly designate 1 member of the Commission to serve as Vice Chair of the Commission.

(d) PERIOD OF APPOINTMENT AND VACANCIES.—Members shall be appointed for the life of the Commission. A vacancy in the Commission shall not affect its powers, and shall be filled in the same manner as the original appointment was made.

(e) PURPOSE.—The purpose of the Commission is to examine and make recommendations with respect to the national defense strategy for the United States.

(f) SCOPE AND DUTIES.—In order to provide the fullest understanding of the matters required under subsection (e), the Commission shall perform the following duties:

(1) NATIONAL DEFENSE STRATEGY REVIEW.—The Commission shall review the most recent national defense strategy of the United States including the assumptions, strategic objectives, priority missions, major investments in defense capabilities, force posture and structure, operational concepts, and strategic and military risks associated with the strategy.

(2) ASSESSMENT.—The Commission shall conduct a comprehensive assessment of the strategic environment to include the threats to the national security of the United States, including both traditional and non-traditional threats, the size and shape of the force, the readiness of the force, the posture, structure, and capabilities of the force, allocation of resources, and the strategic and military risks in order to provide recommendations on the national defense strategy for the United States.

(g) COMMISSION REPORT AND RECOMMENDATIONS.—

(1) REPORT.—Not later than one year after the Commission establishment date specified under subsection (a)(2), the Commission shall transmit to the President and Congress a report containing the review and assessment conducted under subsection (f), together with any recommendations of the Commission. The report shall include the following elements:

(A) An appraisal of the strategic environment, including an examination of the traditional and non-traditional threats to the United States, and the potential for conflicts arising from such threats and security challenges.

(B) An evaluation of the strategic objectives of the Department of Defense for near-peer competition in support of the national security interests of the United States.

(C) A review of the military missions for which the Department of Defense should prepare, including missions that support the interagency and a whole-of-government strategy.

(D) Identification of any gaps or redundancies in the roles and missions assigned to the Armed Forces necessary to carry out military missions identified in subparagraph (C), as well as the roles and capabilities provided by other Federal agencies and by allies and international partners.

(E) An assessment of how the national defense strategy leverages other elements of national power across the interagency to counter near-peer competitors.

(F) An evaluation of the resources necessary to support the strategy, including budget recommendations.

(G) An examination of the Department's efforts to develop new and innovative operational concepts to enable the United States to more effectively counter near-peer competitors.

(H) An analysis of the force planning construct, including—

(i) the size and shape of the force;

(ii) the posture, structure, and capabilities of the force;

(iii) the readiness of the force;

(iv) infrastructure and organizational adjustments to the force;

(v) modifications to personnel requirements, including professional military education; and

(vi) other elements of the defense program necessary to support the strategy.

(I) An assessment of the risks associated with the strategy, including the relationships and tradeoffs between missions, risks, and resources.

(J) Any other elements the Commission considers appropriate.

(2) INTERIM BRIEFINGS.—

(A) Not later than 180 days after the Commission establishment date specified in subsection (a)(2), the Commission shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the status of its review and assessment to include a discussion of any interim recommendations.

(B) At the request of the Chair and Ranking Member of the Committee on Armed Services of the Senate, or the Chair and Ranking Member of the Committee on Armed Services of the House of Representatives, the Commission shall provide the requesting Committee with interim briefings in addition to the briefing required by subparagraph (2)(A).

(3) FORM.—The report submitted to Congress under paragraph (1) of this subsection shall be submitted in unclassified form, but may include a classified annex.

(h) GOVERNMENT COOPERATION.—

(1) COOPERATION.—In carrying out its duties, the Commission shall receive the full and timely cooperation of the Secretary of Defense in providing the Commission with analysis, briefings, and other information necessary for the fulfillment of its responsibilities.

(2) LIAISON.—The Secretary shall designate at least 1 officer or employee of the Department of Defense to serve as a liaison officer between the Department and the Commission.

(3) DETAILEES AUTHORIZED.—The Secretary may provide, and the commission may accept and employ, personnel detailed from the Department of Defense, without reimbursement.

(4) FACILITATION.—

(A) INDEPENDENT, NON-GOVERNMENT INSTITUTE.—Not later than 45 days after the Commission establishment date specified in subparagraph (a)(2), the Secretary of Defense shall make available to the Commission the services of an independent, non-governmental institute described in section 501(c)(3) of the Internal Revenue Code of 1986, and exempt from tax under section 501(a) of such Code, that has recognized credentials and expertise in national security and military affairs in order to facilitate the Commission's discharge of its duties under this section.

(B) FEDERALLY FUNDED RESEARCH AND DEVELOPMENT CENTER.—On request of the Commission, the Secretary of Defense shall make available the services of a federally funded research and development center that is covered by a sponsoring agreement of the Department of Defense in order to enhance the Commission's efforts to discharge its duties under this section.

(5) EXPEDITION OF SECURITY CLEARANCES.—The Office of Senate Security and the Office of House Security shall ensure the expedited processing of appropriate security clearances for personnel appointed to the commission by their respective Senate and House offices under processes developed for the clearance of legislative branch employees.

(i) STAFF.—

(1) STATUS AS FEDERAL EMPLOYEES.—Notwithstanding the requirements of section 2105 of title 5, United States Code, including the required supervision under subsection (a)(3) of such section, the members of the commission shall be deemed to be Federal employees.

(2) EXECUTIVE DIRECTOR.—The Commission shall appoint and fix the rate of basic pay for an Executive Director in accordance with section 3161(d) of title 5, United States Code.

(3) PAY.—The Executive Director, with the approval of the Commission, may appoint and fix the rate of basic pay for additional personnel as staff of the Commission in accordance with section 3161(d) of title 5, United States Code.

(j) PERSONAL SERVICES.—

(1) AUTHORITY TO PROCURE.—The Commission may—

(A) procure the services of experts or consultants (or of organizations of experts or consultants) in accordance with the provisions of section 3109 of title 5, United States Code; and

(B) pay in connection with such services travel expenses of individuals, including

transportation and per diem in lieu of subsistence, while such individuals are traveling from their homes or places of business to duty stations.

(2) MAXIMUM DAILY PAY RATES.—The daily rate paid an expert or consultant procured pursuant to paragraph (1) may not exceed the daily rate paid a person occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(k) AUTHORITY TO ACCEPT GIFTS.—The Commission may accept, use, and dispose of gifts or donations of services, goods, and property from non-Federal entities for the purposes of aiding and facilitating the work of the Commission. The authority in this subsection does not extend to gifts of money. Gifts accepted under this authority shall be documented, and conflicts of interest or the appearance of conflicts of interest shall be avoided. Subject to the authority in this section, commissioners shall otherwise comply with rules set forth by the Select Committee on Ethics of the United States Senate and the Committee on Ethics of the House of Representatives governing Senate and House employees.

(l) FUNDING.—Of the amounts authorized to be appropriated by this act for fiscal year 2022 for the Department of Defense, up to $5,000,000 shall be made available to the Commission to carry out its duties under this subtitle. Funds made available to the Commission under the preceding sentence shall remain available until expended.

(m) LEGISLATIVE ADVISORY COMMITTEE.—The Commission shall operate as a legislative advisory committee and shall not be subject to the provisions of the Federal Advisory Committee Act (Public Law 92–463; 5 U.S.C. App) or section 552b, United States Code (commonly known as the Government in the Sunshine Act).

(n) CONTRACTING AUTHORITY.—The Commission may acquire administrative supplies and equipment for Commission use to the extent funds are available.

(o) USE OF GOVERNMENT INFORMATION.—The Commission may secure directly from any department or agency of the Federal Government such information as the Commission considers necessary to carry out its duties. Upon such request of the chair of the Commission, the head of such department or agency shall furnish such information to the Commission.

(p) POSTAL SERVICES.—The Commission may use the United States mail in the same manner and under the same conditions as departments and agencies of the United States.

(q) SPACE FOR USE OF COMMISSION.—Not later than 30 days after the establishment date of the Commission, the Administrator of General Services, in consultation with the Commission, shall identify and make available suitable excess space within the Federal space inventory to house the operations of the Commission. If the Administrator is not able to make such suitable excess space available within such 30-day period, the Commission may lease space to the extent the funds are available.

(r) REMOVAL OF MEMBERS.—A member may be removed from the commission for cause by the individual serving in the position responsible for the original appointment of such member under subsection (b)(1), provided that notice has first been provided to such member of the cause for removal, voted and agreed upon by three quarters of the members serving. A vacancy created by the removal of a member under this section shall not affect the powers of the commission, and shall be filled in the same manner as the original appointment was made.

(s) TERMINATION.—The Commission shall terminate 90 days after the date on which it submits the report required by subsection (g).

SEC. 1062. ASSESSMENT OF REQUIREMENTS FOR AND MANAGEMENT OF ARMY THREE-DIMENSIONAL TERRAIN DATA.

(a) JOINT ASSESSMENTS AND DETERMINATIONS.—The Vice Chairman of the Joint Chiefs of Staff, the Under Secretary of Defense for Intelligence and Security, and the Secretary of the Army, in consultation with other appropriate Department of Defense officials, shall jointly—

(1) assess joint force requirements for three-dimensional terrain data to achieve Combined Joint All-Domain Command and Control (CJADC2), including the use of such data for Multi-Domain Operations'—

(A) training;

(B) planning;

(C) mission rehearsal;

(D) operations;

(E) after action review;

(F) intelligence, including geolocation support to intelligence collection systems;

(G) targeting; and

(H) modeling and simulation;

(2) determine whether One World Terrain three-dimensional geospatial data meets the accuracy, resolution, and currency required for precision targeting; and

(3) determine the optimum management and joint funding structure for the collection, production, storage, and consumption of three-dimensional terrain data, including consideration of—

(A) designating the Army as the Executive Agent for warfighter collection, production and consumption of three-dimensional geospatial content at the point-of-need; and

(B) designating the National Geospatial Intelligence Agency as Executive Agent for three-dimensional data validation and certification, enterprise storage and retrieval, joint three-dimensional data functions, and foundational three-dimensional geospatial intelligence;

(C) establishing governance structures across the military departments and the National Geospatial Intelligence Agency for the procurement and production of three-dimensional terrain data from commercial sources; and

(D) establishing three-dimensional One World Terrain as a program of record.

(b) ARMY MANAGEMENT CONSIDERATIONS.—If the Vice Chairman, the Under Secretary, and the Secretary of the Army determine that the Army should serve as the Executive Agent for Department of Defense three-dimensional terrain data, the Secretary shall determine the respective roles of the Army Acquisition Executive, including the Program Executive Officers for Simulation, Training, and Instrumentation and Intelligence, Electronic Warfare and Sensors, and the Army's Geographic Information Officer and Geospatial Center (AGC).

(c) ADDITIONAL ARMY DETERMINATIONS.—The Secretary of the Army shall determine whether operational use of the Integrated Visual Augmentation System, and Army intelligence and mission command systems, require three-dimensional One World Terrain data for assigned operational missions, including targeting.

(d) BRIEFING REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Vice Chairman, the Under Secretary, and the Secretary of the Army shall complete the assessments and determinations required by this section and provide a briefing to the congressional defense committees on such assessments and determinations.

SEC. 1063. MODIFICATION TO REGIONAL CENTERS FOR SECURITY STUDIES.

(a) IN GENERAL.—Section 342(b)(2) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

''(F) The Ted Stevens Center for Arctic Security Studies.''.

(b) ACCEPTANCE OF GIFTS AND DONATIONS.—Section 2611(a)(2) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

''(F) The Ted Stevens Center for Arctic Security Studies.''.

TITLE XI—CIVILIAN PERSONNEL MATTERS

SEC. 1101. CIVILIAN PERSONNEL MANAGEMENT.

Section 129(a) of title 10, United States Code, is amended—

(1) in the first sentence, by striking ''primarily on the basis of and consistent with'' and inserting ''according to''; and

(2) by striking the second sentence.

SEC. 1102. CONSIDERATION OF EMPLOYEE PERFORMANCE IN REDUCTIONS IN FORCE FOR CIVILIAN POSITIONS IN THE DEPARTMENT OF DEFENSE.

Section 1597(e) title 10, United States Code, is amended—

(1) by striking the subsection heading and inserting ''CONSIDERATION OF EMPLOYEE PERFORMANCE IN REDUCTIONS''; and

(2) by striking ''be made primarily on the basis of'' and inserting '', among other factors as determined by the Secretary, account for employee''.

SEC. 1103. ENHANCEMENT OF RECUSAL FOR CONFLICTS OF PERSONAL INTEREST REQUIREMENTS FOR DEPARTMENT OF DEFENSE OFFICERS AND EMPLOYEES.

(a) IN GENERAL.—In addition to the prohibition set forth in section 208 of title 18, United States Code, an officer or employee of the Department of Defense may not participate personally and substantially in any covered matter that the officer or employee knows, or reasonably should know, is likely to have a direct and predictable effect on the financial interests of—

(1) any organization, including a trade organization, for which the officer or employee has served as an employee, officer, director, trustee, or general partner in the past 4 years;

(2) a former direct competitor or client of any organization for which the officer or employee has served as an employee, officer, director, trustee, or general partner in the past 4 years; or

(3) any employer with whom the officer or employee is seeking employment.

(b) CONSTRUCTION.—Nothing in this section shall be construed to terminate, alter, or make inapplicable any other prohibition or limitation in law or regulation on the participation of officers or employees of the Department of Defense in covered matters having an effect on their or related financial or other personal interests.

(c) COVERED MATTER DEFINED.—In this section, the term ''covered matter''—

(1) means any matter that involves deliberation, decision, or action that is focused upon the interests of a specific person or a discrete and identifiable class of persons; and

(2) includes policymaking that is narrowly focused on the interests of a discrete and identifiable class of persons.

SEC. 1104. AUTHORITY TO EMPLOY CIVILIAN FACULTY MEMBERS AT THE DEFENSE INSTITUTE OF INTERNATIONAL LEGAL STUDIES.

Section 1595(c) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(6) The Defense Institute of International Legal Studies.''.

SEC. 1105. EXTENSION OF TEMPORARY INCREASE IN MAXIMUM AMOUNT OF VOLUNTARY SEPARATION INCENTIVE PAY AUTHORIZED FOR CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Section 1107 of the National Defense Authorization Act for Fiscal Year 2017 (5 U.S.C. 9902 note) is amended by striking ''September 30, 2021'' and inserting ''September 30, 2025''.

(b) BRIEFINGS.—Not later than December 31, 2023, and December 31, 2025, the Secretary of Defense shall provide a briefing to the Committee on Armed Services and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Armed Services and the Committee on Oversight and Reform of the House of Representatives including—

(1) a description of the effect of such section 1107 (as amended by subsection (a)) on the management of the Department of Defense civilian workforce during the most recently ended fiscal year;

(2) the number of employees offered voluntary separation incentive payments during such fiscal year by operation of such section; and

(3) the number of such employees that accepted such payments.

SEC. 1106. ONE-YEAR EXTENSION OF TEMPORARY AUTHORITY TO GRANT ALLOWANCES, BENEFITS, AND GRATUITIES TO CIVILIAN PERSONNEL ON OFFICIAL DUTY IN A COMBAT ZONE.

Paragraph (2) of section 1603(a) of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109–234; 120 Stat. 443), as added by section 1102 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4616) and as most recently amended by section 1106 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283), is further amended by striking ''2022'' and inserting ''2023''.

SEC. 1107. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE ANNUAL LIMITATION ON PREMIUM PAY AND AGGREGATE LIMITATION ON PAY FOR FEDERAL CIVILIAN EMPLOYEES WORKING OVERSEAS.

Subsection (a) of section 1101 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4615), as most recently amended by section 1105 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283), is further amended by striking ''through 2021'' and inserting ''through 2022''.

SEC. 1108. PILOT PROGRAM ON DIRECT HIRE AUTHORITY FOR SPOUSES OF MEMBERS OF THE UNIFORMED SERVICES AT LOCATIONS OUTSIDE THE UNITED STATES.

(a) IN GENERAL.—The Secretary of Defense may carry out a pilot program to assess the feasibility and advisability of using the authority under subsection (b) to hire spouses of members of the uniformed services at locations outside the United States.

(b) AUTHORITY.—In carrying out the pilot program under this section, the Secretary may appoint, without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code (other than sections 3303 and 3328 of such chapter), a spouse of a member of the uniformed services stationed at a duty location outside the United States to a position described in subsection (c) if—

(1) the spouse has been authorized to accompany the member to the duty location at Government expense; and

(2) the duty location is within reasonable commuting distance, as determined by the Secretary concerned, of the location of the position.

(c) POSITION DESCRIBED.—A position described in this subsection is a competitive service position within the Department of Defense that is located outside the United States.

(d) TERM OF APPOINTMENT.—

(1) IN GENERAL.—An appointment made under this section shall be for a term not exceeding two years.

(2) RENEWAL.—The Secretary of Defense may renew an appointment made under this section for one additional term not exceeding two years.

(3) TERMINATION.—An appointment made under this section shall terminate on the date on which the member of the uniformed services relocates back to the United States in connection with a permanent change of station.

(e) PAYMENT OF TRAVEL AND TRANSPORTATION ALLOWANCES.—Nothing in this section may be construed to authorize additional travel or transportation allowances in connection with an appointment made under this section.

(f) RELATIONSHIP TO OTHER LAW.—Nothing in this section may be construed to interfere with—

(1) the authority of the President under section 3304 of title 5, United States Code;

(2) the authority of the President under section 1784 of title 10, United States Code;

(3) the ability of the head of an agency to make noncompetitive appointments pursuant to section 3330d of title 5, United States Code; or

(4) any obligation under any applicable treaty, status of forces agreement, or other international agreement between the United States Government and the government of the country in which the position is located.

(g) REPORTS REQUIRED.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Secretary of Defense shall submit to the appropriate committees of Congress a report setting forth the following:

(A) The number of individuals appointed under this section.

(B) The position series and grade to which each individual described in subparagraph (A) was appointed.

(C) Demographic data on the individuals described in subparagraph (A), including with respect to race, gender, age, and education level attained.

(D) Data on the members of the uniformed services whose spouses have been appointed under this section, including the rank of each such member.

(E) Such recommendations for legislative or administrative action as the Secretary considers appropriate relating to continuing or expanding the pilot program.

(2) FINAL REPORT.—Not later than December 31, 2026, the Secretary shall submit to the appropriate committees of Congress a final report setting forth the information under paragraph (1).

(h) TERMINATION.—The pilot program under this section shall terminate on December 31, 2026.

(i) 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 Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Armed Services and the Committee on Oversight and Reform of the House of Representatives.

(2) SECRETARY CONCERNED.—The term ''Secretary concerned''—

(A) has the meaning given the term in section 101(a)(9) of title 10, United States Code; and

(B) includes—

(i) the Secretary of Commerce, with respect to matters concerning the commissioned officer corps of the National Oceanic and Atmospheric Administration; and

(ii) the Secretary of Health and Human Services, with respect to matters concerning the commissioned corps of the Public Health Service.

(3) UNIFORMED SERVICES.—The term ''uniformed services'' has the meaning given the term in section 101(a)(5) of title 10, United States Code.

(4) UNITED STATES.—The term ''United States'' has the meaning given that term in section 101(a)(1) of title 10, United States Code.

SEC. 1109. CIVILIAN CYBERSECURITY RESERVE PILOT PROJECT AT UNITED STATES CYBER COMMAND.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

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

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

(C) the Committee on Homeland Security of the House of Representatives; and

(D) the Committee on Armed Services of the House of Representatives.

(2) COMMANDER.—The term ''Commander'' means the Commander of the United States Cyber Command.

(3) COMPETITIVE SERVICE.—The term ''competitive service'' has the meaning given the term in section 2102 of title 5, United States Code.

(4) EXCEPTED SERVICE.—The term ''excepted service'' has the meaning given the term in section 2103 of title 5, United States Code.

(5) SIGNIFICANT INCIDENT.—The term ''significant incident''—

(A) means an incident or a group of related incidents that results, or is likely to result, in demonstrable harm to—

(i) the national security interests, foreign relations, or economy of the United States; or

(ii) the public confidence, civil liberties, or public health and safety of the people of the United States; and

(B) does not include an incident or a portion of a group of related incidents that occurs on—

(i) a national security system, as defined in section 3552 of title 44, United States Code; or

(ii) an information system described in paragraph (2) or (3) of section 3553(e) of title 44, United States Code.

(6) TEMPORARY POSITION.—The term ''temporary position'' means a position in the competitive or excepted service for a period of 180 days or less.

(7) UNIFORMED SERVICES.—The term ''uniformed services'' has the meaning given the term in section 2101 of title 5, United States Code.

(b) PILOT PROJECT.—

(1) IN GENERAL.—The Commander shall carry out a pilot project to establish a Civilian Cybersecurity Reserve at the United States Cyber Command.

(2) PURPOSE.—The purpose of the Civilian Cybersecurity Reserve is to enable the United States Cyber Command to effectively respond to significant incidents.

(3) ALTERNATIVE METHODS.—Consistent with section 4703 of title 5, United States Code, in carrying out the pilot project required under paragraph (1), the Commander may, without further authorization from the

Office of Personnel Management, provide for alternative methods of—

(A) establishing qualifications requirements for, recruitment of, and appointment to positions; and

(B) classifying positions.

(4) APPOINTMENTS.—Under the pilot project required under paragraph (1), upon occurrence of a significant incident, the Commander—

(A) may activate members of the Civilian Cybersecurity Reserve by—

(i) noncompetitively appointing members of the Civilian Cybersecurity Reserve to temporary positions in the competitive service; or

(ii) appointing members of the Civilian Cybersecurity Reserve to temporary positions in the excepted service;

(B) shall notify Congress whenever a member is activated under subparagraph (A); and

(C) may appoint not more than 50 members to the Civilian Cybersecurity Reserve under subparagraph (A) at any time.

(5) STATUS AS EMPLOYEES.—An individual appointed under paragraph (4) shall be considered a Federal civil service employee under section 2105 of title 5, United States Code.

(6) ADDITIONAL EMPLOYEES.—Individuals appointed under paragraph (4) shall be in addition to any employees of the United States Cyber Command who provide cybersecurity services.

(7) EMPLOYMENT PROTECTIONS.—The Secretary of Labor shall prescribe such regulations as necessary to ensure the reemployment, continuation of benefits, and non-discrimination in reemployment of individuals appointed under paragraph (4), provided that such regulations shall include, at a minimum, those rights and obligations set forth under chapter 43 of title 38, United States Code.

(8) STATUS IN RESERVE.—During the period beginning on the date on which an individual is recruited by the United States Cyber Command to serve in the Civilian Cybersecurity Reserve and ending on the date on which the individual is appointed under paragraph (4), and during any period in between any such appointments, the individual shall not be considered a Federal employee.

(c) ELIGIBILITY; APPLICATION AND SELECTION.—

(1) IN GENERAL.—Under the pilot project required under subsection (b)(1), the Commander shall establish criteria for—

(A) individuals to be eligible for the Civilian Cybersecurity Reserve; and

(B) the application and selection processes for the Civilian Cybersecurity Reserve.

(2) REQUIREMENTS FOR INDIVIDUALS.—The criteria established under paragraph (1)(A) with respect to an individual shall include—

(A) if the individual has previously served as a member of the Civilian Cybersecurity Reserve, that the previous appointment ended not less than 60 days before the individual may be appointed for a subsequent temporary position in the Civilian Cybersecurity Reserve; and

(B) cybersecurity expertise.

(3) PRESCREENING.—The Commander shall—

(A) conduct a prescreening of each individual prior to appointment under subsection (b)(4) for any topic or product that would create a conflict of interest; and

(B) require each individual appointed under subsection (b)(4) to notify the Commander if a potential conflict of interest arises during the appointment.

(4) AGREEMENT REQUIRED.—An individual may become a member of the Civilian Cybersecurity Reserve only if the individual enters into an agreement with the Commander to become such a member, which shall set forth the rights and obligations of the individual and the United States Cyber Command.

(5) EXCEPTION FOR CONTINUING MILITARY SERVICE COMMITMENTS.—A member of the Selected Reserve under section 10143 of title 10, United States Code, may not be a member of the Civilian Cybersecurity Reserve.

(6) PROHIBITION.—Any individual who is an employee of the executive branch may not be recruited or appointed to serve in the Civilian Cybersecurity Reserve.

(d) SECURITY CLEARANCES.—

(1) IN GENERAL.—The Commander shall ensure that all members of the Civilian Cybersecurity Reserve undergo the appropriate personnel vetting and adjudication commensurate with the duties of the position, including a determination of eligibility for access to classified information where a security clearance is necessary, according to applicable policy and authorities.

(2) COST OF SPONSORING CLEARANCES.—If a member of the Civilian Cybersecurity Reserve requires a security clearance in order to carry out the duties of the member, the United States Cyber Command shall be responsible for the cost of sponsoring the security clearance of the member.

(e) STUDY AND IMPLEMENTATION PLAN.—

(1) STUDY.—Not later than 60 days after the date of the enactment of this Act, the Commander shall begin a study on the design and implementation of the pilot project required under subsection (b)(1), including—

(A) compensation and benefits for members of the Civilian Cybersecurity Reserve;

(B) activities that members may undertake as part of their duties;

(C) methods for identifying and recruiting members, including alternatives to traditional qualifications requirements;

(D) methods for preventing conflicts of interest or other ethical concerns as a result of participation in the pilot project and details of mitigation efforts to address any conflict of interest concerns;

(E) resources, including additional funding, needed to carry out the pilot project;

(F) possible penalties for individuals who do not respond to activation when called, in accordance with the rights and procedures set forth under title 5, Code of Federal Regulations; and

(G) processes and requirements for training and onboarding members.

(2) IMPLEMENTATION PLAN.—Not later than one year after beginning the study required under paragraph (1), the Commander shall—

(A) submit to the appropriate congressional committees an implementation plan for the pilot project required under subsection (b)(1); and

(B) provide to the appropriate congressional committees a briefing on the implementation plan.

(3) PROHIBITION.—The Commander may not take any action to begin implementation of the pilot project required under subsection (b)(1) until the Commander fulfills the requirements under paragraph (2).

(f) PROJECT GUIDANCE.—Not later than two years after the date of the enactment of this Act, the Commander shall, in consultation with the Office of Personnel Management and the Office of Government Ethics, issue guidance establishing and implementing the pilot project required under subsection (b)(1).

(g) BRIEFINGS AND REPORT.—

(1) BRIEFINGS.—Not later than one year after the date of the enactment of this Act, and every year thereafter until the date on which the pilot project required under subsection (b)(1) terminates under subsection (i), the Commander shall provide to the appropriate congressional committees a briefing on activities carried out under the pilot project, including—

(A) participation in the Civilian Cybersecurity Reserve, including the number of participants, the diversity of participants, and any barriers to recruitment or retention of members;

(B) an evaluation of the ethical requirements of the pilot project;

(C) whether the Civilian Cybersecurity Reserve has been effective in providing additional capacity to the United States Cyber Command during significant incidents; and

(D) an evaluation of the eligibility requirements for the pilot project.

(2) REPORT.—Not earlier than 180 days and not later than 90 days before the date on which the pilot project required under subsection (b)(1) terminates under subsection (i), the Commander shall submit to the appropriate congressional committees a report and provide a briefing on recommendations relating to the pilot project, including recommendations for—

(A) whether the pilot project should be modified, extended in duration, or established as a permanent program, and if so, an appropriate scope for the program;

(B) how to attract participants, ensure a diversity of participants, and address any barriers to recruitment or retention of members of the Civilian Cybersecurity Reserve;

(C) the ethical requirements of the pilot project and the effectiveness of mitigation efforts to address any conflict of interest concerns; and

(D) an evaluation of the eligibility requirements for the pilot project.

(h) EVALUATION.—Not later than three years after the pilot project required under subsection (b)(1) is established, the Comptroller General of the United States shall—

(1) conduct a study evaluating the pilot project; and

(2) submit to Congress—

(A) a report on the results of the study; and

(B) a recommendation with respect to whether the pilot project should be modified.

(i) SUNSET.—The pilot project required under subsection (b)(1) shall terminate on the date that is four years after the date on which the pilot project is established.

(j) NO ADDITIONAL FUNDS.—

(1) IN GENERAL.—No additional funds are authorized to be appropriated for the purpose of carrying out this section.

(2) EXISTING AUTHORIZED AMOUNTS.—Funds to carry out this section may, as provided in advance in appropriations Acts, only come from amounts authorized to be appropriated to the United States Cyber Command.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Assistance and Training

SEC. 1201. AUTHORITY TO BUILD CAPACITY FOR ADDITIONAL OPERATIONS.

Section 333(a)(3) of title 10, United States Code, is amended by inserting ''or other counter-illicit trafficking operations'' before the period.

SEC. 1202. ADMINISTRATIVE SUPPORT AND PAYMENT OF CERTAIN EXPENSES FOR COVERED FOREIGN DEFENSE PERSONNEL.

(a) IN GENERAL.—Subchapter IV of chapter 16 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 334. Administrative support and payment of certain expenses for covered foreign defense personnel

''(a) IN GENERAL.—The Secretary of Defense may—

''(1) provide administrative services and support to the United Nations Command for the performance of duties by covered foreign defense personnel during the period in which the covered foreign defense personnel are assigned to the United Nations Command or

the Neutral Nations Supervisory Commission in accordance with the Korean War Armistice Agreement of 1953; and

''(2) pay the expenses specified in subsection (b) for covered foreign defense personnel who are—

''(A) from a developing country; and

''(B) assigned to the headquarters of the United Nations Command.

''(b) TYPES OF EXPENSES.—The types of expenses that may be paid under the authority of subsection (a)(2) are the following:

''(1) Travel and subsistence expenses directly related to the duties of covered foreign defense personnel described in subsection (a)(2) in connection with the assignment of such covered foreign defense personnel.

''(2) Personal expenses directly related to carrying out such duties.

''(3) Expenses for medical care at a military medical facility.

''(4) Expenses for medical care at a civilian medical facility, if—

''(A) adequate medical care is not available to such covered foreign defense personnel at a local military medical treatment facility;

''(B) the Secretary determines that payment of such medical expenses is necessary and in the best interests of the United States; and

''(C) medical care is not otherwise available to such covered foreign defense personnel pursuant to a treaty or any other international agreement.

''(5) Mission-related travel expenses, if—

''(A) such travel is in direct support of the national interests of the United States; and

''(B) the Commander of the United Nations Command directs round-trip travel from the headquarters of the United Nations Command to one or more locations.

''(c) REIMBURSEMENT.—The Secretary may provide the administrative services and support and pay the expenses authorized by subsection (a) with or without reimbursement.

''(d) DEFINITIONS.—In this section:

''(1) The term 'administrative services and support' means base or installation support services, facilities use, base operations support, office space, office supplies, utilities, copying services, computer support, communication services, fire and police protection, postal services, bank services, transportation services, housing and temporary billeting (including ancillary services), specialized clothing required to perform assigned duties, temporary loan of special equipment, storage services, training services, and repair and maintenance services.

''(2) The term 'covered foreign defense personnel' means members of the military of a foreign country who are assigned to—

''(A) the United Nations Command; or

''(B) the Neutral Nations Supervisory Commission.

''(3) The term 'developing country' has the meaning given the term in section 301(4) of this title.

''(4) The term 'Neutral Nations Supervisory Commission' means the delegations from Sweden and Switzerland (or successor delegations) appointed in accordance with the Korean War Armistice Agreement of 1953 or its subsequent agreements.

''(5) The term 'United Nations Command' means the headquarters of the United Nations Command, the United Nations Command Military Armistice Commission, the United Nations Command-Rear, and the United Nations Command Honor Guard.''.

(b) CONFORMING AMENDMENT.—The table of sections at the beginning of subchapter IV of chapter 16 of title 10, United States Code, is amended by adding at the end the following new item:

''334. Administrative support and payment of certain expenses for covered foreign defense personnel.''.

SEC. 1203. AUTHORITY FOR CERTAIN REIMBURSABLE INTERCHANGE OF SUPPLIES AND SERVICES.

Section 2571 of title 10, United States Code, is amended—

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

''(b)(1) If its head approves, a department or organization within the Department of Defense may, upon request, perform work and services for, or furnish supplies to, any other of those departments or organizations, with or without reimbursement or transfer of funds.

''(2) Use of the authority under this section for reimbursable support is limited to support for the purpose of providing assistance to a foreign partner pursuant to section 333 and section 345 of this title.''; and

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

''(e)(1) An order placed by a department or organization on a reimbursable basis pursuant to subsection (b) shall be considered to be an obligation in the same manner as an order placed under section 6307 of title 41.

''(2) Amounts received as reimbursement shall be credited in accordance with section 2205 of this title to the appropriation of the supporting department or organization used in incurring the obligation in the year or years that support is provided.''.

SEC. 1204. EXTENSION AND MODIFICATION OF DEPARTMENT OF DEFENSE SUPPORT FOR STABILIZATION ACTIVITIES IN NATIONAL SECURITY INTEREST OF THE UNITED STATES.

Section 1210A of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1626) is amended—

(1) in subsection (b), by amending paragraph (1) to read as follows:

''(1) IN GENERAL.—Amounts authorized to be provided pursuant to this section shall be available only for support for stabilization activities—

''(A)(i) in a country specified in paragraph (2); and

''(ii) that the Secretary of Defense, with the concurrence of the Secretary of State, has determined are in the national security interest of the United States; or

''(B) in a country or region that has been selected as a priority country or region under section 505 of the Global Fragility Act of 2019 (22 U.S.C. 9804).'';

(2) in subsection (g)(1), by striking '', Defense-wide''; and

(3) in subsection (h), by striking ''December 31, 2021'' and inserting ''December 31, 2023''.

SEC. 1205. TEMPORARY AUTHORITY TO PAY FOR PERSONNEL EXPENSES OF FOREIGN NATIONAL SECURITY FORCES PARTICIPATING IN THE TRAINING PROGRAM OF THE UNITED STATES-COLOMBIA ACTION PLAN FOR REGIONAL SECURITY.

(a) AUTHORITY.—For fiscal year 2022, the Secretary of Defense is authorized to pay for the travel, subsistence, and similar personnel expenses of the national security forces of a friendly foreign country to participate in the training program of the United States-Colombia Action Plan for Regional Security conducted at a facility in Colombia.

(b) NOTIFICATION.—Not later than 15 days before the exercise of the authority under subsection (a), the Secretary shall provide to the congressional defense committees a written notification that includes the following:

(1) An identification of the foreign country, and the specific unit of the national security forces of such country, the capacity of which will be built by participating in such training program.

(2) The amount of support to be provided under that subsection.

(3) An identification of the United States equipment purchased or acquired by such foreign country, for the use of which training is being provided under such training program.

(4) A description of the specific capabilities to be built through such training program with such support.

(5) A detailed description of the manner in which building the capabilities of such country through such training program advances the national security interests of the United States.

(6) A detailed assessment of the effectiveness of such training program in meeting Department of Defense requirements for building the capacity of such country.

(c) SOURCE OF FUNDS.—Of the amounts authorized to be appropriated for fiscal year 2022 for the Department of Defense for operation and maintenance, Defense-wide, the Secretary may obligate or expend such amounts as may be necessary to pay for expenses described in subsection (a) for such fiscal year.

(d) LIMITATION.—The provision of support under subsection (a) shall be subject to section 362 of title 10, United States Code.

SEC. 1206. SECURITY COOPERATION STRATEGY FOR CERTAIN COMBATANT COMMANDS.

(a) IN GENERAL.—The Secretary of Defense, in coordination with the Secretary of State, shall develop and implement a security cooperation strategy for each covered combatant command, which shall apply to the security cooperation programs and activities of the Department of Defense (as defined in section 301 of title 10, United States Code).

(b) PURPOSES.—The purposes of the strategies required by subsection (a) are the following:

(1) To support and advance United States national security interests in strategic competition with near-peer rivals.

(2) To build key capabilities of allied and partner security forces so as to enhance bilateral and multilateral interoperability and responsiveness in the event of a crisis.

(3) To build the capabilities of foreign partner security forces to secure their own territory, including through operations against violent extremist groups.

(4) To promote and build institutional capabilities for observance of, and respect for—

(A) the law of armed conflict;

(B) human rights and fundamental freedoms;

(C) the rule of law; and

(D) civilian control of the military.

(5) To support the programs and activities of law enforcement and civilian agencies to counter the threat of and reduce risks from illicit trafficking and transnational criminal organizations.

(c) ELEMENTS.—The strategy for each covered combatant command required by subsection (a) shall include the following:

(1) A statement of the security cooperation strategic objectives for—

(A) the covered combatant command; and

(B) the covered combatant command in conjunction with other covered combatant commands.

(2) A description of the primary security cooperation lines of effort for achieving such strategic objectives, including prioritization of foreign partners within the covered combatant command.

(3) A description of the Department of Defense authorities to be used for each such line of effort and the manner in which such authorities will contribute to achieving such strategic objectives.

(4) A description of the institutional capacity-building programs and activities within the covered combatant command and an assessment of the manner in which such programs and activities contribute to achieving such strategic objectives.

(5) A description of the manner in which the development, planning, and implementation of programs or activities under Department of Defense security cooperation authorities are coordinated and deconflicted with security assistance and other assistance authorities of the Department of State and other civilian agencies.

(d) CONSULTATION.—In developing the strategy for each covered combatant command required by subsection (a), the Secretary of Defense shall consult with—

(1) the Under Secretary of Defense for Policy;

(2) the Chairman of the Joint Chiefs of Staff;

(3) the Director of the Defense Security Cooperation Agency; and

(4) the commander of the relevant covered combatant command.

(e) REPORTS.—

(1) INITIAL 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 security cooperation strategy for each covered combatant command developed under subsection (a).

(2) SUBSEQUENT REPORTS.—Beginning in fiscal year 2023, and annually thereafter through fiscal year 2027, concurrently with the submittal of the report required by section 386(a) of title 10, United States Code, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the implementation of the security cooperation strategy for each covered combatant command developed under subsection (a).

(f) DEFINITIONS.—In this section:

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

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

(2) COVERED COMBATANT COMMAND.—The term ''covered combatant command'' means—

(A) the United States European Command;

(B) the United States Indo-Pacific Command;

(C) the United States Central Command;

(D) the United States Africa Command;

(E) the United States Southern Command; and

(F) the United States Northern Command.

SEC. 1207. PLAN FOR ENHANCING WESTERN HEMISPHERE SECURITY COOPERATION.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate committees of Congress a plan for enhancing security cooperation and advancing United States strategic interests in the Western Hemisphere.

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

(1) Activities to expand bilateral and multilateral security cooperation in Latin America and the Caribbean so as to maintain consistent United States presence in the region.

(2) Activities to build the defense and security capacity (other than civilian law enforcement) of partner countries in Latin America and the Caribbean.

(3) Activities to counter malign influence of state actors and transnational criminal organizations with connections to illicit trafficking, terrorism, or weapons proliferation.

(4) Efforts to disrupt, degrade, and counter transnational illicit trafficking, with an emphasis on illicit narcotics and precursor chemicals that produce illicit narcotics.

(5) Activities to provide transparency and support for strong and accountable defense institutions through institutional capacity-building efforts, including efforts to ensure compliance with internationally recognized human rights standards.

(6) Steps to expand bilateral and multinational military exercises and training with partner countries in Latin America and the Caribbean.

(7) The provision of assistance to—

(A) such partner countries for regional defense; and

(B) security organizations and institutions and national military or other security forces (other than civilian law enforcement) that carry out national or regional security missions.

(8) The provision of training and education to defense and security ministries, agencies, and headquarters-level organizations for organizations and forces described in paragraph (7)(B).

(9) Activities to counter misinformation and disinformation campaigns and highlight corrupt, predatory, and illegal practices.

(10) The provision of Department of Defense humanitarian assistance and disaster relief to support partner countries by promoting the development and growth of responsive institutions through activities such as—

(A) the provision of equipment, training, and logistical support;

(B) transportation of humanitarian supplies or foreign security forces or personnel;

(C) making available, preparing, and transferring on-hand nonlethal Department of Defense stocks for humanitarian or health purposes to respond to unforeseen emergencies;

(D) the provision of Department of Defense humanitarian de-mining assistance;

(E) conducting physical security and stockpile-management activities; and

(F) conducting medical support operations or medical humanitarian missions, as appropriate, such as hospital-ship deployments and base-operating services, to the extent required by the operation.

(11) Continued support for the Women, Peace, and Security efforts of the Department of State to support the capacity of partner countries in the Western Hemisphere—

(A) to ensure that women and girls are safe and secure and the rights of women and girls are protected; and

(B) to promote the meaningful participation of women in the defense and security sectors.

(12) The provision of support to increase the capacity and effectiveness of Department of Defense educational programs and institutions, such as the William J. Perry Center, and international institutions, such as the Inter-American Defense Board and the Inter-American Defense College, that promote United States defense objectives through bilateral and regional relationships.

(13) Professional military education initiatives.

(14) The allocation of maritime vessels to the United States 4th Fleet.

(15) A detailed assessment of the resources required to carry out such plan.

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

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1208. PILOT PROGRAM TO SUPPORT THE IMPLEMENTATION OF THE WOMEN, PEACE, AND SECURITY ACT OF 2017.

Section 1210E of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) is amended by—

(1) redesignating subsection (f) as subsection (h); and

(2) by inserting after subsection (e) the following new subsections (f) and (g):

''(f) PILOT PROGRAM.—

''(1) ESTABLISHMENT.—The Secretary of Defense, in consultation with the Secretary of State, shall establish and carry out a pilot program for the purpose of conducting partner country assessments described in subsection (b)(2).

''(2) CONTRACT AUTHORITY.—The Secretary of Defense, in consultation with the Secretary of State, shall seek to enter into one or more contracts with a nonprofit organization or a federally funded research and development center independent of the Department for the purpose of conducting such partner country assessments.

''(3) SELECTION OF COUNTRIES.—

''(A) IN GENERAL.—The Secretary of Defense, in consultation with the commanders of the combatant commands and relevant United States ambassadors, shall select one partner country within the area of responsibility of each geographic combatant command for participation in the pilot program.

''(B) CONSIDERATIONS.—In making the selection under subparagraph (A), the Secretary of Defense shall consider—

''(i) the demonstrated political commitment of the partner country to increasing the participation of women in the security sector; and

''(ii) the national security priorities and theater campaign strategies of the United States.

''(4) PARTNER COUNTRY ASSESSMENTS.—Partner country assessments conducted under the pilot program shall be—

''(A) adapted to the local context of the partner country being assessed;

''(B) conducted in collaboration with the security sector of the partner country being assessed; and

''(C) based on tested methodologies.

''(5) REVIEW AND ASSESSMENT.—With respect to each partner country assessment conducted under the pilot program, the Secretary of Defense, in consultation with the Secretary of State, shall—

''(A) review the methods of research and analysis used by any entity contracted with under paragraph (2) in conducting the assessment and identify lessons learned from such review; and

''(B) assess the ability of the Department to conduct future partner country assessments without entering into such a contract, including by assessing potential costs and benefits for the Department that may arise in conducting such future assessments.

''(6) FINDINGS.—

''(A) IN GENERAL.—The Secretary of Defense, in consultation with the Secretary of State, shall use findings from each partner country assessment to inform effective security cooperation activities and security sector assistance interventions by the United States in the partner country assessed, which shall be designed to substantially increase opportunities for the recruitment, employment, development, retention, deployment, and promotion of women in the national security forces of such partner

country (including for deployments to peace operations and for participation in counterterrorism operations and activities).

''(B) MODEL METHODOLOGY.—The Secretary of Defense, in consultation with the Secretary of State, shall develop, based on the findings of the pilot program, a model barrier assessment methodology for use across the geographic combatant commands.

''(7) REPORTS.—

''(A) IN GENERAL.—Not later than 2 years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2022, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the appropriate committees of Congress an initial report on the implementation of the pilot program under this subsection that includes an identification of the partner countries selected for participation in the program and the justifications for such selections.

''(B) METHODOLOGY.—On the date on which the Secretary of Defense determines the pilot program to be complete, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the appropriate committees of Congress a report on the model barrier assessment methodology developed under paragraph (6)(B).

''(g) BRIEFING.—Not later than 1 year after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2022, the Director of the Defense Security Cooperation Agency shall provide to the appropriate committees of Congress a briefing on the efforts to build partner defense institution and security force capacity pursuant to this section.''.

SEC. 1209. LIMITATION ON SUPPORT TO MILITARY FORCES OF THE KINGDOM OF MOROCCO FOR BILATERAL OR MULTILATERAL EXERCISES.

(a) IN GENERAL.—None of the funds authorized to be appropriated by this Act for fiscal year 2022 may be used by the Secretary of Defense to support the participation of the military forces of the Kingdom of Morocco in any bilateral or multilateral exercise administered by the Department of Defense unless the Secretary determines, and certifies to the congressional defense committees, that the Kingdom of Morocco has taken steps to support a final peace agreement with Western Sahara.

(b) WAIVER.—The Secretary may waive the application of the limitation under subsection (a) if the Secretary submits to the congressional defense committees—

(1) a written determination that the waiver is important to the national security interests of the United States; and

(2) a detailed explanation of the manner in which the waiver furthers such interests.

Subtitle B—Matters Relating to Afghanistan and Pakistan

SEC. 1211. EXTENSION AND MODIFICATION OF AUTHORITY FOR SUPPORT FOR RECONCILIATION ACTIVITIES LED BY THE GOVERNMENT OF AFGHANISTAN AND PROHIBITION ON USE OF FUNDS FOR THE TALIBAN AND OTHER TERRORIST GROUPS.

(a) EXTENSION AND MODIFICATION OF AUTHORITY.—

(1) LOCATION OF COVERED SUPPORT.—Subsection (e) of section 1218 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 132 Stat. 1633) is amended to read as follows:

''(e) LOCATION OF COVERED SUPPORT.—

''(1) AFGHANISTAN.—The Secretary of Defense may provide covered support within Afghanistan.

''(2) OTHER COUNTRIES.— The Secretary of Defense may provide covered support in any country in the near abroad of Afghanistan if the Secretary of Defense, in coordination with the Secretary of State, determines, and certifies to the appropriate committees of Congress, that providing covered support in such a country is in the national security interest of the United States.''.

(2) NOTIFICATION.—Subsection (f) of such section is amended, in the matter preceding paragraph (1), by striking ''Pakistan'' and inserting ''any country in the near abroad of Afghanistan''.

(3) REPORTS.—Subsection (j)(1) of such section is amended to read as follows:

''(1) IN GENERAL.— Not later than 90 days after the date on which the Secretary of Defense uses the authority under this section, and every 180 days thereafter, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate committees of Congress a report on the covered support provided pursuant to such use of authority.''.

(4) EXTENSION.—Subsection (k) of such section is amended by striking ''December 31, 2021'' and inserting ''December 31, 2022''.

(5) NEAR ABROAD OF AFGHANISTAN DEFINED.—Subsection (l) of such section is amended—

(A) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and

(B) by inserting after paragraph (3) the following new paragraph (4):

''(4) NEAR ABROAD OF AFGHANISTAN.—The term 'near abroad of Afghanistan' means South Asia, Central Asia, and the Persian Gulf.''.

(b) PROHIBITION ON USE OF FUNDS FOR THE TALIBAN AND OTHER TERRORIST GROUPS.—None of the funds authorized to be appropriated by this Act may be made available for the transfer of funds, supplies, or other items of monetary value to the Taliban or members of other terrorist groups.

SEC. 1212. EXTENSION AND MODIFICATION OF AUTHORITY FOR REIMBURSEMENT OF CERTAIN COALITION NATIONS FOR SUPPORT PROVIDED TO UNITED STATES MILITARY OPERATIONS.

(a) EXTENSION.—Subsection (a) of section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 393) is amended by striking ''beginning on October 1, 2020, and ending on December 31, 2021'' and inserting ''beginning on October 1, 2021, and ending on December 31, 2022''.

(b) MODIFICATION TO LIMITATION.—Subsection (d)(1) of such section is amended—

(1) by striking ''beginning on October 1, 2020, and ending on December 31, 2021'' and inserting ''beginning on October 1, 2021, and ending on December 31, 2022''; and

(2) by striking ''$180,000,000'' and inserting ''$160,000,000''.

SEC. 1213. AFGHANISTAN SECURITY FORCES FUND.

(a) CONTINUATION OF PRIOR AUTHORITIES AND NOTICE AND REPORTING REQUIREMENTS.—Funds available to the Department of Defense for the Afghanistan Security Forces Fund for fiscal year 2022 shall be subject to the conditions contained in—

(1) subsections (b) through (f) of section 1513 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 428); and

(2) section 1521(d)(1) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2577).

(b) USE OF FUNDS.—

(1) ADVISORS TO MINISTRIES.—Paragraph (1) of subsection (b) of such section 1513 is amended by inserting '', including costs of Department of Defense personnel who advise such Ministries'' before the period at the end.

(2) TYPE OF ASSISTANCE.—Such subsection (b) is further amended—

(A) in paragraph (2), by inserting ''(including program and security assistance management support)'' after ''services''; and

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

''(4) ADDITIONAL AUTHORITY.—

''(A) IN GENERAL.—Assistance under the authority of this section may be used, in consultation with the Secretary of State, as the Secretary of Defense considers necessary, to provide support and services described in subparagraph (B), or to reimburse coalition or partner countries for the provision of such support and services, to certain Afghan citizens and their spouses and dependents who—

''(i) as a consequence of their association with the United States or a coalition partner of the United States, have a well-founded fear of persecution; or

''(ii) are aliens described in section 602(b)(2) of the Afghan Allies Protection Act of 2009 (Public Law 111–8; 8 U.S.C. 1101 note).

''(B) SUPPORT AND SERVICES DESCRIBED.—The support and services described in this subparagraph are—

''(i) transportation outside of Afghanistan for the purpose of awaiting visa processing;

''(ii) security; and

''(iii) life support.''.

(c) EQUIPMENT DISPOSITION.—

(1) ACCEPTANCE OF CERTAIN EQUIPMENT.—Subject to paragraph (2), the Secretary of Defense may accept equipment that is procured using amounts authorized to be appropriated for the Afghanistan Security Forces Fund by this Act and intended for transfer to the security forces of the Ministry of Defense and the Ministry of Interior Affairs of the Government of Afghanistan, but not accepted by such security forces.

(2) CONDITIONS ON ACCEPTANCE OF EQUIPMENT.—Before accepting any equipment under the authority provided under paragraph (1), the Commander of United States forces in Afghanistan shall make a determination as to whether such equipment was procured for the purpose of meeting requirements of the security forces of the Ministry of Defense and the Ministry of Interior Affairs of the Government of Afghanistan, as agreed to by the Government of Afghanistan and the United States Government, but is no longer required by such security forces or was damaged before transfer to such security forces.

(3) ELEMENTS OF DETERMINATION.—In making a determination under paragraph (2) with respect to equipment, the Commander of United States forces in Afghanistan shall consider alternatives to the acceptance of such equipment by the Secretary of Defense.

(4) TREATMENT AS DEPARTMENT OF DEFENSE STOCKS.—Equipment accepted under the authority provided under paragraph (1) may be treated as stocks of the Department of Defense upon notification to the congressional defense committees of such treatment.

(5) QUARTERLY REPORTS ON EQUIPMENT DISPOSITION.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act and every 90 days thereafter during the period in which the authority provided under paragraph (1) is exercised, the Secretary shall submit to the congressional defense committees a report describing the equipment accepted during the period covered by such report under the following:

(i) This subsection.

(ii) Section 1521(b) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2575).

(iii) Section 1531(b) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1088).

(iv) Section 1532(b) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense

Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3613).

(v) Section 1531(d) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 938; 10 U.S.C. 2302 note).

(B) ELEMENTS.—Each report under subparagraph (A) shall include, with respect to the 90-day period for which the report is submitted—

(i) a list of any equipment accepted during such period and treated as stocks of the Department of Defense; and

(ii) copies of any determination made under paragraph (2) during such period, as required under paragraph (3).

(C) REIMBURSABLE TRANSACTION AUTHORITY FOR HELICOPTERS AND SMALL AIRCRAFT.—The Secretary of Defense may use amounts authorized for the Afghanistan Security Forces Fund by this Act or the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) to purchase helicopters and small aircraft from the Secretary of the Army.

(D) SECURITY OF AFGHAN WOMEN.—

(i) IN GENERAL.—Of the funds available to the Department of Defense for the Afghanistan Security Forces Fund for fiscal year 2022, it is the goal that up to $27,500,000, but not less than $10,000,000, shall be used for programs and activities for—

(I) the recruitment, integration, retention, training, and treatment of women in the Afghan National Defense and Security Forces; and

(II) the recruitment, training, and contracting of female security personnel for future elections.

(ii) TYPES OF PROGRAMS AND ACTIVITIES.—Such programs and activities may include—

(I) recruitment and retention efforts with respect to women in the Afghan National Defense and Security Forces, including the special operations forces;

(II) programs and activities of the Directorate of Human Rights and Gender Integration of the Ministry of Defense and the Office of Human Rights, Gender, and Child Rights of the Ministry of Interior Affairs of the Government of Afghanistan;

(III) development and dissemination of gender and human rights educational and training materials and programs within the Ministry of Defense and the Ministry of Interior Affairs of the Government of Afghanistan;

(IV) efforts to address harassment and violence against women within the Afghan National Defense and Security Forces;

(V) improvements to infrastructure that address the requirements of women serving in the Afghan National Defense and Security Forces, including appropriate equipment for female security and police forces, remediation, renovation, and protection of facilities used by women, and transportation for policewomen to their stations;

(VI) support for Afghanistan National Police Family Response Units;

(VII) security provisions for high-profile female police and military officers;

(VIII) programs to promote conflict prevention, management, and resolution through the meaningful participation of Afghan women in the Afghan National Defense and Security Forces by exposing Afghan women and girls to the activities of and careers available in such forces, encouraging their interest in such careers, or developing their interest and the skills necessary for service in such forces; and

(IX) enhancements to Afghan National Defense and Security Forces recruitment programs for targeted advertising with the goal of increasing the number of female recruits.

(E) PLAN FOR MAINTAINING OVERSIGHT OF FUNDS AND ACTIVITIES.—Not later than 15 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 plan to execute oversight of funds and activities authorized by this section without a United States Armed Forces presence in Afghanistan.

(F) REPORT AND CERTIFICATION.—

(i) REPORT.—

(I) LIMITATION ON USE OF FUNDS.—Not more than $1,000,000,000 of the funds authorized to be appropriated by this Act for fiscal year 2022 may be expended until the date on which the report required by subclause (II) is submitted.

(II) REPORT.—The Secretary of Defense, in consultation with the heads of other Federal agencies, as appropriate, shall submit to the appropriate committees of Congress a report that includes the following:

(aa) The number of members of the Afghan National Defense and Security Forces the salaries of whom are funded under the authority of this section.

(bb) The percentage of such members of the Afghan National Defense and Security Forces who receive pay by direct electronic deposit.

(cc) A detailed description of the process of the Department of Defense for providing equipment to the Afghan National Defense and Security Forces, including a list of locations from which oversight of distribution and maintenance is conducted.

(dd) A detailed description of the process of the Department of Defense for providing equipment to the Afghan Air Force, including a list of locations from which oversight of distribution and maintenance is conducted.

(ii) CERTIFICATION.—

(I) LIMITATION ON USE OF FUNDS.—Not more than $2,500,000,000 of the funds authorized to be appropriated by this Act for fiscal year 2022 may be expended until the date on which the certification described in subclause (II) is made.

(II) CERTIFICATION.—The certification described in this subclause is a certification by the Secretary of Defense, in consultation with the heads of other Federal agencies, as appropriate, that the Government of Afghanistan has met the following criteria:

(aa) The majority of members of the Afghan National Defense and Security Forces receive pay by direct electronic deposit.

(bb) The Government of Afghanistan has demonstrated progress in ensuring that the weapons and equipment provided to the Afghan National Defense and Security Forces are—

(AA) distributed effectively to the intended units of the Afghan National Defense and Security Forces; and

(BB) in compliance with appropriate end-use monitoring standards.

(cc) The Government of Afghanistan has demonstrated progress in ensuring that critical supplies, including fuel and ammunition, are delivered successfully to the intended units of the Afghan National Defense and Security Forces and periodically accounted for after delivery.

(dd) The Government of Afghanistan has demonstrated progress in growing or transitioning maintenance responsibilities for Afghan aircraft to Afghan personnel.

(ee) The Ministry of Defense and the Ministry of Interior Affairs of the Government of Afghanistan have made progress on reducing or mitigating corruption within the Afghan National Defense and Security Forces.

(ff) The Afghan National Defense and Security Forces remains a viable partner force in countering threats from violent extremist organizations that use Afghanistan as a base for planning or operations.

(III) WAIVER.—The Secretary of Defense may waive subclause (I) if the Secretary of Defense—

(aa) determines that withholding assistance under that clause would impede the national security objectives of the United States; and

(bb) in consultation with the Secretary of State, certifies such determination to the congressional defense committees not later than 30 days before the effective date of such waiver.

(G) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this paragraph, the term ''appropriate committees of Congress'' means—

(i) the Committee on Armed Services and the Committee on Appropriations of the Senate; and

(ii) the Committee on Armed Services and the Committee on Appropriations of the House of Representatives.

SEC. 1214. QUARTERLY SECURITY BRIEFINGS ON AFGHANISTAN.

(a) IN GENERAL.—Not later than January 15, 2022, and every 90 days thereafter through December 31, 2025, the Under Secretary of Defense for Policy shall provide to the congressional defense committees an unclassified briefing, with a classified component if necessary, on the security situation in Afghanistan and ongoing Department of Defense efforts to counter terrorist groups.

(b) ELEMENTS.—Each briefing required by subsection (a) shall include an assessment of each of the following:

(1) The security situation in Afghanistan.

(2) The strength and effectiveness of the Taliban, al-Qaeda, the Islamic State of Khorasan, and associated forces.

(3) The international terrorism ambitions and capabilities of the Taliban, al-Qaeda, the Islamic State of Khorasan, and associated forces, and the extent to which such groups pose a threat to the United States.

(4) The strength and capacity of the Afghan National Defense and Security Forces and the effectiveness in countering threats to the stability of the Government of Afghanistan.

(5) The mission-capable rates for aircraft of the air force of Afghanistan and the effectiveness of aircraft maintenance conducted by the air force of Afghanistan.

(6) The effectiveness of Department of Defense efforts to train and advise the Afghan National Defense and Security Forces.

(7) The effectiveness of the Department of Defense in maintaining the accountability for, and overseeing the appropriate use of, the Afghan Security Forces Fund.

(8) The status of efforts to recruit, integrate, retain, and train women in the Afghan National Defense and Security Forces.

(9) Any other matter the Under Secretary considers appropriate.

SEC. 1215. SENSE OF SENATE AND BRIEFING ON COUNTERTERRORISM POSTURE OF THE UNITED STATES AFTER TRANSITION OF UNITED STATES ARMED FORCES FROM AFGHANISTAN.

(a) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the United States should ensure that Afghanistan will not be a source of planning, plotting, or projection of terrorist attacks around the globe, including against the United States homeland;

(2) the intelligence community's annual threat assessment for 2021 warned that ISIS and al-Qaeda remain among ''the greatest . . . terrorist threats to U.S. interests overseas; they also seek to conduct attacks inside the United States, although sustained U.S. and allied [counterterrorism] pressure has broadly degraded their capability to do so'';

(3) the Afghan Study Group advised ''that a complete U.S. withdrawal without a peace

agreement would allow [al-Qaeda and ISIS] to gradually rebuild their capabilities in the Afghanistan-Pakistan region such that they might be able to attack the U.S. homeland within eighteen to thirty-six months'';

(4) in the February 2020 agreement signed between the United States and the Taliban, the Taliban promised not to allow ''other individuals or groups, including al-Qaeda, to use the soil of Afghanistan to threaten the security of the United States and its allies'';

(5) in a report to the United Nations Security Council in May 2020, a United Nations monitoring team assessed that ''al-Qaeda has been operating covertly in Afghanistan while still maintaining close relations with the Taliban'';

(6) the transition of United States and coalition forces from Afghanistan by September 11, 2021, should not be perceived as marking the end of efforts by the United States and its allies and partners to counter and degrade the threat from al-Qaeda, ISIS, and other terrorist groups; and

(7) the United States should continue to devote sufficient resources, intelligence collection capabilities, and analysis to counter the terrorist threat from al-Qaeda, ISIS, and other terrorist groups that may seek to use Afghanistan as a safe haven.

(b) BRIEFING.—Not later than January 15, 2022, the Secretary of Defense, in coordination with the Director of National Intelligence, shall brief the appropriate committees of Congress on—

(1) the intelligence, surveillance, and reconnaissance capabilities and the access, basing, and overflight requirements necessary—

(A) to determine whether the Taliban is abiding by its commitment to break ties with al-Qaeda;

(B) to determine whether al-Qaeda and ISIS have rebuilt their capabilities in Afghanistan such that al-Qaeda and ISIS threaten the security of the United States and its allies; and

(C) to support counterterrorism operations necessary to degrade the ability of al-Qaeda and ISIS to threaten the United States and its allies in the event that al-Qaeda or ISIS rebuilds their capabilities; and

(2) a plan for fulfilling such requirements.

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

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

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

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

SEC. 1221. EXTENSION AND MODIFICATION OF AUTHORITY TO PROVIDE ASSISTANCE TO VETTED SYRIAN GROUPS AND INDIVIDUALS.

(a) EXTENSION.—Subsection (a) of section 1209 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 127 Stat. 3451) is amended by striking ''December 31, 2021'' and inserting ''December 31, 2022''.

(b) NOTICE BEFORE PROVISION OF ASSISTANCE.—Subsection (b)(2) of such section is amended by striking subparagraph (A) and inserting the following:

''(A) not later than 15 days before the expenditure of the first 25 percent of the total amount authorized to be appropriated in any fiscal year under this section; or''.

(c) TECHNICAL AMENDMENT.—The table of contents for the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 127 Stat. 3293) is amended by striking the item relating to section 1209 and inserting the following:

''Sec. 1209. Authority to provide assistance to vetted Syrian groups and individuals.''.

SEC. 1222. EXTENSION AND MODIFICATION OF AUTHORITY TO SUPPORT OPERATIONS AND ACTIVITIES OF THE OFFICE OF SECURITY COOPERATION IN IRAQ.

(a) LIMITATION ON AMOUNT.—Subsection (c) of section 1215 of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 113 note) is amended by striking ''fiscal year 2021'' and inserting ''fiscal year 2022''.

(b) SOURCE OF FUNDS.—Subsection (d) of such section is amended by striking ''fiscal year 2021'' and inserting ''fiscal year 2022''.

(c) LIMITATION ON AVAILABILITY OF FUNDS.—Subsection (h) of such section is amended to read as follows:

''(h) LIMITATION ON AVAILABILITY OF FUNDS.—Of the amount authorized to be appropriated by this Act for fiscal year 2022 to carry out this section, not more than $10,000,000 may be obligated or expended for the Office of Security Cooperation in Iraq until the date on which the Secretary of Defense provides to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a report that—

''(1) details further steps to reorganize the Office in a manner similar to that of other security cooperation offices in the region and indicates whether such reorganization will be achieved by 2023;

''(2) describes progress made toward the continuation of bilateral engagement with the Government of Iraq, with the objective of establishing a joint mechanism for security assistance planning;

''(3) includes a five-year security assistance roadmap for developing sustainable military capacity and capabilities and enabling defense institution building and reform; and

''(4) describes progress made toward, and a timeline for, the transition of the preponderance of funding for the activities of the Office from current sources to the Foreign Military Financing Administrative Fund and the Foreign Military Sales Trust Fund Administrative Surcharge Account in future years.''.

SEC. 1223. EXTENSION AND MODIFICATION OF AUTHORITY TO PROVIDE ASSISTANCE TO COUNTER THE ISLAMIC STATE OF IRAQ AND SYRIA.

(a) IN GENERAL.—Subsection (a) of section 1236 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3558) is amended by striking ''December 31, 2021'' and inserting ''December 31, 2022''.

(b) FUNDING.—Subsection (g) of such section is amended—

(1) by striking ''fiscal year 2021'' and inserting ''fiscal year 2022''; and

(2) by striking ''$322,500,000'' and inserting ''$345,000,000''.

(c) COST-SHARING REQUIREMENT.—Subsection (k) of such section is amended—

(1) by striking ''60 percent'' and inserting ''75 percent''; and

(2) by striking ''50 percent'' and inserting ''25 percent''.

(d) ASSESSMENT AND AUTHORITY TO ASSIST DIRECTLY CERTAIN COVERED GROUPS.—Subsection (l)(1)(B) of such section is amended—

(1) by striking clause (ii);

(2) by redesignating clauses (iii) through (vii) as clauses (ii) through (vi), respectively;

(3) in clause (iv), as redesignated, by striking '', and once established, the Iraqi Sunni National Guard.''; and

(4) by adding at the end the following new clauses (vii) and (viii):

''(vii) Whether the Shia militias are gaining new malign capabilities or improving such capabilities, and whether the Government of Iraq is acting to counter or suppress those capabilities.

''(viii) Whether the Government of Iraq is acting to ensure the safety of United States Government personnel and citizens, as well as the safety of United States facilities.''.

Subtitle D—Matters Relating to Europe and the Russian Federation

SEC. 1231. EXTENSION OF LIMITATION ON MILITARY COOPERATION BETWEEN THE UNITED STATES AND THE RUSSIAN FEDERATION.

Section 1232 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2488) is amended by striking ''2020, or 2021'' and inserting ''2020, 2021, or 2022''.

SEC. 1232. EXTENSION OF PROHIBITION ON AVAILABILITY OF FUNDS RELATING TO SOVEREIGNTY OF THE RUSSIAN FEDERATION OVER CRIMEA.

Section 1233(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) is amended by striking ''2021'' and inserting ''2021 or 2022''.

SEC. 1233. EXTENSION OF UKRAINE SECURITY ASSISTANCE INITIATIVE.

Section 1250 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1608) is amended—

(1) in subsection (c)—

(A) in paragraph (1), by striking ''fiscal year 2021'' and inserting ''fiscal year 2022'';

(B) in paragraph (3), by striking ''fiscal year 2021'' and inserting ''fiscal year 2022''; and

(C) in paragraph (5), by striking ''fiscal year 2021'' and inserting ''fiscal year 2022'';

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

''(7) For fiscal year 2022, $300,000,000.''; and

(3) in subsection (h), by striking ''December 31, 2023'' and inserting ''December 31, 2024''.

SEC. 1234. EXTENSION OF AUTHORITY FOR TRAINING FOR EASTERN EUROPEAN NATIONAL SECURITY FORCES IN THE COURSE OF MULTILATERAL EXERCISES.

Subsection (h) of section 1251 of the National Defense Authorization Act for Fiscal Year 2016 (10 U.S.C. 333 note) is amended—

(1) in the first sentence, by striking ''December 31, 2023'' and inserting ''December 31, 2024''; and

(2) in the second sentence, by striking ''the period beginning on October 1, 2015, and ending on December 31, 2023'' and inserting ''the period beginning on October 1, 2015, and ending on December 31, 2024.''.

SEC. 1235. SENSE OF SENATE ON THE NORTH ATLANTIC TREATY ORGANIZATION.

It is the sense of the Senate that—

(1) the success of the North Atlantic Treaty Organization (NATO) is critical to achieving United States national security objectives in Europe and around the world;

(2) NATO remains the strongest and most successful military alliance in the world, founded on a commitment by its members to uphold the principles of democracy, individual liberty, and the rule of law;

(3) NATO's contributions to collective defense are indispensable to the security, prosperity, and freedom of its members;

(4) the United States reaffirms its ironclad commitment to NATO as the foundation of

transatlantic security and to upholding its obligations under the North Atlantic Treaty, including Article 5;

(5) NATO is meant to be an alliance of countries with shared democratic values and the United States reaffirms its commitment to Article 2 of the North Atlantic Treaty, which states the following: ''The Parties will contribute toward the further development of peaceful and friendly international relations by strengthening their free institutions, by bringing about a better understanding of the principles upon which these institutions are founded, and by promoting conditions of stability and well-being. They will seek to eliminate conflict in their international economic policies and will encourage economic collaboration between any or all of them.'';

(6) the commitment of NATO allies during 18 years of security, humanitarian, and stabilization operations in Afghanistan has been invaluable, and the sacrifices of NATO allies deserve the highest order of respect and gratitude;

(7) the United States remains focused on long-term strategic competition with Russia, and a strong NATO alliance plays an essential role in addressing such competition and mitigating shared security concerns;

(8) the United States should—

(A) deepen defense cooperation with non-NATO European partners, bilaterally and as part of the NATO alliance; and

(B) encourage security sector cooperation between NATO and non-NATO defense partners that complements and strengthens collective defense, interoperability, and allies' commitment to Article 3 of the North Atlantic Treaty;

(9) bolstering NATO cooperation and enhancing security relationships with non-NATO European partners to counter Russian aggression, including Russia's use of hybrid warfare tactics and its willingness to use military power to alter the status quo, strengthens the United States security interests for long-term strategic competition;

(10) the European Deterrence Initiative, through investments to increase United States military presence, bolster exercises and training, enhance pre-positioning of equipment, improve infrastructure, and build partner capacity, and investments toward such efforts by NATO allies and other allies and partners, remain critical to ensuring collective defense in the future;

(11) the United States should—

(A) continue to support efforts by NATO allies to replace Soviet-era military systems and equipment with systems that are interoperable among NATO members; and

(B) work with NATO allies and other allies and partners to build permanent mechanisms to strengthen supply chains, enhance supply chain security, and fill supply chain gaps, including in critical sectors such as defense, energy, and health; and

(12) the United States and NATO allies should—

(A) continue—

(i) to carry out key initiatives to enhance readiness, military mobility, and national resilience in support of NATO's ongoing COVID–19 pandemic response efforts;

(ii) to collaborate on ways to enhance collective security, with a focus on emerging and revolutionary technologies such as quantum computing, artificial intelligence, fifth generation telecommunications networks, and machine learning; and

(iii) to build on recent progress in achieving defense spending goals agreed to at the 2014 Wales Summit and reaffirmed at the 2016 Warsaw Summit and the 2021 Brussels Summit, and to build consensus to invest in the full range of defense capabilities necessary to deter and defend against potential adversaries; and

(B) expand cooperation efforts on cybersecurity issues to prevent adversaries and criminals from compromising critical systems and infrastructure.

SEC. 1236. SENSE OF SENATE ON CONTINUING SUPPORT FOR ESTONIA, LATVIA, AND LITHUANIA.

It is the sense of the Senate that—

(1) the United States should continue to prioritize support for efforts by the Baltic states of Estonia, Latvia, and Lithuania to build and invest in critical security areas, as such efforts are important to achieving United States national security objectives;

(2) Estonia, Latvia, and Lithuania play a crucial role in strategic efforts—

(A) to deter the Russian Federation; and

(B) to maintain the collective security of the North Atlantic Treaty Organization alliance;

(3) the United States should continue to pursue efforts consistent with the comprehensive, multilateral assessment of the military requirements of Estonia, Latvia, and Lithuania provided to Congress in December 2020;

(4) the Baltic security cooperation roadmap has proven to be a successful model to enhance intraregional Baltic planning and cooperation, particularly with respect to longer-term regional capability projects, including—

(A) integrated air defense;

(B) maritime domain awareness;

(C) command, control, communications, computers, intelligence, surveillance, and reconnaissance; and

(D) Special Operations Forces development;

(5) Estonia, Latvia, and Lithuania are to be commended for their efforts to pursue joint procurement of select defense capabilities and should explore additional areas for joint collaboration; and

(6) the Department of Defense should—

(A) continue efforts to enhance interoperability among Estonia, Latvia, and Lithuania and in support of North Atlantic Treaty Organization efforts;

(B) encourage infrastructure and other host-country support improvements that will enhance United States and allied military mobility across the region;

(C) invest in efforts to improve resilience to hybrid threats and cyber defenses in Estonia, Latvia, and Lithuania; and

(D) support planning and budgeting efforts of Estonia, Latvia, and Lithuania that are regionally synchronized.

Subtitle E—Matters Relating to the Indo-Pacific Region

SEC. 1241. EXTENSION AND MODIFICATION OF INDO-PACIFIC MARITIME SECURITY INITIATIVE.

(a) ASSISTANCE AND TRAINING.—Subsection (a)(1) of section 1263 of the National Defense Authorization Act for Fiscal Year 2016 (10 U.S.C. 333 note) is amended, in the matter preceding subparagraph (A), by striking ''for the purpose of'' and all that follows through ''Indian Ocean'' and inserting ''with the primary goal of increasing multilateral maritime security cooperation and maritime domain awareness of foreign countries in the area of responsibility of the United States Indo-Pacific Command''.

(b) RECIPIENT COUNTRIES.—Subsection (b) of such section is amended to read as follows:

''(b) RECIPIENT COUNTRIES.—The foreign countries that may be provided assistance and training under subsection (a) are the countries located within the area of responsibility of the United States Indo-Pacific Command.''.

(c) TYPES OF ASSISTANCE AND TRAINING.—Subsection (c)(1) of such section is amended by striking ''small-scale military construction'' and inserting ''small-scale construction (as defined in section 301 of title 10, United States Code)''.

(d) PRIORITIES FOR ASSISTANCE AND TRAINING.—Subsection (d) of such section is amended to read as follows:

''(d) PRIORITIES FOR ASSISTANCE AND TRAINING.—In developing programs for assistance or training to be provided under subsection (a), the Secretary of Defense shall prioritize assistance, training, or both, to enhance—

''(1) multilateral cooperation and coordination among recipient countries; or

''(2) the capabilities of a recipient country to more effectively participate in a regional organization of which the recipient country is a member.''.

(e) INCREMENTAL EXPENSES OF PERSONNEL OF CERTAIN OTHER COUNTRIES FOR TRAINING.—Subsection (e) of such section is amended to read as follows:

''(e) INCREMENTAL EXPENSES OF PERSONNEL OF RECIPIENT COUNTRIES FOR TRAINING.—If the Secretary of Defense determines that the payment of incremental expenses (as defined in section 301 of title 10, United States Code) in connection with training described in subsection (a)(1)(B) will facilitate the participation in such training of organization personnel of recipient countries described in subsection (b), the Secretary may use amounts available under subsection (f) for assistance and training under subsection (a) for the payment of such incremental expenses.''.

(f) AVAILABILITY OF FUNDS.—Subsection (f) of such section is amended to read as follows:

''(f) AVAILABILITY OF FUNDS.—Of the amounts authorized to be appropriated for each of fiscal years 2022 through 2027 for the Department of Defense, Operation and Maintenance, Defense-wide, $50,000,000 may be made available for the provision of assistance and training under subsection (a).''.

(g) LIMITATIONS.—Such section is further amended—

(1) by striking subsection (i);

(2) by redesignating subsections (g) and (h) as subsections (h) and (i), respectively; and

(3) by inserting after subsection (f) the following new subsection (g):

''(g) LIMITATIONS.—

''(1) ASSISTANCE OTHERWISE PROHIBITED BY LAW.—The Secretary of Defense may not use the authority in subsection (a) to provide any type of assistance described in subsection (c) that is otherwise prohibited by any provision of law.

''(2) PROHIBITION ON ASSISTANCE TO UNITS THAT HAVE COMMITTED GROSS VIOLATIONS OF HUMAN RIGHTS.—The provision of assistance pursuant to a program under subsection (a) shall be subject to the provisions of section 362 of title 10, United States Code.

''(3) SECURITY COOPERATION.—Assistance, training, and exercises with recipient countries described in subsection (b) shall be planned and prioritized consistent with applicable guidance relating to the security cooperation program and activities of the Department of Defense.

''(4) ASSESSMENT, MONITORING, AND EVALUATION.—The provision of assistance and training pursuant to a program under subsection (a) shall be subject to the provisions of section 383 of title 10, United States Code.''.

(h) NOTICE TO CONGRESS ON ASSISTANCE AND TRAINING.—Subsection (h)(1) of such section, as so redesignated, is amended—

(1) by amending subparagraph (B) to read as follows:

''(B) A detailed justification of the program for the provision of the assistance or training concerned, its relationship to

United States security interests, and an explanation of the manner in which such assistance or training will increase multilateral maritime security cooperation or maritime domain awareness.''; and

(2) in subparagraph (G) by striking ''the geographic combatant command concerned'' and inserting ''the United States Indo-Pacific Command''.

(i) ANNUAL MONITORING REPORT.—Subsection (i) of such section, as so redesignated, is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking ''March 1, 2020'' and inserting ''March 1, 2022'';

(B) by redesignating subparagraphs (A) through (G) as subparagraphs (B) through (H), respectively;

(C) by inserting before subparagraph (B), as so redesignated, the following new subparagraph (A):

''(A) The overall strategy for improving multilateral maritime security cooperation and maritime domain awareness across the theater, including an identification of the following:

''(i) Priority countries and associated capabilities across the theater.

''(ii) Strategic objectives for the Indo-Pacific Maritime Security Initiative across the theater, lines of effort, and desired end results for such lines of effort.

''(iii) Significant challenges to improving multilateral maritime security cooperation and maritime domain awareness across the theater and the manner in which the United States Indo-Pacific Command is seeking to address such challenges.''; and

(D) in subparagraph (B), as so redesignated—

(i) in clause (ii), by striking the semicolon and inserting ''; and''; and

(ii) by adding at the end the following new clause:

''(iii) how such capabilities can be leveraged to improve multilateral maritime security cooperation and maritime domain awareness.''; and

(2) in paragraph (2), by striking ''subsection (g)(2)'' and inserting ''subsection (h)(2)''.

(j) EXPIRATION.—Subsection (j) of such section is amended by striking ''December 31, 2025'' and inserting ''December 31, 2027''.

SEC. 1242. EXTENSION AND MODIFICATION OF PACIFIC DETERRENCE INITIATIVE.

(a) EXTENSION.—Subsection (c) of section 1251 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) is amended—

(1) by striking ''fiscal year 2021'' and inserting ''fiscal year 2022'';

(2) by striking ''$2,234,958,000 is'' and inserting ''such sums as may be necessary are''; and

(3) by striking '', as specified in the funding tables in division D of this Act''.

(b) REPORT ON RESOURCING UNITED STATES DEFENSE REQUIREMENTS FOR THE INDO-PACIFIC REGION AND STUDY ON COMPETITIVE STRATEGIES.—Such section is further amended—

(1) by redesignating subsections (d) through (g) as subsections (e) through (h), respectively;

(2) by inserting after subsection (c) the following new subsection (d):

''(d) REPORT ON RESOURCING UNITED STATES DEFENSE REQUIREMENTS FOR THE INDO-PACIFIC REGION AND STUDY ON COMPETITIVE STRATEGIES.—

''(1) REPORT REQUIRED.—

''(A) IN GENERAL.—At the same time as the submission of the budget of the President (submitted to Congress pursuant to section 1105 of title 31, United States Code) for fiscal year 2023, and annually thereafter through fiscal year 2025, the Commander of the United States Indo-Pacific Command shall submit to the congressional defense committees a report containing the independent assessment of the Commander with respect to the activities and resources required, for the first fiscal year beginning after the date of submission of the report and the four following fiscal years, to achieve the following objectives:

''(i) The implementation of the National Defense Strategy with respect to the Indo-Pacific region.

''(ii) The maintenance or restoration of the comparative military advantage of the United States with respect to the People's Republic of China.

''(iii) The reduction of the risk of executing contingency plans of the Department of Defense.

''(B) MATTERS TO BE INCLUDED.—The report required under subparagraph (A) shall include the following:

''(i) With respect to the achievement of the objectives described in subparagraph (A), a description of the intended force structure and posture of assigned and allocated forces in each of the following:

''(I) West of the International Date Line.

''(II) In States outside the contiguous United States east of the International Date Line.

''(III) In the contiguous United States.

''(ii) An assessment of capabilities requirements to achieve such objectives.

''(iii) An assessment of logistics requirements, including personnel, equipment, supplies, storage, and maintenance needs to achieve such objectives.

''(iv) An identification of required infrastructure and military construction investments to achieve such objectives.

''(v) An assessment of security cooperation activities or resources required to achieve such objectives.

''(vi)(I) A plan to fully resource United States force posture and capabilities, including—

''(aa) a detailed assessment of the resources necessary to address the elements described in clauses (i) through (v), including specific cost estimates for recommended investments or projects—

''(AA) to modernize and strengthen the presence of the United States Armed Forces, including those with advanced capabilities;

''(BB) to improve logistics and maintenance capabilities and the pre-positioning of equipment, munitions, fuel, and materiel;

''(CC) to carry out a program of exercises, training, experimentation, and innovation for the joint force;

''(DD) to improve infrastructure to enhance the responsiveness and resiliency of the United States Armed Forces;

''(EE) to build the defense and security capabilities, capacity, and cooperation of allies and partners; and

''(FF) to improve capabilities available to the United States Indo-Pacific Command;

''(bb) a detailed timeline to achieve the intended force structure and posture described in clause (i).

''(II) The specific cost estimates required by subclause (I)(aa) shall, to the maximum extent practicable, include the following:

''(aa) With respect to procurement accounts—

''(AA) amounts displayed by account, budget activity, line number, line item, and line item title; and

''(BB) a description of the requirements for each such amount.

''(bb) With respect to research, development, test, and evaluation accounts—

''(AA) amounts displayed by account, budget activity, line number, program element, and program element title; and

''(BB) a description of the requirements for each such amount.

''(cc) With respect to operation and maintenance accounts—

''(AA) amounts displayed by account title, budget activity title, line number, and subactivity group title; and

''(BB) a description of the specific manner in which each such amount would be used.

''(dd) With respect to military personnel accounts—

''(AA) amounts displayed by account, budget activity, budget subactivity, and budget subactivity title; and

''(BB) a description of the requirements for each such amount.

''(ee) With respect to each project under military construction accounts (including unspecified minor military construction and amounts for planning and design), the country, location, project title, and project amount for each fiscal year.

''(ff) With respect to any expenditure or proposed appropriation not described in items (aa) through (ee), a level of detail equivalent to or greater than the level of detail provided in the future-years defense program submitted pursuant to section 221(a) of title 10, United States Code.

''(C) FORM.—The report required under subparagraph (A) may be submitted in classified form, but shall include an unclassified summary.

''(D) AVAILABILITY.—Not later than February 1 each year, the Commander of the United States Indo-Pacific Command shall make the report available to the Secretary of Defense, the Under Secretary of Defense for Policy, the Under Secretary of Defense (Comptroller), the Director of Cost Assessment and Program Evaluation, the Chairman of the Joint Chiefs of Staff, the Secretaries of the military departments, and the chiefs of staff of each military service.

''(2) BRIEFINGS REQUIRED.—

''(A) INITIAL BRIEFING.—Not later than 15 days after the submission of the budget of the President (submitted to Congress pursuant to section 1105 of title 31, United States Code) for fiscal year 2023, the Secretary of Defense (acting through the Under Secretary of Defense for Policy, the Under Secretary of Defense (Comptroller), and the Director of Cost Assessment and Program Evaluation) and the Chairman of the Joint Chiefs of Staff shall provide to the congressional defense committees a joint briefing, and any written comments the Secretary of Defense and the Chairman of the Joint Chiefs of Staff consider necessary, with respect to their assessments of the report submitted under paragraph (1), including their assessments of the feasibility and advisability of the plan required by subparagraph (B)(vi) of that paragraph.

''(B) SUBSEQUENT BRIEFING.—Not later than 30 days after the submission of the budget of the President (submitted to Congress pursuant to section 1105 of title 31, United States Code) for each of fiscal years 2024 and 2025, the Secretary of the Air Force, the Secretary of the Army, and the Secretary of the Navy shall provide to the congressional defense committees a joint briefing, and documents as appropriate, with respect to their assessments of the report submitted under paragraph (1), including their assessments of the feasibility and advisability of the plan required by subparagraph (B)(vi) of that paragraph.'';

(3) by amending subsection (e), as redesignated, to read as follows:

''(e) PLAN REQUIRED.—At the same time as the submission of the budget of the President (submitted to Congress pursuant to section 1105 of title 31, United States Code) for fiscal year 2023, and annually thereafter through fiscal year 2025, the Secretary, in

consultation with the Commander of the United States Indo-Pacific Command, shall submit to the congressional defense committees a report on future year activities and resources for the Initiative that includes the following:

''(1) A description of the activities and resources for the first fiscal year beginning after the date of submission of the report and the plan for not fewer than the four following fiscal years, organized—

''(A) functionally, by the activities described in paragraphs (1) through (5) of subsection (b); and

''(B) geographically by—

''(i) areas west of the International Date Line;

''(ii) States outside the contiguous United States east of the International Date Line; and

''(iii) States in the contiguous United States.

''(2) A summary of progress made toward achieving the purposes of the Initiative.

''(3) A summary of the activity, resource, capability, infrastructure, and logistics requirements necessary to achieve measurable progress in reducing risk to the joint force's ability to achieve objectives in the region.

''(4) A detailed timeline to achieve the requirements identified under paragraph (3).

''(5) A detailed explanation of any significant modifications to such requirements, as compared to plans previously submitted under this subsection.

''(6) Any other matter, as determined by the Secretary.''; and

(4) in subsection (g), as redesignated, by striking ''subsection (e)'' and inserting ''subsection (f)''.

SEC. 1243. EXTENSION OF AUTHORITY TO TRANSFER FUNDS FOR BIEN HOA DIOXIN CLEANUP.

Section 1253(b) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) is amended by striking ''fiscal year 2021'' and inserting ''fiscal year 2022''.

SEC. 1244. COOPERATIVE PROGRAM WITH VIETNAM TO ACCOUNT FOR VIETNAMESE PERSONNEL MISSING IN ACTION.

(a) IN GENERAL.—The Secretary of Defense, in coordination with the heads of other relevant Federal departments and agencies, may carry out a cooperative program with the Ministry of Defense of Vietnam and other entities of the Government 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 of Defense considers necessary and appropriate.

(c) TERMINATION.—The authority provided by subsection (a) shall terminate on October 1, 2026.

SEC. 1245. ASSESSMENT OF AND PLAN FOR IMPROVING THE DEFENSIVE ASYMMETRIC CAPABILITIES OF TAIWAN.

(a) ASSESSMENT.—The Secretary of Defense, in coordination with the heads of other relevant Federal departments and agencies, shall conduct an assessment of—

(1) the current defensive asymmetric capabilities of Taiwan and the ability of Taiwan to defend itself from external conventional military threats;

(2) the applicability of Department of Defense authorities for improving the defensive asymmetric capabilities of Taiwan in accordance with the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.);

(3) the feasibility and advisability of assisting Taiwan in the domestic production of defensive asymmetric capabilities, including through the transfer of intellectual property, co-development, or co-production arrangements;

(4) the plans, tactics, techniques, and procedures underpinning the defensive asymmetric capabilities of Taiwan;

(5) the interoperability of current and future defensive asymmetric capabilities of Taiwan with the military capabilities of the United States and its allies and partners; and

(6) any other matter the Secretary of Defense considers appropriate.

(b) PLAN.—The Secretary of Defense shall develop a plan for assisting Taiwan in improving its defensive asymmetric capabilities that includes—

(1) recommendations for new Department of Defense authorities, or modifications to existing Department authorities, necessary to improve the defensive asymmetric capabilities of Taiwan in accordance with the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.);

(2) an identification of opportunities for key leader and subject matter expert engagement between Department personnel and military and civilian counterparts in Taiwan; and

(3) an identification of challenges and opportunities for leveraging non-Department authorities, resources, and capabilities to improve the defensive asymmetric capabilities of Taiwan in accordance with the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.).

(c) 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—

(1) a report on the results of the assessment required by subsection (a); and

(2) the plan required by subsection (b).

(d) DEFINITIONS.—In this section:

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

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

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

(2) DEFENSIVE ASYMMETRIC CAPABILITIES.—The term ''defensive asymmetric capabilities'' means the capabilities necessary to defend Taiwan against conventional external threats, including coastal defense missiles, naval mines, anti-aircraft capabilities, cyber defenses, and special operations forces.

SEC. 1246. ANNUAL FEASIBILITY BRIEFING ON COOPERATION BETWEEN THE NATIONAL GUARD AND TAIWAN.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the United States should—

(1) continue to support the development of capable, ready, and modern defense forces necessary for Taiwan to maintain a sufficient self-defense capability by increasing exchanges between senior defense officials and general officers of the United States and Taiwan at the strategic, policy, and functional levels, consistent with the Taiwan Travel Act (Public Law 115–135; 132 Stat. 341), especially for the purposes of—

(A) improving the interoperability of the military forces of the United States and Taiwan;

(B) improving the reserve forces of Taiwan; and

(C) expanding cooperation in humanitarian assistance and disaster relief;

(2) expand and strengthen Taiwan's capability to conduct security activities, including traditional activities of the combatant commands, cooperation with the National Guard, and through multilateral activities; and

(3) using appropriate authorities and consistent with the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.), seek to develop a partnership between the National Guard and Taiwan as a means of maintaining a sufficient self-defense capability.

(b) BRIEFING.—

(1) IN GENERAL.—Not later than February 15, 2022, and annually thereafter, the Secretary of Defense shall provide to the congressional defense committees a briefing on the feasibility and advisability of enhanced cooperation between the National Guard and Taiwan.

(2) ELEMENTS.—Each briefing required by paragraph (1) shall include the following:

(A) A description of the cooperation between the National Guard and Taiwan during the preceding calendar year, including mutual visits, exercises, training, and equipment opportunities.

(B) An evaluation of the feasibility of enhancing cooperation between the National Guard and Taiwan on a range of activities, including—

(i) disaster and emergency response;

(ii) cyber defense and communications security;

(iii) military medical cooperation;

(iv) Mandarin-language education and cultural exchange; and

(v) programs for National Guard advisors to assist in training the reserve components of the military forces of Taiwan.

(C) Recommendations to enhance such cooperation and improve interoperability, including through familiarization visits, cooperative training and exercises, and co-deployments.

(D) Any other matter the Secretary of Defense considers appropriate.

SEC. 1247. DEFENSE OF TAIWAN.

(a) DEFINITIONS.—In this section:

(1) DENY.—The term ''deny'' means to use combined joint operations to delay, degrade, and ultimately defeat an attempt by the People's Republic of China to execute a fait accompli against Taiwan, resulting in—

(A) the termination of hostilities or at least the attempted fait accompli; or

(B) the neutralization of the ability of the People's Republic of China to execute a fait accompli against Taiwan.

(2) FAIT ACCOMPLI.—The term ''fait accompli'' refers to the strategy of the People's Republic of China for invading and seizing control of Taiwan before the United States Armed Forces can respond effectively, while simultaneously deterring an effective combined joint response by the United States Armed Forces by convincing the United States that mounting such a response would be prohibitively difficult or costly.

(b) STATEMENT OF POLICY.—It shall be the policy of the United States to maintain the ability of the United States Armed Forces to deny a fait accompli against Taiwan in order to deter the People's Republic of China from using military force to unilaterally change the status quo with Taiwan.

SEC. 1248. COMPARATIVE ANALYSES AND REPORTS ON EFFORTS BY THE UNITED STATES AND THE PEOPLE'S REPUBLIC OF CHINA TO ADVANCE CRITICAL MODERNIZATION TECHNOLOGY WITH RESPECT TO MILITARY APPLICATIONS.

(a) COMPARATIVE ANALYSES.—

(1) DEVELOPMENT OF PROCEDURES.—

(A) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act,

the Under Secretary of Defense for Research and Engineering, in coordination with the Director of the Office of Net Assessment, shall develop procedures by which comparative analyses, including the assessments under paragraph (2), shall be conducted.

(B) ELEMENTS.—The procedures developed under subparagraph (A)—

(i) shall include processes—

(I) by which senior officials of the Department of Defense may request that such comparative analyses be conducted with respect to a specific technology, sector, or system of interest;

(II) by which teams of technical, industrial, policy, intelligence, and operational experts consisting of personnel of the Department and private sector organizations may be established for the purpose of conducting such comparative analyses;

(III) to ensure adequate funding to support the conduct of such comparative analyses; and

(IV) by which classified and unclassified information, including necessary data, records, and technical information, may be shared with Department personnel for the purpose of carrying out such comparative analyses; and

(ii) may include the development of quantitative and qualitative metrics for use in, and new intelligence collection requirements to support, such comparative analyses.

(2) COMPARATIVE ANALYSIS ASSESSMENTS.—

(A) IN GENERAL.—The Under Secretary, in coordination with the Director of the Office of Net Assessment, shall conduct a comparative analysis assessment of the efforts of the United States Government and the Government of the People's Republic of China to develop and deploy critical modernization technology with respect to military applications in each of the following areas of critical modernization technology:

(i) Directed energy systems.

(ii) Hypersonics.

(iii) Emerging biotechnologies.

(iv) Quantum science.

(v) Cyberspace capabilities.

(B) ELEMENTS.—Each comparative analysis assessment under subparagraph (A) shall include an evaluation of each of the following:

(i) With respect to the applicable area of critical modernization technology described in subparagraph (A), research and development activities carried out in the United States and the People's Republic of China by governmental entities and nongovernmental entities.

(ii) The ability of research programs carried out by the United States Government and the Government of the People's Republic of China to achieve the goals of—

(I) transitioning emerging technologies into acquisition efforts and operational use; and

(II) incorporating emerging technologies into military applications.

(iii) Operational effectiveness and suitability of current or planned defense systems of the United States and the People's Republic of China, including relevant operational concepts relating to the application and operationalization of critical modernization technologies.

(iv) The ability of defense systems of the United States and the People's Republic of China to counter relevant threat capabilities.

(b) REPORTS.—

(1) INITIAL REPORT.—Not later than March 15, 2022, the Under Secretary shall submit a report and provide a briefing to the congressional defense committees on efforts to develop the procedures required by subsection (a)(1).

(2) SUBSEQUENT REPORTS.—

(A) DIRECTED ENERGY SYSTEMS AND HYPERSONICS.—Not later than December 31, 2023, the Under Secretary shall submit to the congressional defense committees a report on the results of the comparative analysis assessments conducted under clauses (i) and (ii) of subsection (a)(2)(A).

(B) EMERGING BIOTECHNOLOGIES, QUANTUM SCIENCE, AND CYBERSPACE CAPABILITIES.—Not later than December 31, 2024, the Under Secretary shall submit to the congressional defense committees a report on the results of the comparative analysis assessments conducted under clauses (iii), (iv), and (v) of subsection (a)(2)(A).

(C) ELEMENTS.—The reports required by subparagraphs (A) and (B) shall include the following for each such comparative analysis assessment:

(i) The results of the evaluation of each element described in subsection (a)(2)(B).

(ii) A list of countries, other than the United States and the People's Republic of China, with significant research and development programs and activities designed to advance the applicable area of critical modernization technology described in subsection (a)(2)(A), and a discussion of such programs and activities for each such country.

(iii) With respect to each such area of critical modernization technology, an identification of any area in which the degree of uncertainty due to an insufficient knowledge base is such that an analysis of whether the United States or the People's Republic of China has an advantage would be inconclusive.

(iv) A description of the limitations, constraints, and challenges encountered in carrying out the comparative analysis assessment.

(v) A description of any other research and development efforts or elements the Under Secretary considers appropriate for purposes of the comparative analysis assessment.

(vi) Recommendations with respect to additional activities by the Department necessary to address the findings of the comparative analysis assessment.

(D) FORM.—The reports required by subparagraphs (A) and (B) shall be submitted in unclassified form but may contain a classified annex.

(c) AGREEMENT WITH A FEDERALLY FUNDED RESEARCH AND DEVELOPMENT CORPORATION AUTHORIZED.—

(1) IN GENERAL.—The Under Secretary may enter into an agreement with a federally funded research and development corporation under which such corporation may—

(A) carry out any part of a comparative analysis assessment required by subsection (a); or

(B) prepare the reports required by subsection (b)(2).

(2) NOTIFICATION.—If the Under Secretary enters into an agreement under paragraph (1), the Under Secretary shall submit to the congressional defense committees a report that—

(A) identifies the federally funded research and development corporation concerned; and

(B) describes the scope of work under the agreement.

(d) FUNDING.—Of the amounts authorized to be appropriated by this Act for fiscal year 2022 for the Department of Defense, up to $5,000,000 shall be made available to the Under Secretary—

(1) to carry out any part of a comparative analysis assessment required by subsection (a); or

(2) to prepare the reports required by subsection (b)(2).

SEC. 1249. MODIFICATION OF ANNUAL REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE PEOPLE'S REPUBLIC OF CHINA.

Section 1202 of the National Defense Authorization Act for Fiscal Year 2000 (10 U.S.C. 113 note) is amended to read as follows:

"SEC. 1202. ANNUAL REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE PEOPLE'S REPUBLIC OF CHINA.

"(a) ANNUAL REPORT.—Not later than January 31 of each year through January 31, 2027, the Secretary of Defense, in consultation with the heads of other Federal departments and agencies as appropriate, shall submit to the specified congressional committees a report on military and security developments involving the People's Republic of China.

"(b) MATTERS TO BE INCLUDED.—Each report under this section shall include analyses and forecasts, through the next 20 years, of the following:

"(1) The goals, factors, and trends shaping Chinese security strategy and military strategy.

"(2) The role of the People's Liberation Army in the strategy, governance systems, and foreign and economic policies of the People's Republic of China, including the following:

"(A) Developments in the defense policy and military strategy of the People's Republic of China, and the role and mission of the People's Liberation Army with respect to such developments.

"(B) The role of the People's Liberation Army in the Chinese Communist Party, including with respect to the structure and leadership of the Central Military Commission.

"(C) The internal security role and affiliation of the People's Liberation Army with the People's Armed Police and other law enforcement, intelligence, and paramilitary entities of the People's Republic of China.

"(3) The role of the People's Liberation Army in, and its support of, the overall foreign policy of the People's Republic of China, as expressed through military diplomacy and other external actions, activities, and operations, including the following:

"(A) A description of Chinese military-to-military relationships with other countries, including—

"(i) Chinese military attaché presence, activities, exercises, and agreements with the militaries of other countries; and

"(ii) military education programs conducted—

"(I) in the People's Republic of China for militaries of other countries; or

"(II) in other countries for personnel of the People's Liberation Army.

"(B) A description of any significant sale or transfer of military hardware, expertise, and technology to or from the People's Republic of China, including—

"(i) a forecast of possible future sales and transfers;

"(ii) a description of the implications of such sales and transfers for the security of the United States and its partners and allies; and

"(iii) a description of any significant assistance to and from any selling state with military-related research and development programs in the People's Republic of China.

"(C) An assessment of relations between the People's Republic of China and the Russian Federation with respect to security and military matters, including mutual and competing interests and developments in such military-to-military relationship.

"(4) Developments in the military doctrine, operational concepts, joint command

and organizational structures, and significant military operations and deployments of the People's Liberation Army.

''(5) Developments and future course of the services, theater-level commands, and paramilitary organizations of the People's Liberation Army, including the following:

''(A) A description of the specific roles and missions, organization, capabilities, force structure, readiness, and modernization efforts of such services, theater-level commands, and paramilitary organizations.

''(B) A summary of the order of battle of the People's Liberation Army, including ballistic and cruise missile inventories.

''(C) An assessment of developments relating to the China Coast Guard, including the manner in which the command structure of the China Coast Guard affects its status as a law enforcement entity, its interactions with the Armed Forces of the United States, and the implications for its use as a coercive tool in maritime disputes.

''(6) Developments and future course of the theater-level commands of the People's Liberation Army, including the roles and missions, structure, and size, location, and capabilities of the strategic, land, sea, air, and other forces of such theater-level commands.

''(7) Developments in the People's Liberation Army as a global actor, such as overseas military basing, military logistics capabilities and infrastructure to project power, and the overseas command and control structure of the People's Liberation Army, including an assessment of Chinese overseas investments or projects likely, or with significant potential, to be converted into military or intelligence assets of the People's Republic of China.

''(8) The strategy, policy, development, and modernization of key military capabilities of the People's Republic of China across the People's Liberation Army, including an assessment of the following:

''(A) The cyberwarfare and electronic warfare capabilities of the People's Republic of China (including details on the number of malicious cyber incidents originating from the People's Republic of China against Department of Defense infrastructure) and associated activities originating or suspected to have originated from the People's Republic of China.

''(B) The space and counter-space programs and capabilities of the People's Republic of China.

''(C) The nuclear program and capabilities of the People's Republic of China, including—

''(i) its nuclear strategy and associated doctrines;

''(ii) the size and state of its stockpile and projections of its future arsenals;

''(iii) its civil and military production capacities; and

''(iv) the modernization and force structure of its strategic forces.

''(D) The anti-access and area denial capabilities of the People's Republic of China.

''(E) The command, control, communications, computers, intelligence, surveillance, and reconnaissance modernization program and capabilities of the People's Republic of China and the applications for such program and capabilities for the People's Republic of China's precision-guided weapons.

''(9) Trends and developments in the budget, resources, strategies, and policies of the People's Liberation Army with respect to science and technology, defense industry reform, and the use of espionage and technology transfers by the People's Republic of China, including the following:

''(A) An assessment of the relationship between Chinese overseas investment (including the Belt and Road Initiative, the Digital Silk Road, and any state-owned or state-controlled digital or physical infrastructure projects of the People's Republic of China) and Chinese security and military strategy objectives, including—

''(i) a description of any Chinese investment or project, located in any other country, that is linked to military or intelligence cooperation with such country, such as cooperation on satellite navigation or arms production; and

''(ii) an assessment of the implications for United States military or governmental interests related to denial of access, compromised intelligence activities, and network advantages of Chinese investments or projects in other countries.

''(B) Efforts (including by espionage and technology transfers through investment, industrial espionage, cyber theft, academia, forced technological transfers, and other means) by the People's Republic of China to develop, acquire, or gain access to information, communication, space, and other advanced technologies that would enhance defense capabilities or otherwise undermine the capability of the Department of Defense to conduct information assurance, including an assessment of the damage inflicted on the Department of Defense by such efforts.

''(10) The strategy of the People's Republic of China regarding Taiwan and the security situation in the Taiwan Strait, including the following:

''(A) A detailed analysis of the posture of the forces of the People's Liberation Army facing Taiwan.

''(B) An assessment of any challenges during the preceding year to the deterrent forces of the Republic of China on Taiwan, consistent with the commitments made by the United States in the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.)

''(11) The maritime strategy and military and nonmilitary activities in the South China Sea and East China Sea of the People's Republic of China, including a description of the following:

''(A) The role and activities of the People's Liberation Army and maritime law enforcement and paramilitary entities of the People's Republic of China.

''(B) Any such activities in the South China Sea or East China Sea affecting United States military activities or the military activities of a United States ally or partner.

''(12) The current state of United States military-to-military contacts with the People's Liberation Army, including the following:

''(A) A comprehensive and coordinated strategy for such military-to-military contacts and any necessary update to the strategy.

''(B) A summary of all such military-to-military contacts during the preceding fiscal year including a summary of topics discussed.

''(C) A description of such military-to-military contacts scheduled for the 1-year period following the period covered by the report and the plan for future contacts.

''(D) The Secretary's assessment of the benefits the Chinese expect to gain from such military-to-military contacts.

''(E) The Secretary's assessment of the benefits the Department of Defense expects to gain from such military-to-military contacts, and any concerns regarding such contacts.

''(F) The Secretary's assessment of how such military-to-military contacts fit into the larger security relationship between the United States and the People's Republic of China.

''(G) The Secretary's certification whether or not any military-to-military exchange or contact was conducted during the period covered by the report in violation of section 1201(a).

''(13) Any other significant military or security development involving the People's Republic of China the Secretary considers relevant to United States national security.

''(c) FORM.—Each report required by subsection (a) shall be submitted in unclassified form but may include a classified annex.

''(d) SPECIFIED CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term 'specified congressional committees' 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. 1250. FEASIBILITY REPORT ON ESTABLISHING MORE ROBUST MILITARY-TO-MILITARY CRISIS COMMUNICATIONS WITH THE PEOPLE'S REPUBLIC OF CHINA.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the heads of other relevant Federal departments and agencies, shall submit to the appropriate committees of Congress a report on the feasibility and advisability of establishing more robust military-to-military communications with the People's Republic of China.

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

(1) An articulation of—

(A) the importance of robust military-to-military communications with the People's Republic of China; and

(B) the utility of such communications to enable clear transmission of messages, avoid misunderstandings, reduce the possibility of miscalculation, and manage possible escalation in crisis situations.

(2) A description of the current process and capabilities relating to crisis communications with the People's Republic of China, including the means, levels of seniority, and timelines for such communications.

(3) An identification of opportunities for improving military-to-military crisis communications with the People's Republic of China, including the preferred means, levels of seniority, and timelines for such communications.

(4) A roadmap, including milestones, for establishing processes and capabilities associated with the opportunities identified under paragraph (3).

(5) An identification of challenges to establishing more robust military-to-military crisis communications with the People's Republic of China.

(6) Any other matter the Secretary of Defense considers appropriate.

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

(1) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1251. SEMIANNUAL BRIEFINGS ON EFFORTS TO DETER CHINESE AGGRESSION AND MILITARY COERCION.

(a) IN GENERAL.—Not later than January 15, 2022, and every 180 days thereafter through 2024, the Secretary of Defense shall provide to the congressional defense committees a briefing on Department of Defense efforts to deter Chinese aggression and military coercion.

(b) ELEMENTS.—Each briefing required by subsection (a) shall include a description of—

(1) Department efforts to strengthen deterrence of Chinese aggression and military coercion, including below the level of armed conflict and outside the Indo-Pacific region;

(2) the manner in which resources provided through the Pacific Deterrence Initiative are being applied in support of such efforts;

(3) the extent to which such efforts are coordinated with, and complement, efforts of other Federal departments and agencies to deter Chinese aggression and military coercion;

(4) the manner in which the Department seeks to leverage military-to-military relationships, combined training and exercises, information and intelligence sharing, and security assistance to allies and partners in support of such efforts; and

(5) any other matter the Secretary considers relevant.

SEC. 1252. SENSE OF CONGRESS ON DEFENSE ALLIANCES AND PARTNERSHIPS IN THE INDO-PACIFIC REGION.

(a) FINDINGS.—Congress makes the following findings:

(1) The Interim National Security Strategic Guidance issued by the President in March 2021 states the following:

(A) ''For decades, our allies have stood by our side against common threats and adversaries, and worked hand-in-hand to advance our shared interests and values. They are a tremendous source of strength and a unique American advantage, helping to shoulder the responsibilities required to keep our nation safe and our people prosperous.''.

(B) ''Our democratic alliances enable us to present a common front, produce a unified vision, and pool our strength to promote high standards, establish effective international rules, and hold countries like China to account.''.

(C) ''We will reaffirm, invest in, and modernize. . .our alliances with Australia, Japan, and the Republic of Korea—which, along with our other global alliances and partnerships, are America's greatest strategic asset.''.

(2) On January 19, 2021, Secretary of Defense Lloyd J. Austin III stated to the Committee on Armed Services of the Senate, ''[o]ur alliances and partnerships globally—including the defense tools at our disposal to engage them, and more fundamentally the mutual security commitments and interests we pursue to maintain them—are an asymmetric strategic advantage that our competitors do not possess. The strength of this network of defense relations cannot be taken for granted.''.

(3) On November 13, 2019, General Mark Milley stated to reporters, ''[w]e are committed to a free and open Indo-Pacific region, and will maintain very, very close security ties with our partner nations in the area.''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense should recommit to and strengthen United States defense alliances and partnerships in the Indo-Pacific region so as to further the comparative advantage of the United States in strategic competition with the People's Republic of China, including by—

(1) enhancing cooperation with Japan, consistent with the Treaty of Mutual Cooperation and Security Between the United States of America and Japan, including by developing advanced military capabilities, fostering interoperability across all domains, and improving sharing of information and intelligence;

(2) reinforcing the United States alliance with the Republic of Korea, consistent with the Mutual Defense Treaty Between the United States and the Republic of Korea, in support of the shared objective of a peaceful and stable Korean Peninsula;

(3) fostering bilateral and multilateral cooperation with Australia, consistent with the Australia, New Zealand, United States Security Treaty, to advance shared security objectives and build the capabilities of emerging partners;

(4) advancing United States alliances with the Philippines and Thailand and United States partnerships with other partners in the Association of Southeast Asian Nations to enhance maritime domain awareness, promote sovereignty and territorial integrity, and collaborate on vetting Chinese investments in strategic technology sectors and critical infrastructure;

(5) broadening the engagement of the United States with India, including through the Quadrilateral Security Dialogue—

(A) to advance the shared objective of a free and open Indo-Pacific region through bilateral and multilateral engagements and participation in military exercises, expanded defense trade, and collaboration on humanitarian aid and disaster response; and

(B) to enable greater cooperation on maritime security and the threat of global pandemics, including COVID–19;

(6) strengthening the United States partnership with Taiwan, consistent with the Three Communiqués, the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.), and the Six Assurances, with the goal of improving Taiwan's asymmetric defensive capabilities and promoting peaceful cross-strait relations; and

(7) reinforcing the status of the Republic of Singapore as a Major Security Cooperation Partner of the United States and continuing to strengthen defense and security cooperation between the military forces of the Republic of Singapore and the Armed Forces of the United States, including through participation in combined exercises and training, including the use of the Foreign Military Sales Training Center at Ebbing Air National Guard Base in Fort Smith, Arkansas.

Subtitle F—Reports

SEC. 1261. REPORT ON SECURITY COOPERATION AUTHORITIES AND ASSOCIATED RESOURCING IN SUPPORT OF THE SECURITY FORCE ASSISTANCE BRIGADES.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report that—

(1) assesses the adequacy of existing Department of Defense security cooperation authorities and associated resourcing in support of the ability of the Security Force Assistance Brigades of the Army to effectively fulfill the security cooperation requirements of the combatant commands; and

(2) identifies any gap in such authorities or associated resourcing.

SEC. 1262. INDEPENDENT ASSESSMENT WITH RESPECT TO ARCTIC REGION AND ESTABLISHMENT OF ARCTIC SECURITY INITIATIVE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the security, stability, and prosperity of the Arctic region are vital to the national interests of the United States;

(2) the United States should posture a military capability in the region that is able to project power, deter acts of aggression, and respond, if necessary, to threats within and arising from the Arctic region;

(3) the defense of the United States and its allies from the People's Republic of China, the Russian Federation, the Democratic People's Republic of Korea, and any other potential aggressor remains a top priority;

(4) persistent efforts by the Department of Defense to realign United States forces in the Arctic region, and commit additional assets to and increase investments in the Arctic region, are necessary to maintain a robust United States commitment to the Arctic region; and

(5) the United States commitment to freedom of navigation and ensuring free access to sea lanes and overflights for the Navy and the Air Force remains a core security interest.

(b) INDEPENDENT ASSESSMENT.—

(1) IN GENERAL.—Not later than February 15, 2022, the Commander of the United States Northern Command, in consultation and coordination with the Commander of the United States Indo-Pacific Command, the Commander of the United States European Command, the military services, and the defense agencies, shall conduct an independent assessment with respect to the activities and resources required, for fiscal years 2023 through 2027, to achieve the following objectives:

(A) The implementation of the National Defense Strategy and military service-specific strategies with respect to the Arctic region.

(B) The maintenance or restoration of the comparative military advantage of the United States in response to great power competitors in the Arctic region.

(C) The reduction of the risk of executing operation and contingency plans of the Department of Defense.

(D) To maximize execution of Department operation and contingency plans, in the event deterrence fails.

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

(A) An analysis of, and recommended changes to achieve, the required force structure and posture of assigned and allocated forces within the Arctic region for fiscal year 2027 necessary to achieve the objectives described in paragraph (1), which shall be informed by—

(i) a review of United States military requirements based on operation and contingency plans, capabilities of potential adversaries, assessed gaps or shortfalls of the Armed Forces within the Arctic region, and scenarios that consider—

(I) potential contingencies that commence in the Arctic region and contingencies that commence in other regions but affect the Arctic region;

(II) use of near-, mid-, and far-time horizons to encompass the range of circumstances required to test new concepts and doctrine;

(III) supporting analyses that focus on the number of regionally postured military units and the quality of capability of such units;

(ii) a review of current United States military force posture and deployment plans within the Arctic region, especially of Arctic-based forces that provide support to, or receive support from, the United States Northern Command, the United States Indo-Pacific Command, or the United States European Command;

(iii) an analysis of potential future realignments of United States forces in the region, including options for strengthening United States presence, access, readiness, training, exercises, logistics, and pre-positioning; and

(iv) any other matter the Commander of the United States Northern Command considers appropriate.

(B) A discussion of any factor that may influence the United States posture, supported by annual wargames and other forms of research and analysis.

(C) An assessment of capabilities requirements to achieve such objectives.

(D) An assessment of logistics requirements, including personnel, equipment, supplies, storage, and maintenance needs to achieve such objectives.

(E) An assessment and identification of required infrastructure and military construction investments to achieve such objectives.

(3) REPORT.—

(A) IN GENERAL.—Not later than February 15, 2022, the Commander of the United States Northern Command shall submit to the Secretary of Defense a report on the assessment required by paragraph (1).

(B) SUBMITTAL TO CONGRESS.—

(i) IN GENERAL.—Not later than 30 days after the date on which the Secretary receives the report under subparagraph (A), the Secretary shall submit to the congressional defense committees—

(I) a copy of the report, in its entirety; and

(II) any additional analysis or information, as the Secretary considers appropriate.

(C) FORM.—The report required by subparagraph (A), and any additional analysis or information provided under subparagraph (B)(i)(II), may be submitted in classified form, but shall include an unclassified summary.

(c) ARCTIC SECURITY INITIATIVE.—

(1) PLAN.—

(A) IN GENERAL.—Not later than 30 days after the date on which the Secretary receives the report under subsection (b)(3)(A), the Secretary shall submit to the congressional defense committees a plan to carry out a program of activities to enhance security in the Arctic region.

(B) OBJECTIVES.—The plan required by subparagraph (A) shall be—

(i) consistent with the objectives described in paragraph (1) of subsection (b); and

(ii) informed by the assessment required by that paragraph.

(C) ACTIVITIES.—The plan shall include the following prioritized activities to improve the design and posture of the joint force in the Arctic region:

(i) Modernize and strengthen the presence of the Armed Forces, including those with advanced capabilities.

(ii) Improve logistics and maintenance capabilities and the pre-positioning of equipment, munitions, fuel, and materiel.

(iii) Carry out a program of exercises, wargames, education, training, experimentation, and innovation for the joint force.

(iv) Improve infrastructure to enhance the responsiveness and resiliency of the Armed Forces.

(2) ESTABLISHMENT.—

(A) IN GENERAL.—Not later than fiscal year 2023, and contingent on the submittal of the plan required by paragraph (1), the Secretary shall establish a program of activities to enhance security in the Arctic region, to be known as the ''Arctic Security Initiative'' (in this paragraph referred to as the ''Initiative'').

(B) FIVE-YEAR PLAN FOR THE INITIATIVE.—

(i) IN GENERAL.—The Secretary, in consultation with the Commander of the United States Northern Command, shall submit to the congressional defense committees a future years plan for the activities and resources of the Initiative that includes the following:

(I) A description of the activities and resources for the first fiscal year beginning after the date on which the Initiative is established, and the plan for not fewer than the four subsequent fiscal years, organized by the activities described in paragraph (1)(C).

(II) A summary of progress made toward achieving the objectives described in subsection (b)(1).

(III) A summary of the activity, resource, capability, infrastructure, and logistics requirements necessary to achieve measurable progress in reducing risk to the ability of the joint force to achieve objectives in the Arctic region, including, as appropriate, investments in—

(aa) active and passive defenses against—

(AA) manned aircraft, surface vessels, and submarines;

(BB) unmanned naval systems;

(CC) unmanned aerial systems; and

(DD) theater cruise, ballistic, and hypersonic missiles;

(bb) advanced long-range precision strike systems;

(cc) command, control, communications, computers, intelligence, surveillance, and reconnaissance systems;

(dd) training and test range capacity, capability, and coordination;

(ee) dispersed resilient and adaptive basing to support distributed operations, including expeditionary airfields and ports, space launch facilities, and command posts;

(ff) advanced critical munitions;

(gg) pre-positioned forward stocks of fuel, munitions, equipment, and materiel;

(hh) distributed logistics and maintenance capabilities;

(ii) strategic mobility assets, including icebreakers;

(jj) improved interoperability, logistics, transnational supply lines and infrastructure, and information sharing with allies and partners, including scientific missions; and

(kk) information operations capabilities.

(IV) A detailed timeline for achieving the requirements identified under subclause (III).

(V) A detailed explanation of any significant modification to such requirements, as compared to—

(aa) the assessment required by subsection (b)(1) for the first fiscal year; and

(bb) the plans previously submitted for each subsequent fiscal year.

(VI) Any other matter the Secretary considers necessary.

(ii) FORM.—The plan required by clause (i) shall be submitted in unclassified form but may include a classified annex.

(iii) INCLUSION IN BUDGET MATERIALS.—The Secretary shall include the plan required by clause (i) in the budget materials submitted by the Secretary in support of the budget of the President for fiscal years 2023 through 2027.

SEC. 1263. ANNUAL REPORT AND BRIEFING ON GLOBAL FORCE MANAGEMENT ALLOCATION PLAN.

(a) IN GENERAL.—Not later than October 31, 2022, and annually thereafter through 2024, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and House of Representatives a classified report and a classified briefing on the Global Force Management Allocation Plan and its implementation.

(b) REPORT.—Each report required by subsection (a) shall include a summary describing the Global Force Management Allocation Plan being implemented as of October 1 of the year in which the report is provided.

(c) BRIEFING.—Each briefing required by subsection (a) shall include the following:

(1) A summary of the major modifications to global force allocation made during the preceding fiscal year that deviated from the Global Force Management Allocation Plan for that fiscal year as a result of a shift in strategic priorities, requests for forces, or other contingencies, and an explanation for such modifications.

(2) A description of the major differences between the Global Force Management Allocation Plan for the current fiscal year and the Global Force Management Allocation Plan for the preceding fiscal year.

(3) A description of any difference between the actual global allocation of forces, as of October 1 of the year in which the briefing is provided, and the forces stipulated in the Global Force Management Allocation Plan being implemented on that date.

Subtitle G—Other Matters

SEC. 1271. MODIFICATION OF UNITED STATES-ISRAEL OPERATIONS-TECHNOLOGY COOPERATION WITHIN THE UNITED STATES-ISRAEL DEFENSE ACQUISITION ADVISORY GROUP.

(a) IN GENERAL.—Section 1299M of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) is amended—

(1) by striking the section heading and inserting ''**ESTABLISHMENT OF UNITED STATES-ISRAEL OPERATIONS-TECHNOLOGY WORKING GROUP**'';

(2) by amending subsection (a) to read as follows:

''(a) REQUIREMENT.—

''(1) IN GENERAL.—The Secretary of Defense, in consultation with the Secretary of State, shall take actions within the United States-Israel Defense Acquisition Advisory Group—

''(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 the Department of Defense and the Ministry of Defense of Israel;

''(C) to assist defense suppliers in the United States and Israel by assessing 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 plans to research, develop, procure, and field weapon systems and military capabilities as quickly and economically as possible to meet common capability requirements of the Department and the Ministry of Defense of Israel; and

''(E) to seek ways to broaden Israeli cooperation with—

''(i) the signatories of the Abraham Accords;

''(ii) Egypt; and

''(iii) Jordan.

''(2) 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.'';

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

''(c) ESTABLISHMENT OF UNITED STATES-ISRAEL OPERATIONS-TECHNOLOGY WORKING GROUP WITHIN THE UNITED STATES-ISRAEL DEFENSE ACQUISITION ADVISORY GROUP.—Not later than one year after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2022, the Secretary of Defense, in consultation with the appropriate heads of other Federal agencies and with the concurrence of the Minister of Defense of Israel, shall establish, under the United States vice chairman of the United States-Israel Defense Acquisition Advisory Group, a United States-Israel Operations-Technology Working Group to address operations and technology matters described in subsection (a)(1).''; and

(4) in subsection (d)(2), by striking ''United States-Israel Defense Acquisition Advisory Group'' each place it appears and inserting ''United States-Israel Operations-Technology Working Group''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents for the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public

Law 116–283) is amended by striking the item relating to section 1299M and inserting the following new item:

''Sec. 1299M. Establishment of United States-Israel Operations-Technology Working Group.''.

SEC. 1272. PROHIBITION ON SUPPORT FOR OFFENSIVE MILITARY OPERATIONS AGAINST THE HOUTHIS IN YEMEN.

(a) IN GENERAL.—None of the funds authorized to be appropriated by this Act shall be made available to provide Department of Defense support for the Saudi-led coalition's offensive operations against the Houthis in Yemen, including for coalition strikes.

(b) WAIVER.—

(1) IN GENERAL.—The Secretary of Defense may waive the prohibition under subsection (a) if the Secretary—

(A) determines that such a waiver is in the national security interests of the United States;

(B) issues the waiver in writing; and

(C) not more than 5 days after issuing the waiver, submits to the Committees on Armed Services of the Senate and House of Representatives a notification that includes the text of the waiver and a justification for the waiver.

(c) REPORT.—Not later than March 31, 2022, the Secretary of Defense, in consultation with the Director of National Intelligence and the Secretary of State, shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the obstructions that the Department of Defense has encountered in the delivery of humanitarian aid in Yemen, including the role of the Kingdom of Saudi Arabia and Ansar Allah in such obstruction.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit—

(1) United States counterterrorism cooperation with Saudi Arabia or the United Arab Emirates against al-Qaeda, the Islamic State of Iraq and Syria, or associated forces; or

(2) United States operations to support efforts to defend against ballistic missile, cruise missile, unmanned aerial vehicle, or explosive boat threats to international maritime traffic or civilian population centers in coalition countries, including locations in which citizens or nationals of the United States reside.

SEC. 1273. REPEAL OF AUTHORIZATION OF NON-CONVENTIONAL ASSISTED RECOVERY CAPABILITIES; MODIFICATION OF AUTHORITY FOR EXPENDITURE OF FUNDS FOR CLANDESTINE ACTIVITIES THAT SUPPORT OPERATIONAL PREPARATION OF THE ENVIRONMENT.

(a) REPEAL.—Section 943 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4578), as most recently amended by section 1299D of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283), is repealed on December 31, 2022.

(b) PLAN REQUIRED.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a plan for transitioning the funding for activities currently conducted under the authority provided by such section 943 to the authority provided by section 127f of title 10, United States Code.

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

(A) An identification of the non-conventional assisted recovery activities to be transitioned to the authority provided by such section 127f.

(B) An identification of any legislative changes to such section 127f necessary to accommodate the transition of activities currently funded under such section 943.

(C) Any other matter the Secretary considers relevant.

(c) MODIFICATION OF AUTHORITY FOR EXPENDITURE OF FUNDS FOR CLANDESTINE ACTIVITIES THAT SUPPORT OPERATIONAL PREPARATION OF THE ENVIRONMENT.—Section 127f of title 10, United States Code, is amended by adding at the end the following new subsection:

''(f) NON-CONVENTIONAL ASSISTED RECOVERY CAPABILITIES.— Funding used to establish, develop, and maintain non-conventional assisted recovery capabilities under this section shall only be obligated and expended with the concurrence of the relevant Chief of Mission or Chiefs of Mission.''.

SEC. 1274. EXTENSION AND MODIFICATION OF AUTHORITY FOR CERTAIN PAYMENTS TO REDRESS INJURY AND LOSS.

(a) EXTENSION.—Subsection (a) of section 1213 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1629; 10 U.S.C. 2731 note) is amended by striking ''December 31, 2022'' and inserting ''December 31, 2023''.

(b) CONDITIONS ON PAYMENT.—Subsection (b)(1) of such section is amended to read as follows:

''(1) the prospective foreign civilian recipient is not otherwise ineligible for payment under any other provision of law;''.

(c) PROCEDURES FOR SUBMITTAL OF CLAIMS.—Such section is further amended—

(1) by redesignating subsections (d) through (h) as subsections (e) through (i), respectively; and

(2) by inserting after subsection (c) the following new subsection (d):

''(d) PROCEDURES FOR SUBMITTAL OF CLAIMS.—

''(1) IN GENERAL.—Not later than 180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2022, the Secretary of Defense shall establish procedures to receive, evaluate, and respond to allegations of civilian harm resulting from military operations involving the United States Armed Forces, a coalition that includes the United States, or a military organization supporting the United States, including by the issuance of—

''(A) a formal acknowledgment of such harm;

''(B) a nonmonetary expression of condolence; or

''(C) an ex gratia payment.

''(2) CONSULTATION.—In establishing the procedures under paragraph (1), the Secretary of Defense shall, as appropriate, consult with the Secretary of State and nongovernmental organizations that focus on addressing civilian harm in conflict.

''(3) POLICY UPDATES.—Not later than one year after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2022, the Secretary of Defense shall ensure that the procedures established under paragraph (1) are formalized through updates to the policy referred to in section 936 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (10 U.S.C. 134 note).''.

(d) QUARTERLY REPORT.—Subsection (h) of such section, as redesignated, is amended by adding at the end the following new paragraph:

''(3) The status of Department of Defense efforts—

''(A) to establish the claims procedures required under subsection (d)(1); and

''(B) to implement this section.''.

SEC. 1275. SECRETARY OF DEFENSE STRATEGIC COMPETITION INITIATIVE.

(a) IN GENERAL.—The Secretary of Defense may provide funds for one or more Department of Defense activities or programs described in subsection (c) that advance United States national security objectives for strategic competition with near-peer rivals.

(b) PURPOSE.—The purpose of the authority under subsection (a) is to support Department efforts—

(1) to compete asymmetrically at the strategic level within and across domains with near-peer rivals, including through the fulfillment of emergent and unanticipated requirements of the combatant commands;

(2) to counter coercion by near-peer rivals against United States allies and partners in competition short of armed conflict, including by countering disinformation, malign foreign influence, and corruption by near-peer rivals to gain leverage or sow division; and

(3) to integrate with, support, and enable other Federal departments and agencies to advance United States influence and interests.

(c) AUTHORIZED ACTIVITIES AND PROGRAMS.—Activities and programs for which funds may be provided under subsection (a) are the following:

(1) The provision of funds to pay for personnel expenses of foreign defense or security personnel for bilateral or regional security cooperation programs and joint exercises, in accordance with section 321 of title 10, United States Code.

(2) Humanitarian and civic assistance, in consultation with the Secretary of State to the extent practicable, including—

(A) urgent and unanticipated humanitarian relief and reconstruction assistance; and

(B) assistance for capacity building for disaster response and risk reduction.

(3) Defense support for stabilization and counter-extremism activities of other Federal departments and agencies, including activities under—

(A) section 1210A of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1626); and

(B) section 385 of title 10, United States Code.

(4) Activities to build the institutional capacity of foreign national security forces, including efforts to counter corruption, in accordance with section 332 of title 10, United States Code.

(5) Activities to build the capabilities of the joint force and the security forces of United States allies and partners to conduct irregular warfare for strategic competition.

(6) Activities to expose and counter foreign malign influence, coercion, and subversion.

(d) FUNDING.—Amounts made available for activities carried out pursuant to subsection (a) in a fiscal year may be derived only from amounts authorized to be appropriated for such fiscal year for the Department of Defense for operation and maintenance, Defense-wide.

(e) RELATIONSHIP TO OTHER FUNDING.—Any amount provided by the Secretary of Defense during any fiscal year out of the Secretary of Defense Strategic Competition Initiative for an activity or program described in subsection (c) shall be in addition to amounts otherwise available for that activity or program for that fiscal year.

(f) USE OF FUNDS.—

(1) LIMITATIONS.—Of funds made available under this section for any fiscal year—

(A) not more than $20,000,000 in each fiscal year is authorized to be obligated and expended under this section; and

(B) not more than $3,000,000 may be used to pay for personnel expenses under subsection (c)(1).

(2) PROHIBITION.—Funds may not be provided under this section for any activity that has been denied authorization by Congress.

(g) ANNUAL REPORT.—Not less frequently than annually, the Secretary of Defense shall submit to the congressional defense committees a report on the use of the authority under subsection (a).

(h) TERMINATION.—The authority under subsection (a) shall terminate on September 30, 2024.

SEC. 1276. STRATEGIC COMPETITION INITIATIVE FOR UNITED STATES SOUTHERN COMMAND AND UNITED STATES AFRICA COMMAND.

(a) INITIATIVE.—The Secretary of Defense may develop and carry out, through the Department of Defense authorities specified in subsection (d), an initiative to support programs and activities for long-term strategic competition with near-peer rivals in the areas of responsibility of the United States Southern Command and the United States Africa Command.

(b) PURPOSE.—The purpose of the initiative under subsection (a) is to support Department efforts—

(1) to compete strategically with, and counter the influence of, near-peer rivals in such areas of responsibility;

(2) to counter coercion by near-peer rivals against United States allies and partners in competition short of armed conflict, including by addressing sources of insecurity and other vulnerabilities that near-peer rivals exploit to gain leverage or sow division;

(3) to strengthen the resilience of foreign security forces and ministries in such areas of responsibility against corruption and malign influence from near-peer rivals, including by building institutional capabilities for accountability and adherence to the rule of law; and

(4) to support and enable United States Government interagency integration and activities that advance United States national security objectives for strategic competition with near-peer rivals, including by supporting civilian efforts to address vulnerabilities arising from the COVID–19 pandemic in such areas of responsibility.

(c) PLAN.—

(1) IN GENERAL.—The Secretary, in consultation with the Commander of the United States Southern Command and the Commander of the United States Africa Command, shall develop and submit to the congressional defense committees a plan for the initiative under subsection (a).

(2) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees the plan developed under paragraph (1).

(d) AUTHORITIES.—The authorities specified in this subsection are the following:

(1) The authority of the Defense Security Cooperation Agency under section 332 of title 10, United States Code, to carry out—

(A) institutional capacity-building activities; and

(B) the Ministry of Defense Advisors program.

(2) Security cooperation authorities under chapter 16 of title 10, United States Code.

(3) Legal institution capacity-building authority under section 1210 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1625; 10 U.S.C. 332 note).

(4) Overseas humanitarian, disaster, and civic aid authorities under sections 404 and 2561 of title 10, United States Code.

(5) Joint task force authority to support law enforcement agencies conducting counterterrorism, counter illicit trafficking, and counter transnational organized crime activities under section 285 of title 10, United States Code, as added by this Act.

(6) Stabilization activities authority under section 1210A of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1626).

(7) The authority of the Defense Environmental International Cooperation program.

(8) Any other authority the Secretary considers appropriate.

(e) NOTIFICATION TO CONGRESS.—Not later than 15 days before commencing the initiative under subsection (a), the Secretary shall submit to the congressional defense committees a notification containing each of the following:

(1) An identification of one or more countries in which a program under the initiative will be conducted.

(2) A description of the strategic objectives of each such program.

(3) The budget and timetable for implementing and completing each such program.

(4) A description of the arrangements, if any, for a host country to sustain such a program or any capability developed by such a program.

(f) REPORT.—Beginning in the fiscal year in which the Secretary commences the initiative under subsection (a), and annually thereafter through the fiscal year in which the initiative terminates under subsection (h), the Secretary shall submit to the congressional defense committees a report on the implementation of the initiative.

(g) FUNDING.—Amounts for programs and activities carried out under subsection (a) in a fiscal year may be derived from amounts authorized to be appropriated for such fiscal year for the Department of Defense for operations and maintenance.

(h) TERMINATION.—The authority for the initiative under subsection (a) shall terminate on December 31, 2024.

SEC. 1277. MODIFICATION OF NOTIFICATION REQUIREMENTS FOR SENSITIVE MILITARY OPERATIONS.

Section 130f(d)(1) of title 10, United States Code, is amended—

(1) in subparagraph (A), by striking ''; or'' and inserting a semicolon;

(2) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

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

''(C) an operation conducted by the armed forces to free an individual from the control of hostile foreign forces.''.

SEC. 1278. SPECIAL OPERATIONS FORCES JOINT OPERATING CONCEPT FOR COMPETITION AND CONFLICT.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict and the Commander of the United States Special Operations Command shall jointly submit to the congressional defense committees a Special Operations Forces joint operating concept for competition and conflict.

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

(1) A detailed description of the manner in which Special Operations Forces will be expected to operate in the future across the spectrum of operations, including operations below the threshold of traditional armed conflict, crisis, and armed conflict.

(2) An explanation of the roles and responsibilities of the National Mission Force and the Theater Special Operations Forces, including how such forces will be integrated with each other and with general purpose forces.

(3) An articulation of the required capabilities of the special operations forces.

(4) An explanation of the manner in which the joint operating concept relates to and fits within the joint warfighting concept produced by the Joint Chiefs of Staff.

(5) An explanation of the manner in which the joint operating concept relates to and integrates into the operating concepts of the Armed Forces.

(6) Any other matter the Assistant Secretary and the Commander consider relevant.

SEC. 1279. PLAN FOR PROVISION OF INFORMATION SUPPORT TO COMMANDERS OF THE COMBATANT COMMANDS.

(a) PLAN REQUIRED.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Under Secretary of Defense for Intelligence and Security, in coordination with the Director of National Intelligence, shall develop a plan for more effectively fulfilling the intelligence and information requirements of the combatant commands with respect to efforts by the combatant commands to expose and counter foreign malign influence, coercion, and subversion activities undertaken by, or at the direction, on behalf, or with substantial support of the governments of, covered foreign countries.

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

(A) A review of current policies and procedures relating to the provision, sharing, and declassification of intelligence gathered by the Defense Intelligence Enterprise to support such efforts.

(B) A plan for improving the quality and timeliness of intelligence and information provided to the commanders of the combatant commands to aid in such efforts, including mechanisms to enable the disclosure of foreign malign influence, coercion, and subversion activities—

(i) in appropriate classified venues, in collaboration with relevant allies and partners; or

(ii) as unclassified information for public release.

(C) A plan to better leverage open-source and commercially available information and independent analysis to support such efforts.

(D) An identification of any additional resources or legislative authority necessary to better meet such intelligence and information requirements.

(E) An assignment of responsibilities and timelines for the implementation of the plans described in subparagraphs (B) and (C).

(F) Any other matter the Under Secretary of Defense for Intelligence and Security considers relevant.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Under Secretary of Defense for Intelligence and Security, in coordination with the Director of National Intelligence, shall submit to the appropriate committees of Congress the plan developed under subsection (a).

(c) COMPTROLLER GENERAL ASSESSMENT.—Not later than 45 days after the date on which the plan is submitted under subsection (b), the Comptroller General of the United States shall submit to the appropriate committees of Congress an assessment of the sufficiency of the plan for meeting such intelligence and information requirements.

(d) DEFINITIONS.—In this section:

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

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

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

(2) COVERED FOREIGN COUNTRY.—The term ''covered foreign country'' means any of the following:

(A) The People's Republic of China.

(B) The Russian Federation.

(C) The Islamic Republic of Iran.

(D) The Democratic People's Republic of Korea.

(E) Any other foreign country the Under Secretary of Defense for Intelligence and Security and the Director of National Intelligence consider appropriate.

SEC. 1280. INDEPENDENT REVIEW OF AND REPORT ON THE UNIFIED COMMAND PLAN.

(a) REVIEW REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall provide for an independent review of the current Unified Command Plan.

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

(A) An assessment of the most recent Unified Command Plan with respect to—

(i) current and anticipated threats;

(ii) deployment and mobilization of the Armed Forces; and

(iii) the most current versions of the National Defense Strategy and Joint Warfighting Concept.

(B) An evaluation of the missions, responsibilities, and associated force structure of each geographic and functional combatant command.

(C) An assessment of the feasibility of alternative Unified Command Plan structures.

(D) Recommendations, if any, for alternative Unified Command Plan structures.

(E) Recommendations, if any, for modifications to sections 161 through 169 of title 10, United States Code.

(F) Any other matter the Secretary considers appropriate.

(3) CONDUCT OF REVIEW BY INDEPENDENT ENTITY.—

(A) IN GENERAL.—The Secretary shall—

(i) select an entity described in subparagraph (B) to conduct the review required by paragraph (1); and

(ii) ensure that the review is conducted independently of the Department of Defense.

(B) ENTITY DESCRIBED.—An entity described in this subparagraph is—

(i) a federally funded research and development center; or

(ii) an independent nongovernmental institute that—

(I) is described in section 501(c)(3) of the Internal Revenue Code of 1986;

(II) is exempt from taxation under section 501(c) of that Code; and

(III) has recognized credentials and expertise in national security and military affairs.

(b) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than October 1, 2022, the Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives the results of the review conducted under subsection (a).

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

SEC. 1281. ESTABLISHMENT OF MISSION-ORIENTED PILOT PROGRAMS TO CLOSE SIGNIFICANT CAPABILITIES GAPS.

(a) IN GENERAL.—The Secretary of Defense shall establish, within the Strategic Capabilities Office of the Office of the Secretary of Defense, not fewer than two mission-oriented integration pilot programs with the objective of closing significant capabilities gaps by synchronizing and integrating missions across services and field agencies.

(b) ELEMENTS.—The pilot programs established under subsection (a) shall—

(1) be aligned to specific outstanding operational challenges of high importance to the operational plans of the United States Indo-Pacific Command and the United States European Command;

(2) be designed to leverage industry cost sharing by using sources such as private equity and venture capital funding to develop the underlying technology and overall capability for delivery to the joint force, as a product or as a service, not later than five years after the date on which the program commences;

(3) not later than three years after such date—

(A) demonstrate proof of efficacy through operational concept experimentation and prototype development; and

(B) deliver an operational capability not later than five years after the pilot program commences;

(4) provide an operationally relevant solution for—

(A)(i) maintaining resilient aircraft operations in and around Guam in the face of evolving regional threats, including large salvo supersonic and hypersonic missile threats; or

(ii) a similar operational challenge of strategic importance and relevance to the responsibilities and plans of the United States Indo-Pacific Command or the United States European Command; and

(B)(i) providing a resilient logistics and resupply capability in the face of evolving regional threats, including operations within an anti-access-area denial environment; or

(ii) a similar operational challenge of strategic importance and relevance to the responsibilities and plans of the United States Indo-Pacific Command; and

(5) be developed to incorporate—

(A) existing and planned Department of Defense systems and capabilities to achieve mission objectives; and

(B) to the extent practicable, technologies that have dual-use commercial market potential.

(c) ROLE OF STRATEGIC CAPABILITIES OFFICE.—

(1) IN GENERAL.—With respect to the pilot programs established under subsection (a), the Strategic Capabilities Office of the Office of the Secretary of Defense shall—

(A) assign pilot program managers—

(i) to coordinate and collaborate with investors, performers, combatant commands, and military departments to define mission requirements and solutions; and

(ii) to coordinate and monitor pilot program implementation;

(B) provide technical assistance for pilot program activities, including developing and implementing metrics, which shall be used—

(i) to assess the current status of the operational challenge concerned; and

(ii) to characterize the resilience of operational approaches to known threats and single points of failure;

(C) provide operational use case expertise to participants in the pilot programs; and

(D) serve as the liaison between the Armed Forces, the combatant commanders, and the participants in the pilot programs.

(2) REPORTS TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the head of the Strategic Capabilities Office of the Office of the Secretary of Defense shall submit to the congressional defense committees a report on the pilot programs.

(d) ADDITIONAL AUTHORITIES.—The Secretary shall assess authorities required by the pilot program managers for the effective and efficient fulfillment of their responsibilities, including the delegation of hiring personnel and contracting authorities.

(e) DATA.—The Secretary shall establish mechanisms to collect and analyze data on the implementation of the pilot programs for the purposes of—

(1) developing and sharing best practices for achieving goals established for the pilot programs; and

(2) providing information to the Secretary and the congressional defense committees on—

(A) the implementation of the pilot programs; and

(B) related policy issues.

(f) RECOMMENDATIONS.—Not later than two years after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a recommendation with respect to continuing or expanding the pilot programs.

(g) TRANSITION OF PILOT PROGRAM RESPONSIBILITIES.—Beginning in fiscal year 2025, the Secretary may transition the responsibility for the pilot programs to another organization.

SEC. 1282. LIMITATION ON AVAILABILITY OF CERTAIN FUNDING FOR OPERATION AND MAINTENANCE.

Of the amounts authorized to be appropriated by this Act for fiscal year 2022 for operation and maintenance, Defense-wide, and available for the Office of the Secretary of Defense, not more than 75 percent may be obligated or expended until the date that is 15 days after the date on which the Secretary submits to the congressional defense committees the following:

(1) The report on the comprehensive policy of the Department of Defense on collective self-defense required by section 1754(c) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 130f note).

(2) The first quarterly report identifying and summarizing all execute orders approved by the Secretary of Defense or the commander of a combatant command in effect for the Department of Defense as required by section 1744(c) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 113 note).

(3) The report on the policy of the Department of Defense relating to civilian casualties resulting from United States military operations required by section 936(d) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 134 note).

TITLE XIII—COOPERATIVE THREAT REDUCTION

SEC. 1301. FUNDING ALLOCATIONS; SPECIFICATION OF COOPERATIVE THREAT REDUCTION FUNDS.

(a) FUNDING ALLOCATION.—Of the $239,849,000 authorized to be appropriated to the Department of Defense for fiscal year 2022 in section 301 and made available by the funding table in division D for the Department of Defense Cooperative Threat Reduction Program established under section 1321 of the Department of Defense Cooperative Threat Reduction Act (50 U.S.C. 3711), the following amounts may be obligated for the purposes specified:

(1) For strategic offensive arms elimination, $2,997,000.

(2) For chemical weapons destruction, $13,250,000.

(3) For global nuclear security, $17,767,000.

(4) For cooperative biological engagement, $124,022,000.

(5) For proliferation prevention, $58,754,000.

(6) For activities designated as Other Assessments/Administrative Costs, $23,059,000.

(b) SPECIFICATION OF COOPERATIVE THREAT REDUCTION FUNDS.—Funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in division D for the Department of Defense Cooperative Threat Reduction Program shall be available for obligation for fiscal years 2022, 2023, and 2024.

TITLE XIV—OTHER AUTHORIZATIONS

Subtitle A—Military Programs

SEC. 1401. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2022 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 2022 for expenses, not otherwise provided for, for Chemical Agents and Munitions Destruction, Defense, as specified in the funding table in section 4501.

(b) USE.—Amounts authorized to be appropriated under subsection (a) are authorized for—

(1) the destruction of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521); and

(2) the destruction of chemical warfare materiel of the United States that is not covered by section 1412 of such Act.

SEC. 1403. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2022 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4501.

SEC. 1404. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2022 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4501.

SEC. 1405. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for fiscal year 2022 for the Defense Health Program for use of the Armed Forces and other activities and agencies of the Department of Defense for providing for the health of eligible beneficiaries, as specified in the funding table in section 4501.

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 2022 from the Armed Forces Retirement Home Trust Fund the sum of $75,300,000 for the operation of the Armed Forces Retirement Home.

Subtitle C—Other Matters

SEC. 1421. AUTHORIZATION TO LOAN MATERIALS IN NATIONAL DEFENSE STOCKPILE.

Section 6 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98e) is amended by adding at the end the following new subsection:

''(f) The President may loan stockpile materials to the Department of Energy or the military departments if the President—

''(1) has a reasonable assurance that stockpile materials of a similar or superior quantity and quality to the materials loaned will be returned to the stockpile or paid for;

''(2) notifies the congressional defense committees (as defined in section 101(a) of title 10, United States Code), in writing, not less than 30 days before making any such loan; and

''(3) includes in the written notification under paragraph (2) sufficient support for the assurance described in paragraph (1).''.

SEC. 1422. REPEAL OF TERMINATION OF BIENNIAL REPORT ON NATIONAL DEFENSE STOCKPILE REQUIREMENTS.

Section 1061(i) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 111 note) is amended by striking paragraph (30).

SEC. 1423. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY DEMONSTRATION FUND FOR CAPTAIN JAMES A. LOVELL HEALTH CARE CENTER, ILLINOIS.

(a) AUTHORITY FOR TRANSFER OF FUNDS.—Of the funds authorized to be appropriated by section 1405 and available for the Defense Health Program for operation and maintenance, $137,000,000 may be transferred by the Secretary of Defense to the Joint Department of Defense–Department of Veterans Affairs Medical Facility Demonstration Fund established by subsection (a)(1) of section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2571).

(b) TREATMENT OF TRANSFERRED FUNDS.—For purposes of subsection (a)(2) of such section 1704, any funds transferred under subsection (a) shall be treated as amounts authorized and appropriated specifically for the purpose of such a transfer.

(c) USE OF TRANSFERRED FUNDS.—For purposes of subsection (b) of such section 1704, facility operations for which funds transferred under subsection (a) may be used are operations of the Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility under an operational agreement covered by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500).

TITLE XV—SPACE ACTIVITIES, STRATEGIC PROGRAMS, AND INTELLIGENCE MATTERS

Subtitle A—Space Activities

SEC. 1501. DELEGATION OF AUTHORITIES TO SPACE DEVELOPMENT AGENCY.

(a) PERSONNEL MANAGEMENT AUTHORITY.—Section 1599h(b)(1) of title 10, United States Code, is amended—

(1) by redesignating subparagraph (H) as subparagraph (I); and

(2) by striking the second subparagraph (G), as added by section 1602(b)(3) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283), and inserting the following new subparagraph (H):

''(H) in the case of the Space Development Agency, appoint individuals to a total of not more than 50 positions in the Agency, of which not more than 10 such positions may be positions of administration and management of the Agency; and''.

(b) ADDITIONAL AUTHORITIES.—

(1) IN GENERAL.—Chapter 908 of title 10, United States Code, is amended—

(A) by redesignating the second section designated as section 9084, as added by section 1601(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283), as section 9086 and moving such section so as to appear after section 9085; and

(B) in section 9086, as so redesignated, by adding at the end the following new subsection:

''(d) DELEGATION OF AUTHORITIES.—

''(1) IN GENERAL.—To the extent practicable, the Secretary of the Air Force, acting through the Service Acquisition Executive for Space, shall ensure the delegation to the Agency of—

''(A) head of contracting authority; and

''(B) milestone decision authority for the middle tier of acquisition programs.

''(2) RESCISSION.—

''(A) IN GENERAL.—The Service Acquisition Executive for Space may rescind the delegation of authority under paragraph (1) for cause or on a case-by-case basis.

''(B) NOTIFICATION.—Not later than 30 days after the date of a rescission under subparagraph (A), the Secretary of the Air Force shall notify the congressional defense committees of such rescission.''.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—The table of sections for chapter 908 of title 10, United States Code, is amended—

(A) by striking the item relating to section 9084, as added by section 1601(b) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283); and

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

''9086. Space Development Agency.''.

SEC. 1502. MODIFICATION TO SPACE DEVELOPMENT AGENCY.

Section 9086 of title 10, United States Code, as redesignated and amended by section 1501(b)(1), is further amended by adding at the end the following new subsections:

''(e) ACQUISITIONS.—The Joint Capabilities Integration and Development System process shall not apply to acquisitions by the Agency.

''(f) COMBATANT COMMANDER AND WARFIGHTER COUNCIL.—Not less frequently than twice annually, the Director shall convene a Combatant Commander and Warfighter Council, which shall—

''(1) establish and validate capability plans for the Agency; and

''(2) recommend priorities for the Agency, as the commanders of the combatant commands consider appropriate.''.

SEC. 1503. DISCLOSURE OF NATIONAL SECURITY SPACE LAUNCH PROGRAM CONTRACT PRICING TERMS.

(a) IN GENERAL.—Chapter 135 of title 10, United States Code, is amended by inserting after section 2276 the following new section 2277:

''§ 2277. Disclosure of National Security Space Launch program contract pricing terms

''(a) IN GENERAL.—With respect to any contract awarded by the Secretary of the Air Force for the launch of a national security payload under the National Security Space Launch program, not later than 30 days after entering into such a contract, the Secretary shall submit to the congressional defense committees a description of the pricing terms of the contract.

''(b) COMPETITIVELY SENSITIVE TRADE SECRET DATA.—The congressional defense committees shall—

''(1) treat a description of pricing terms submitted under subsection (a) as competitively sensitive trade secret data; and

''(2) use the description solely for committee purposes, subject to appropriate restrictions to maintain the confidentiality of the description.

''(c) RULE OF CONSTRUCTION.—For purposes of section 1905 of title 18, United States Code, a disclosure of contract pricing terms under subsection (a) shall be construed as a disclosure authorized by law.''.

(b) CONFORMING AMENDMENT.—The table of sections at the beginning of chapter 135 of title 10, United States Code, is amended by inserting after the item relating to section 2276, the following new item:

''2277. Disclosure of National Security Space Launch program contract pricing terms.''.

SEC. 1504. EXTENSION AND MODIFICATION OF 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 (d)(2)—

(A) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(B) by inserting after subparagraph (C) the following new subparagraph (D):

''(D) Alternative methods to perform position navigation and timing.''; and

(2) in subsection (h), by striking ''National Defense Authorization Act for Fiscal Year 2016'' and inserting ''National Defense Authorization Act for Fiscal Year 2022''.

SEC. 1505. SENIOR PROCUREMENT EXECUTIVE AUTHORITY.

(a) OFFICE OF THE SECRETARY OF THE AIR FORCE.—Section 9014(c) of title 10, United States Code, is amended—

(1) in paragraph (2), by striking ''The Secretary of the Air Force shall'' and inserting ''Subject to paragraph (6), the Secretary of the Air Force shall''; and

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

''(6) Notwithstanding section 1702 of title 41, the Secretary of the Air Force may assign to the Assistant Secretary of the Air Force for Space Acquisition and Integration duties and authorities of the Senior Procurement Executive that relate to space systems and programs.''.

(b) DUTIES OF ASSISTANT SECRETARY OF THE AIR FORCE FOR SPACE ACQUISITION AND INTEGRATION.—Section 9016(b)(6)(B)(vi) of title 10, United States Code, is amended by inserting ''and discharge any Senior Procurement Executive duties and authorities assigned by the Secretary of the Air Force pursuant to section 9014(c)(6) of this title'' after ''Space Systems and Programs''.

SEC. 1506. MODIFICATIONS TO SPACE FORCE ACQUISITION COUNCIL.

(a) IN GENERAL.—Section 9021 of title 10, United States Code, is amended—

(1) in the section heading, by striking ''**Force**'';

(2) in subsection (a), by striking ''Space Force Acquisition Council'' and inserting ''Space Acquisition Council''; and

(3) in subsection (c), by striking ''the Air Force for''.

(b) CONFORMING AMENDMENT.—The table of sections for chapter 903 of title 10, United States Code, is amended by striking the item relating to section 9021 and inserting the following:

''9021. Space Acquisition Council.''.

SEC. 1507. MODIFICATIONS RELATING TO THE ASSISTANT SECRETARY OF THE AIR FORCE FOR SPACE ACQUISITION AND INTEGRATION.

(a) SPACE FORCE ACQUISITION COUNCIL REVIEW AND CERTIFICATION OF DETERMINATIONS OF THE ASSISTANT SECRETARY OF THE AIR FORCE FOR SPACE ACQUISITION AND INTEGRATION.—Section 9021(c) of title 10, United States Code, as amended by section 1506, is further amended—

(1) by striking ''The Council'' and inserting ''(1) The Council''; and

(2) by adding at the end the following:

''(2)(A) The Council shall promptly—

''(i) review any determination made by the Assistant Secretary of the Air Force for Space Acquisition and Integration with respect to architecture for Department of Defense space systems or programs under section 9016(b)(6)(B)(i), including the requirements for operating such space systems or programs; and

''(ii)(I) if the Council finds such a determination to be warranted, certify the determination; or

''(II) if the Council finds such a determination not to be warranted, decline to certify the determination.

''(B) Not later than 10 business days after the Council makes a decision with respect to a certification under subparagraph (A), the Council shall submit to the congressional defense committees a notification of the decision, including a detailed justification for the decision.

''(C) Except as provided in subparagraph (D), the Assistant Secretary of the Air Force for Space Acquisition and Integration may not take any action to implement a determination referred to in subparagraph (A)(i) until 60 days after the submittal of the notification under subparagraph (B).

''(D)(i) The Secretary of Defense may waive subparagraph (C) in the event of an urgent national security condition.

''(ii) The Secretary of Defense shall submit to the congressional defense committees a notification of any waiver granted under this subparagraph, including a justification for the waiver.''.

(b) DEPARTMENT OF DEFENSE SPACE SYSTEMS AND PROGRAMS.—Section 9016(b)(6)(B)(i) of title 10, United States Code, is amended to read as follows:

''(i) Be responsible for and oversee all architecture and integration of the Department of Defense for space systems and programs, with respect to their acquisition, including in support of the Chief of Space Operations under section 9082 of this title.''.

(c) TRANSFER OF ACQUISITION PROJECTS FOR SPACE SYSTEMS AND PROGRAMS.—Section 956(b)(3) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1566; 10 U.S.C. 9016 note) is amended by inserting ''and the Department of Defense'' after ''programs of the Air Force''.

(d) ADDITIONAL AUTHORITIES OF CHIEF OF SPACE OPERATIONS.—Section 9082(d) of title 10, United States Code, is amended—

(1) in paragraph (5), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (6), by striking the period at the end and inserting ''; and''; and

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

''(7) be the force design architect for Department of Defense space systems.''.

SEC. 1508. MODIFICATION TO TRANSFER OF ACQUISITION PROJECTS FOR SPACE SYSTEMS AND PROGRAMS.

Section 956(b)(3) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1566; 10 U.S.C. 9016 note), as amended by section 1507(c), is further amended by striking ''Effective'' and inserting ''Not later than''.

SEC. 1509. EXTENSION AND MODIFICATION OF CERTIFICATIONS REGARDING INTEGRATED TACTICAL WARNING AND ATTACK ASSESSMENT MISSION OF THE AIR FORCE.

Section 1666 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 113 Stat. 2617), as amended by section 1604 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283), is further amended—

(1) in the section heading, by striking ''**THE AIR FORCE**'' and inserting ''**THE DEPARTMENT OF THE AIR FORCE**'';

(2) in subsection (a)—

(A) in the matter preceding paragraph (1)—

(i) by striking ''each year thereafter through 2020'' and inserting ''each year thereafter through 2026''; and

(ii) by inserting '', in consultation with the Commander of the United States Strategic Command and the Commander of the United States Northern Command,'' after ''the Commander of the United States Space Command'';

(B) in paragraph (1)—

(i) by striking ''the Air Force is'' and inserting ''the Department of the Air Force is''; and

(ii) by inserting ''and the Space Force'' after ''to the Air Force''; and

(C) in paragraph (2), by striking ''the Air Force'' and inserting ''the Department of the Air Force''; and

(3) in subsection (b)—

(A) by inserting ''of the United States Space Command'' after ''Commander'';

(B) by striking ''system of the Air Force'' and inserting ''system of the Department of the Air Force'';

(C) by striking ''command of the Air Force'' and inserting ''command of the Department of the Air Force''; and

(D) by striking ''aspects of the Air Force'' and inserting ''aspects of the Department of the Air Force''.

SEC. 1510. PROHIBITION ON MISSILE DEFENSE AGENCY PRODUCTION OF SATELLITES AND GROUND SYSTEMS ASSOCIATED WITH OPERATION OF SUCH SATELLITES.

(a) IN GENERAL.—The Director of the Missile Defense Agency shall not authorize or obligate funding for a program of record for the production of satellites or ground systems associated with the operation of such satellites.

(b) EXEMPTION FOR PRODUCTION OF PROTOTYPE SATELLITES.—

(1) IN GENERAL.—The Director of the Missile Defense Agency, with the concurrence of the Space Acquisition Council established by section 9021 of title 10, United States Code, may authorize the production of a prototype satellite, consistent with the requirements of the Missile Defense Agency.

(2) REPORT.—Not later than 30 days after concurring with an authorization for the production of a prototype satellite under paragraph (1), the chair of the Space Acquisition Council shall submit to the congressional defense committees a report explaining the reasons for such concurrence.

(3) LIMITATION ON OBLIGATION OF FUNDS.—The Director of the Missile Defense Agency may not obligate funds for the production of such a satellite before the submittal of the report required by paragraph (2).

SEC. 1511. CONTINUED REQUIREMENT FOR NATIONAL SECURITY SPACE LAUNCH PROGRAM.

In carrying out Phase 2 of the acquisition strategy for the National Security Space Launch program, the Secretary of the Air Force shall ensure that launch services are procured only from launch service providers that use launch vehicles meeting Federal requirements with respect to required payloads to reference orbits.

SEC. 1512. LIMITATION, REPORT, AND BRIEFING ON USE OF COMMERCIAL SATELLITE SERVICES AND ASSOCIATED SYSTEMS.

(a) LIMITATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary of Defense may not rely solely on the use of commercial satellite services and associated systems to carry out a critical defense requirement, such as command and control, targeting, and any other requirement necessary to effectively execute defense operations.

(2) MITIGATION MEASURES.—The Secretary may rely solely on the use of commercial satellite services and associated systems to carry out a critical defense requirement described in paragraph (1) if the Secretary has taken measures to mitigate the vulnerability of any such requirement.

(b) REPORT AND BRIEFING.—

(1) IN GENERAL.—Not less frequently than quarterly through fiscal year 2030, the Secretary shall submit a report and provide a briefing to the congressional defense committees on the extent of the reliance of the Department of Defense on commercial satellite services and associated systems to provide capability and additional capacity across the Department.

(2) ELEMENTS.—Each report and briefing required by paragraph (1) shall include the following for the preceding quarter:

(A) An assessment of such reliance and the resulting vulnerabilities.

(B) An analysis of potential measures to mitigate such vulnerabilities.

(C) A description of mitigation measures taken by the Secretary under subsection (a)(2).

SEC. 1513. STUDY ON COMMERCIAL SYSTEMS INTEGRATION INTO, AND SUPPORT OF, ARMED FORCES SPACE OPERATIONS.

(a) IN GENERAL.—The Secretary of the Air Force shall enter into an arrangement with a federally funded research and development center to conduct a study on—

(1) the extent of commercial support of, and integration into, Armed Forces space operations; and

(2) measures to ensure that such operations, particularly operations that are mission critical, continue to be carried out in the most effective manner possible during a time of conflict.

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

(1) The extent to which the Department of Defense uses commercial satellites to support Armed Forces operations.

(2) The anticipated increase in such use during the subsequent 10-year period.

(3) In the event the Armed Forces loses access to commercially operated space systems and the data provided by such systems, the impact on Armed Forces operations.

(4) Steps the Department may take to mitigate the risk of loss of such access.

(5) As the Department develops plans to increase the resiliency of its space architectures, the anticipated role of commercial systems in such plans.

(6) The international agreements and organizations that govern the manner in which commercial entities operate systems in outer space.

(7) Whether, under current international law, a commercial satellite used to support military operations is considered a legitimate military target.

(8) The extent to which owners of commercial satellites are aware that such satellites may be targeted by a foreign power.

(9) The current insurance coverage scheme for commercial satellites that support Armed Forces operations.

(10) During the 10-year period ending on the date of the enactment of this Act, the frequency with which third parties have interfered with commercially operated satellites that support Armed Forces operations.

(11) Any other matter the Secretary considers necessary.

(c) REPORT.—

(1) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the results of the study required by subsection (a).

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

SEC. 1514. SPACE POLICY REVIEW.

(a) IN GENERAL.—The Secretary of Defense, in consultation with the Director of National Intelligence, shall carry out a review of the space policy of the Department of Defense.

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

(1) For the subsequent five-year period, an assessment of the threat to the space operations of the United States and its allies.

(2) An assessment of the national security objectives of the Department relating to space.

(3) An evaluation of the policy changes and funding necessary to accomplish such objectives during such five-year period.

(4) An assessment of the policy of the Department with respect to deterring, responding to, and countering threats to the space operations of the United States and its allies.

(5) An analysis of such policy with respect to normative behaviors in space, including the commercial use of space.

(6) An analysis of the extent to which such policy is coordinated with other ongoing policy reviews, including nuclear, missile defense, and cyber operations.

(7) A description of the Department's organization and space doctrine to carry out its space policy.

(8) An assessment of the space systems and architectures to implement such space policy.

(9) Any other matter the Secretary considers appropriate.

(c) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary, in consultation with the Director, shall submit to the congressional defense committees a report on the results of the review required by subsection (a).

(2) ANNUAL UPDATES.—Not less frequently than annually for fiscal years 2024 through 2026, and concurrent with the President's budget submissions, the Secretary, in consultation with the Director, shall submit to the congressional defense committees a report describing any update to the assessments, analyses, and evaluations carried out pursuant to such review.

(3) FORM.—Each report required by this subsection shall be submitted in unclassified form but may include a classified annex.

SEC. 1515. ANNUAL BRIEFING ON THREATS TO SPACE OPERATIONS.

(a) IN GENERAL.—Not later than February 28 each year through 2026, the Chief of Space Operations, in consultation with the Director of National Intelligence, shall brief the appropriate committees of Congress on the threats to United States space operations posed by the Russian Federation, the People's Republic of China, and any other country relevant to the conduct of such operations.

(b) ELEMENTS.—Each briefing required by subsection (a) shall include the following:

(1) A review of the current posture of such threats and anticipated advances in such threats over the subsequent five-year period.

(2) A description of potential measures to counter such threats.

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

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

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

Subtitle B—Defense Intelligence and Intelligence-related Activities

SEC. 1521. AUTHORITY FOR ARMY COUNTERINTELLIGENCE AGENTS TO EXECUTE WARRANTS AND MAKE ARRESTS.

(a) IN GENERAL.—Section 7377 of title 10, United States Code, is amended—

(1) in the section heading, by inserting ''**and Army Counterintelligence Command**'' before the colon; and

(2) in subsection (b)—

(A) by striking''any employee of the Department of the Army who is a special agent'' and inserting the following: ''any employee of the Department of the Army who is—

''(1) a special agent'';

(B) in subparagraph (1), as designated by subparagraph (A), by striking the period at the end and inserting ''; or''; and

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

''(2) a special agent of the Army Counterintelligence Command (or a successor to that command) whose duties include conducting, supervising, or coordinating counterintelligence investigations involving potential or alleged violations punishable under chapter 37, 113B, or 115 of title 18 and similar offenses punishable under this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 747 of such title is amended by striking the item relating to section 7377 and inserting the following new item:

''7377. Civilian special agents of the Criminal Investigation Command and Army Counterintelligence Command: authority to execute warrants and make arrests.''.

SEC. 1522. ANNUAL BRIEFING BY DIRECTOR OF THE DEFENSE INTELLIGENCE AGENCY ON ELECTRONIC WARFARE THREAT TO OPERATIONS OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Not later than the first March 31 after the date of the enactment of this Act and not later than March 31 of each year thereafter until March 31, 2026, the Director of the Defense Intelligence Agency shall provide the congressional defense committees, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives a briefing on the electronic warfare threat to operations of the Department of Defense by Russia and China as well other countries relevant to the conduct of such operations.

(b) CONTENTS.—Each briefing provided under subsection (a) shall include a review of the following:

(1) Current electronic warfare capabilities of the armed forces of Russia, the armed forces of China, and the armed forces of such other countries as the Director considers appropriate.

(2) An estimate, for the five-year period beginning after the date of the briefing of the following:

(A) Advances in electronic warfare threats to the operations of the Department from the countries referred to in paragraph (1).

(B) The order of battle for Russia, China, and each other country the Secretary considers appropriate.

Subtitle C—Nuclear Forces

SEC. 1531. PARTICIPATION IN UNITED STATES STRATEGIC COMMAND STRATEGIC DETERRENCE EXERCISES.

(a) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) presidential decisions to consider or authorize the use of nuclear weapons are of critical national importance, and should be informed by senior officials and staff who are intimately familiar with the likely scenarios in which such use might be contemplated and trained in the associated consultation and communications processes;

(2) in a world in which emerging technologies are rapidly changing the nature of conflict, the considerations surrounding the use of nuclear weapons have become even more complex, challenging even those most experienced with the intricacies of nuclear employment decision-making processes, and that now, more than ever, effective crisis management requires improved senior leader understanding of the complexities of deterrence, escalation and de-escalation, and the range of options available across all phases of a crisis or conflict;

(3) as a result of the concerns described in paragraph (2), section 1669 of the John S.

McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2156) directed the Secretary of Defense to contract with a federally funded research and development center to conduct a study on the potential benefits and risks of options to increase the time the President has to make a decision regarding the employment of nuclear weapons;

(4) the resulting report, completed by the Institute for Defense Analyses, found that, ''For the underlying system to have the best chance of giving a president all of the decision time the circumstances afford, trusted advisors cannot be starting to become familiar with nuclear weapons and operations in the midst of a crisis. Consequently, a relatively simple path to maximizing presidential decision time focuses on preparing principals for a type of decision or situation that will be different than anything they have encountered previously in their careers.'';

(5) in 2020, the Defense Science Board reached a similar recommendation in assessing the national leadership command capability, which was to ''establish an exercise, testing, and learning regimen that is sustained and provides the principal source of areas for continuous improvement in capabilities and processes'';

(6) such preparation is best achieved through participation in realistic and operationally relevant simulations of scenarios in which a decision to authorize the use of nuclear weapons might reasonably be considered and, accordingly, senior officials, advisors to the President, and staff should leverage any and all opportunities to improve their familiarity with such scenarios and processes; and

(7) because of the highly classified nature of such activities, the most appropriate means of improving familiarity with such scenarios and processes is through participation in annual exercises organized and executed by the United States Strategic Command and Joint Staff or through other appropriate nuclear and command control exercises conducted on a regular basis.

(b) PARTICIPATION IN UNITED STATES STRATEGIC COMMAND STRATEGIC DETERRENCE EXERCISES.—

(1) IN GENERAL.—Chapter 24 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 499b. Participation in United States Strategic Command strategic deterrence exercises

''(a) IN GENERAL.—In the case of annual strategic deterrence exercises held by the United States Strategic Command during fiscal years 2022 through 2032—

''(1) the Assistant to the President for National Security Affairs is encouraged to participate in each such exercise that occurs during an even-numbered year;

''(2) the Deputy Assistant to the President for National Security Affairs is encouraged to participate in each such exercise that occurs during an odd-numbered year;

''(3) the Under Secretary of Defense for Policy shall participate, in whole or in part, in each such exercise;

''(4) the Vice Chairman of the Joint Chiefs of Staff shall participate, in whole or in part, in each such exercise;

''(5) appropriate senior staff of the Executive Office of the President or appropriate organizations supporting the White House relating to continuity of government activities are encouraged to participate in each such exercise;

''(6) appropriate general or flag officers of the military departments, and appropriate employees of Federal agencies in Senior Executive Service positions (as defined in section 3132 of title 5, United States Code), shall participate, in whole or in part, in each such exercise, to provide relevant expertise to the Assistant to the President for National Security Affairs and the Deputy Assistant to the President for National Security Affairs; and

''(7) in the case of such an exercise for which a unified combatant command has a geographic area of responsibility relevant to the scenario planned to be used for the exercise, not fewer than two of the following individuals from that command shall participate, in whole or in part, in the exercise:

''(A) The Commander.

''(B) The Deputy Commander.

''(C) The Director of the Joint Staff for Operations.

''(D) The Director of the Joint Staff for Strategic Plans and Policy.

''(b) REPORTS REQUIRED.—(1) Not later than 30 days after the completion of an annual strategic deterrence exercise described in subsection (a), the Commander of the United States Strategic Command shall submit to the Chairman of the Joint Chiefs of Staff and the Secretary of Defense a report on the exercise, which, at a minimum, shall include the following:

''(A) A description of the purpose and scope of the exercise.

''(B) An identification of the principal personnel participating in the exercise.

''(C) A statement of the principal findings resulting from the exercise that specifically relate to the nuclear command, control, and communications or senior leader decision-making process and a description of any deficiencies in that process identified a result of the exercise.

''(2) Not later than 60 days after the completion of an annual strategic deterrence exercise described in subsection (a), the Secretary shall transmit to the congressional defense committees—

''(A) an unedited copy of the report of the Commander submitted under paragraph (1); and

''(B) any additional recommendations or other matters the Secretary considers appropriate.''.

(2) CLERICAL AMENDMENT.—The table of sections for chapter 24 of such title is amended by adding at the end the following new item:

''499b. Participation in annual United States Strategic Command strategic deterrence exercises.''.

SEC. 1532. MODIFICATION TO REQUIREMENTS RELATING TO NUCLEAR FORCE REDUCTIONS.

(a) PRIOR NOTIFICATION OF REDUCTIONS FOR INSUFFICIENT FUNDING.—Subsection (a)(2)(B) of section 494 of title 10, United States Code, is amended by striking ''60 days'' and inserting ''120 days''.

(b) NET ASSESSMENT OF NUCLEAR FORCE LEVELS WITH RESPECT TO CERTAIN PROPOSALS TO REDUCE NUCLEAR WEAPONS STOCKPILE.—Subsection (c) of such section is amended—

(1) by striking ''December 31, 2011'' each place it appears and inserting ''December 31, 2021'';

(2) in paragraph (1)—

(A) by amending subparagraph (B) to read as follows:

''(B) the Secretary of Defense shall, not later than 120 days before the President implements that proposal, submit to the congressional defense committees—

''(i) the assessment described in subparagraph (A), unchanged, together with the explanatory views of the Secretary, as the Secretary deems appropriate; and

''(ii) an assessment of whether the proposed reduction in nuclear weapons will cause the number of nuclear weapons in the United States nuclear weapons stockpile to be fewer than the high-confidence assessment of the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4))) with respect to the number of nuclear weapons in the stockpiles of the Russian Federation and the People's Republic of China; and''; and

(B) in subparagraph (C), by striking ''Committees on Armed Forces of the Senate and the House of Representatives'' and inserting ''congressional defense committees'';

(3) in paragraph (2)(B)—

(A) in clause (i)—

(i) by inserting ''nonpermanent'' before ''reductions''; and

(ii) by striking ''; or'' and inserting a semicolon;

(B) by redesignating clause (ii) as clause (iii); and

(C) by inserting after clause (i) the following new clause (ii):

''(ii) nonpermanent reductions that support the reliability, credibility, testing, maintenance, or certification of nuclear weapons delivery systems; or''; and

(4) by striking paragraph (3).

(c) PREVENTION OF ASYMMETRY IN REDUCTIONS.—Such section is further amended by striking subsection (d).

SEC. 1533. MODIFICATIONS TO REQUIREMENTS RELATING TO UNILATERAL CHANGES IN NUCLEAR WEAPONS STOCKPILE OF THE UNITED STATES.

Section 498 of title 10, United States Code, is amended—

(1) by striking subsection (a) and inserting the following new subsection (a):

''(a) IN GENERAL.—Other than pursuant to a treaty to which the Senate has provided advice and consent pursuant to section 2 of article II of the Constitution of the United States, if the President has under consideration to unilaterally change the size of the total stockpile of nuclear weapons of the United States, or the total number of deployed nuclear weapons (as defined under the New START Treaty), by more than 15 percent, prior to doing so the President shall initiate a Nuclear Posture Review.'';

(2) in subsection (c), by striking ''in the nuclear weapons stockpile by more than 25 percent'' and inserting ''described in subsection (a)'';

(3) in subsection (d), by striking ''treaty obligations'' and inserting ''obligations pursuant to a treaty to which the Senate has provided advice and consent pursuant to section 2 of article II of the Constitution''; and

(4) by adding at the end the following:

''(f) NEW START TREATY DEFINED.—In this section, the term 'New START Treaty' means the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010, and entered into force on February 5, 2011.''.

SEC. 1534. DEADLINE FOR REPORTS ON MODIFICATION OF FORCE STRUCTURE FOR STRATEGIC NUCLEAR WEAPONS DELIVERY SYSTEMS.

Section 493 of title 10, United States Code, is amended in the first sentence by inserting after ''report on the modification'' the following: ''not less than 180 days before the intended effective date of the modification''.

SEC. 1535. MODIFICATION OF DEADLINE FOR NOTIFICATIONS RELATING TO REDUCTION, CONSOLIDATION, OR WITHDRAWAL OF NUCLEAR FORCES BASED IN EUROPE.

Section 497(b) of title 10, United States Code, is amended by striking ''60 days'' and inserting ''120 days''.

SEC. 1536. CONGRESSIONAL COMMISSION ON THE STRATEGIC POSTURE OF THE UNITED STATES.

(a) ESTABLISHMENT.—There is established in the legislative branch a commission to be

known as the ''Congressional Commission on the Strategic Posture of the United States'' (in this section referred to as the ''Commission''). The purpose of the Commission is to examine and make recommendations to the President and Congress with respect to the long-term strategic posture of the United States.

(b) COMPOSITION.—

(1) MEMBERSHIP.—The Commission shall be composed of 12 members appointed as follows:

(A) Three by the chairperson of the Committee on Armed Services of the Senate.

(B) Three by the ranking minority member of the Committee on Armed Services of the Senate.

(C) Three by the chairperson of the Committee on Armed Services of the House of Representatives.

(D) Three by the ranking minority member of the Committee on Armed Services of the House of Representatives.

(2) QUALIFICATIONS.—

(A) IN GENERAL.—In making appointments under paragraph (1), the chairpersons and ranking minority members of the Committees on Armed Services of the Senate and the House of Representatives shall select members from among individuals who—

(i) are United States citizens;

(ii) are not officers or employees of the Federal Government or any State or local government; and

(iii) have received national recognition and have significant depth of experience in such professions as governmental service, law enforcement, the Armed Forces, law, public administration, intelligence gathering, commerce (including aviation matters), or foreign affairs.

(B) POLITICAL PARTY AFFILIATION.—Not more than 6 members of the Commission may be appointed from the same political party.

(3) DEADLINE FOR APPOINTMENT.—

(A) IN GENERAL.—All members of the Commission shall be appointed under paragraph (1) not later than 45 days after the date of the enactment of this Act.

(B) EFFECT OF LACK OF APPOINTMENTS BY APPOINTMENT DATE.—If one or more appointments under paragraph (1) is not made by the date specified in subparagraph (A)—

(i) the authority to make such appointment or appointments shall expire; and

(ii) the number of members of the Commission shall be reduced by the number of appointments not made by that date.

(4) CHAIRPERSON; VICE CHAIRPERSON.—

(A) CHAIRPERSON.—The chairpersons of the Committees on Armed Services of the Senate and the House of Representatives shall jointly designate one member of the Commission to serve as chairperson of the Commission.

(B) VICE CHAIRPERSON.—The ranking minority members of the Committees on Armed Services of the Senate and the House of Representatives shall jointly designate one member of the Commission to serve as vice chairperson of the Commission.

(5) ACTIVATION.—

(A) IN GENERAL.—The Commission—

(i) may begin operations under this section on the date on which not less than ⅔ of the members of the Commission have been appointed under paragraph (1); and

(ii) shall meet and begin the operations of the Commission as soon as practicable after the date described in clause (i).

(B) SUBSEQUENT MEETINGS.—After its initial meeting, the Commission shall meet upon the call of the chairperson or a majority of its members.

(6) QUORUM.—Eight members of the Commission shall constitute a quorum.

(7) PERIOD OF APPOINTMENT; VACANCIES.—Members of the Commission shall be appointed for the life of the Commission. A vacancy in the Commission does not affect the powers of the Commission and shall (except as provided by paragraph (3)(B)) be filled in the same manner in which the original appointment was made.

(8) REMOVAL OF MEMBERS.—

(A) IN GENERAL.—A member of the Commission may be removed from the Commission for cause by the individual serving in the position responsible for the original appointment of the member under paragraph (1), provided that notice is first provided to that official of the cause for removal, and removal is voted and agreed upon by ¾ of the members of the Commission.

(B) VACANCIES.—A vacancy created by the removal of a member of the Commission under subparagraph (A) does not affect the powers of the Commission and shall be filled in the same manner in which the original appointment was made.

(c) DUTIES.—

(1) REVIEW.—The Commission shall conduct a review of the strategic posture of the United States, including a strategic threat assessment and a detailed review of nuclear weapons policy, strategy, and force structure and factors affecting the strategic stability of near-peer competitors of the United States.

(2) ASSESSMENT AND RECOMMENDATIONS.—

(A) ASSESSMENT.—The Commission shall assess—

(i) the benefits and risks associated with the current strategic posture and nuclear weapons policies of the United States;

(ii) factors affecting strategic stability that relate to the strategic posture; and

(iii) lessons learned from the findings and conclusions of the Congressional Commission on the Strategic Posture of the United States established by section 1062 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 319) and other previous commissions and previous Nuclear Posture Reviews.

(B) RECOMMENDATIONS.—The Commission shall make recommendations with respect to—

(i) the most appropriate strategic posture;

(ii) the extent to which capabilities other than nuclear weapons can contribute to or detract from strategic stability; and

(iii) the most effective nuclear weapons strategy for strategic posture and stability.

(d) REPORT AND BRIEFING REQUIRED.—

(1) IN GENERAL.—Not later than December 31, 2022, the Commission shall submit to the President and the Committees on Armed Services of the Senate and the House of Representatives a report on the Commission's findings, conclusions, and recommendations.

(2) ELEMENTS.—The report required by paragraph (1) shall include—

(A) the recommendations required by subsection (c)(2)(B);

(B) a description of the military capabilities and force structure necessary to support the nuclear weapons strategy recommended under that subsection, including nuclear, nonnuclear kinetic, and nonkinetic capabilities that might support the strategy, and other factors that might affect strategic stability;

(C) a description of the nuclear infrastructure (that is, the size of the nuclear complex) required to support the strategy and the appropriate organizational structure for the nuclear security enterprise;

(D) an assessment of the role of missile defenses in the strategy;

(E) an assessment of the role of cyber defense capabilities in the strategy;

(F) an assessment of the role of space systems in the strategy;

(G) an assessment of the role of nonproliferation programs in the strategy;

(H) an assessment of the role of nuclear arms control in the strategy;

(I) an assessment of the political and military implications of the strategy for the United States and its allies; and

(J) any other information or recommendations relating to the strategy (or to the strategic posture) that the Commission considers appropriate.

(3) INTERIM BRIEFING.—Not later than 180 days after the deadline for appointment of members of the Commission specified in subsection (b)(3)(A), the Commission shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the status of the review, assessments, and recommendations required by subsection (c), including a discussion of any interim recommendations.

(e) INFORMATION FROM FEDERAL AGENCIES.—

(1) IN GENERAL.—The Commission may secure directly from the Department of Defense, the National Nuclear Security Administration, the Department of State, or the Office of the Director of National Intelligence information, suggestions, estimates, and statistics for the purposes of this section. Each of such agency shall, to the extent authorized by law, furnish such information, suggestions, estimates, and statistics directly to the Commission, upon receiving a request made by—

(A) the chairperson of the Commission;

(B) the chairperson of any subcommittee of the Commission created by a majority of members of the Commission; or

(C) any member of the Commission designated by a majority of the Commission for purposes of making requests under this paragraph.

(2) RECEIPT, HANDLING, STORAGE, AND DISSEMINATION.—Information, suggestions, estimates, and statistics provided to the Commission under paragraph (1) may be received, handled, stored, and disseminated only by members of the Commission and its staff consistent with all applicable statutes, regulations, and Executive orders.

(f) ASSISTANCE FROM FEDERAL AGENCIES.—In addition to information, suggestions, estimates, and statistics provided under subsection (e), departments and agencies of the United States may provide to the Commission such services, funds, facilities, staff, and other support services as those departments and agencies may determine advisable and as may be authorized by law.

(g) COMPENSATION AND TRAVEL EXPENSES.—

(1) STATUS AS FEDERAL EMPLOYEES.—Notwithstanding the requirements of section 2105 of title 5, United States Code, including the requirements relating to supervision under subsection (a)(3) of such section, the members of the commission shall be deemed to be Federal employees.

(2) COMPENSATION.—Each member of the Commission may be compensated at not to exceed the daily equivalent of the annual rate of basic pay in effect for a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day during which that member is engaged in the actual performance of the duties of the Commission.

(3) TRAVEL EXPENSES.—While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703 of title 5, United States Code.

(h) STAFF.—

(1) EXECUTIVE DIRECTOR.—The Commission shall appoint and fix the rate of basic pay for

an Executive Director in accordance with section 3161(d) of title 5, United States Code.

(2) PAY.—The Executive Director appointed under paragraph (1) may, with the approval of the Commission, appoint and fix the rate of basic pay for additional personnel as staff of the Commission in accordance with section 3161(d) of title 5, United States Code.

(i) PERSONAL SERVICES.—

(1) AUTHORITY TO PROCURE.—The Commission may—

(A) procure the services of experts or consultants (or of organizations of experts or consultants) in accordance with the provisions of section 3109 of title 5, United States Code; and

(B) pay in connection with such services travel expenses of individuals, including transportation and per diem in lieu of subsistence, while such individuals are traveling from their homes or places of business to duty stations.

(2) MAXIMUM DAILY PAY RATES.—The daily rate paid an expert or consultant procured pursuant to paragraph (1) may not exceed the daily equivalent of the annual rate of basic pay in effect for a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(j) CONTRACTING AUTHORITY.—The Commission may acquire administrative supplies and equipment for Commission use to the extent funds are available.

(k) AUTHORITY TO ACCEPT GIFTS.—

(1) IN GENERAL.—The Commission may accept, use, and dispose of gifts or donations of services, goods, and property from non-Federal entities for the purposes of aiding and facilitating the work of the Commission. The authority under this paragraph does not extend to gifts of money.

(2) DOCUMENTATION; CONFLICTS OF INTEREST.—The Commission shall document gifts accepted under the authority provided by paragraph (1) and shall avoid conflicts of interest or the appearance of conflicts of interest.

(3) COMPLIANCE WITH CONGRESSIONAL ETHICS RULES.—Except as specifically provided in this section, a member of the Commission shall comply with rules set forth by the Select Committee on Ethics of the Senate and the Committee on Ethics of the House of Representatives governing employees of the Senate and the House of Representatives, respectively.

(l) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as departments and agencies of the United States.

(m) COMMISSION SUPPORT.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into a contract with a federally funded research and development center to provide appropriate staff and administrative support for the activities of the Commission.

(n) EXPEDITION OF SECURITY CLEARANCES.—The Office of Senate Security and the Office of House Security shall ensure the expedited processing of appropriate security clearances for personnel appointed to the Commission by offices of the Senate and the House of Representatives, respectively, under processes developed for the clearance of legislative branch employees.

(o) LEGISLATIVE ADVISORY COMMITTEE.—The Commission shall operate as a legislative advisory committee and shall not be subject to the provisions of the Federal Advisory Committee Act (5 U.S.C. App) or section 552b, United States Code (commonly known as the ''Government in the Sunshine Act'').

(p) FUNDING.—Of the amounts authorized to be appropriated by this Act for fiscal year 2022 for the Department of Defense, up to $7,000,000 shall be made available to the Commission to carry out its duties under this section. Funds made available to the Commission under the preceding sentence shall remain available until expended.

(q) TERMINATION.—

(1) IN GENERAL.—The Commission, and all authorities under this section, shall terminate on the date that is 90 days after the Commission submits the final report required by subsection (d).

(2) ADMINISTRATIVE ACTIONS BEFORE TERMINATION.—The Commission may use the 90-day period described in paragraph (1) for the purpose of concluding its activities, including providing testimony to committees of Congress with respect to and disseminating the report required by subsection (d).

SEC. 1537. REVISED NUCLEAR POSTURE REVIEW.

(a) REQUIREMENT FOR COMPREHENSIVE REVIEW.—In order to clarify United States nuclear deterrence policy and strategy for the near term, the Secretary of Defense, acting through the Under Secretary of Defense for Policy and the Vice Chairman of the Joint Chiefs of Staff, shall conduct a comprehensive review of the nuclear posture of the United States for the next 5 to 10 years. The Secretary shall conduct the review in consultation with the Secretary of Energy, the Secretary of State, and the Director of National Intelligence.

(b) ELEMENTS OF REVIEW.—The nuclear posture review shall include the following elements:

(1) An assessment of the current and projected nuclear capabilities of the Russian Federation and the People's Republic of China, and such other potential threats as the Secretary considers appropriate to include.

(2) The role of nuclear forces in United States military strategy, planning, and programming.

(3) The policy requirements and objectives for the United States to maintain a safe, reliable, and credible nuclear deterrence posture.

(4) The relationship among United States nuclear deterrence policy, targeting strategy, and arms control objectives.

(5) The role that missile defenses, conventional strike forces, and other capabilities play in determining the role and size of nuclear forces.

(6) The levels and composition of the nuclear delivery systems that will be required for implementing the United States national and military strategy, including ongoing plans for replacing existing systems.

(7) The nuclear weapons complex that will be required for implementing the United States national and military strategy, including ongoing plans to modernize the complex.

(8) The active and inactive nuclear weapons stockpile that will be required for implementing the United States national and military strategy, including ongoing plans for replacing or modifying warheads.

(c) REPORT TO CONGRESS.—The Secretary of Defense shall submit to Congress, in unclassified and classified forms as necessary, a report on the results of the nuclear posture review conducted under this section. The report shall be submitted concurrently with the national defense strategy required to be submitted under section 113(g) of title 10, United States Code, in 2022.

SEC. 1538. GROUND-BASED STRATEGIC DETERRENT DEVELOPMENT PROGRAM ACCOUNTABILITY MATRICES.

(a) IN GENERAL.—Concurrent with the submission to Congress of the budget of the President for fiscal year 2023 and each fiscal year thereafter pursuant to section 1105(a) of title 31, United States Code, the Secretary of the Air Force shall submit to the congressional defense committees and the Comptroller General of the United States the matrices described in subsection (b) relating to the ground-based strategic deterrent weapon system.

(b) MATRICES DESCRIBED.—The matrices described in this subsection are the following:

(1) ENGINEERING AND MANUFACTURING DEVELOPMENT GOALS.—A matrix that identifies, in six-month increments, key milestones, development events, and specific performance goals for the engineering and manufacturing development phase of the ground-based strategic deterrent weapon system, which shall be subdivided, at a minimum, according to the following:

(A) Technology maturity, including technology readiness levels of major components and key demonstration events leading to technology readiness level 7 full maturity.

(B) Design maturity for the missile, weapon system command and control, and ground systems.

(C) Software maturity, including key events and metrics.

(D) Manufacturing maturity, including manufacturing readiness levels for critical manufacturing operations and key demonstration events.

(E) The schedule with respect to the following:

(i) Ground-based strategic deterrent weapon system level critical path events and margins.

(ii) Separate individual critical path events and margins for each of the following major events:

(I) First flight.

(II) First functional test.

(III) Weapon system qualification.

(IV) Combined certifications.

(V) Operational weapon system article.

(VI) Initial operational capability.

(VII) Wing A completion.

(F) Personnel, including planned and actual staffing for the program office and for contractor and supporting organizations, including for testing, nuclear certification, and civil engineering by the Air Force.

(G) Reliability, including growth plans and key milestones.

(2) COST.—

(A) IN GENERAL.—The following matrices relating to the cost of the ground-based strategic deterrent weapon system:

(i) A matrix expressing, in six-month increments, the total cost for the engineering and manufacturing development phase and low rate initial production lots of the ground-based strategic deterrent weapon system.

(ii) A matrix expressing the total cost for the prime contractor's estimate for the engineering and manufacturing development phase and production lots.

(B) PHASING AND SUBDIVISION OF MATRICES.—The matrices described in clauses (i) and (ii) of subparagraph (A) shall be—

(i) phased over the entire engineering and manufacturing development period; and

(ii) subdivided according to the costs of the primary subsystems in the ground-based strategic deterrent weapon system work breakdown structure.

(c) SEMI-ANNUAL UPDATES OF MATRICES.—Not later than 180 days after the date on which the Secretary submits the matrices described in subsection (b) for a year as required by subsection (a), the Secretary shall submit to the congressional defense committees and the Comptroller General updates to the matrices.

(d) TREATMENT OF THE FIRST MATRICES AS BASELINE.—

(1) IN GENERAL.—The first set of matrices submitted under subsection (a) shall be treated as the baseline for the full engineering and manufacturing development phase and low rate initial production of the

ground-based strategic deterrent weapon system program for purposes of updates submitted under subsection (c) and subsequent matrices submitted under subsection (a).

(2) ELEMENTS.—After the submission of the first set of matrices required by subsection (a), each update submitted under subsection (c) and each subsequent set of matrices submitted under subsection (a) shall—

(A) clearly identify changes in key milestones, development events, and specific performance goals identified in the first set of matrices; and

(B) provide updated cost estimates.

(e) ASSESSMENT BY COMPTROLLER GENERAL OF THE UNITED STATES.—Not later than 60 days after receiving the matrices described in subsection (b) for a year as required by subsection (a), the Comptroller General shall assess the acquisition progress made with respect to the ground-based strategic deterrent weapon system and brief the congressional defense committees on the results of that assessment.

(f) TERMINATION.—The requirements of this section shall terminate on the date that is one year after the ground-based strategic deterrent weapon system achieves initial operational capability.

SEC. 1539. PROCUREMENT AUTHORITY FOR CERTAIN PARTS OF GROUND-BASED STRATEGIC DETERRENT CRYPTOGRAPHIC DEVICE.

(a) IN GENERAL.—The Secretary of the Air Force may enter into contracts for the life-of-type procurement of covered parts supporting the KS–75 cryptographic device under the ground-based strategic deterrent program.

(b) AVAILABILITY OF FUNDS.—Notwithstanding section 1502(a) of title 31, United States Code, of the amount authorized to be appropriated for fiscal year 2022 by section 101 and available for Missile Procurement, Air Force, as specified in the funding table in section 4101, $10,000,000 shall be available for the procurement of covered parts pursuant to contracts entered into under subsection (a).

(c) COVERED PARTS DEFINED.—In this section, the term ''covered parts'' means commercially available off-the-shelf items as defined in section 104 of title 41, United States Code.

SEC. 1540. MISSION-DESIGN SERIES POPULAR NAME FOR GROUND-BASED STRATEGIC DETERRENT.

(a) REQUIREMENT.—Not later than 30 days after the date of the enactment of this Act, the Secretary of the Air Force, in coordination with the Under Secretary of Defense for Acquisition and Sustainment, shall establish a mission-design series popular name for the ground-based strategic deterrent, consistent with the procedures set forth in Department of Defense Directive 4120.15 (relating to designating and naming military aerospace vehicles).

(b) NOTIFICATION.—Not later than 10 days after completing the requirement under subsection (a), the Secretary of the Air Force shall notify the congressional defense committees of the completion of the requirement.

SEC. 1541. B–21 RAIDER NUCLEAR CAPABILITY AND INTEGRATION WITH LONG-RANGE STANDOFF WEAPON.

Not later than two years after declaration of initial operational capability for the long-range standoff weapon, the Secretary of the Air Force shall ensure that—

(1) all integration activities with the B–21 Raider are completed; and

(2) the B–21 Raider will be operationally capable of employing the long-range standoff weapon across all required mission scenarios.

SEC. 1542. COMPTROLLER GENERAL STUDY AND UPDATED REPORT ON NUCLEAR WEAPONS CAPABILITIES AND FORCE STRUCTURE REQUIREMENTS.

(a) COMPTROLLER GENERAL STUDY REQUIRED.—The Comptroller General of the United States shall conduct a study on the strategic nuclear weapons capabilities, force structure, employment policy, and targeting requirements of the Department of Defense.

(b) MATTERS COVERED.—The study conducted under subsection (a) shall, at minimum, consist of an update to the report of the Comptroller General entitled ''Strategic Weapons: Changes in the Nuclear Weapons Targeting Process Since 1991'' (GAO–12–786R) and dated July 31, 2012, including covering any changes to—

(1) how the Department of Defense has assessed threats and modified its nuclear deterrence policy;

(2) targeting and employment guidance from the President, the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, and the Commander of United States Strategic Command;

(3) nuclear weapons planning and targeting, including categories and types of targets;

(4) strategic nuclear forces, including the stockpile, force posture, and modernization;

(5) the level of civilian oversight;

(6) the relationship between targeting and requirements; and

(7) any other matters considered appropriate by the Comptroller General.

(c) REPORTING.—

(1) BRIEFING ON PRELIMINARY FINDINGS.—Not later than March 31, 2022, the Comptroller General shall provide to the congressional defense committees a briefing on the preliminary findings of the study conducted under subsection (a).

(2) FINAL REPORT.—The Comptroller General shall submit to the congressional defense committees a final report on the findings of the study conducted under subsection (a) at a time agreed to by the Comptroller General and the congressional defense committees at the briefing required by paragraph (1).

(3) FORM.—The briefing required by paragraph (1) may be provided, and the report required by paragraph (2) may be submitted, in classified form.

(d) COOPERATION.—The Secretary of Defense and the Secretary of Energy shall provide the Comptroller General with full cooperation and access to appropriate officials, guidance, and documentation for the purposes of conducting the study required by subsection (a).

SEC. 1543. PROHIBITION ON REDUCTION OF THE INTERCONTINENTAL BALLISTIC MISSILES OF THE UNITED STATES.

(a) PROHIBITION.—Except as provided in subsection (b), none of the funds authorized to be appropriated by this Act for fiscal year 2022 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 State to a number less than 400.

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to the following activities:

(1) The maintenance, sustainment, or replacement of intercontinental ballistic missiles.

(2) Ensuring the safety, security, or reliability of intercontinental ballistic missiles.

SEC. 1544. LIMITATION ON USE OF FUNDS UNTIL COMPLETION OF ANALYSIS OF ALTERNATIVES FOR NUCLEAR SEA-LAUNCHED CRUISE MISSILE.

(a) IN GENERAL.—Not more than 90 percent of the funds authorized to be appropriated by this Act for fiscal year 2022 to the Office of the Under Secretary of Defense for Policy, for the purposes of operating the Office of the Assistant Secretary of Defense for Strategy, Plans, and Capabilities, may be obligated or expended until the Under Secretary provides a briefing to the congressional defense committees on—

(1) the results of the analysis of alternatives for the nuclear sea-launched cruise missile; and

(2) the analysis of the Director of Cost Assessment and Program Evaluation of the adequacy of that analysis of alternatives, conducted pursuant to section 139a(d)(4) of title 10, United States Code.

(b) REPORT REQUIRED.—Not later than April 1, 2022, the Chairman of the Nuclear Weapons Council, in coordination with the Secretary of the Navy and the Administrator for Nuclear Security, shall provide a briefing to the congressional defense committees on the planned management structure for the joint missile and warhead development program.

SEC. 1545. SENSE OF THE SENATE ON NATO SECURITY AND NUCLEAR COOPERATION BETWEEN THE UNITED STATES AND THE UNITED KINGDOM.

It is the sense of the Senate that—

(1) the United States strategic nuclear deterrent, and the independent strategic nuclear deterrents of the United Kingdom and the French Republic, are the supreme guarantee of the security of the North Atlantic Treaty Organization (commonly referred to as ''NATO'') and continue to underwrite peace and security for all members of the NATO alliance;

(2) the security of the NATO alliance also relies upon nuclear sharing arrangements that predate, and are fully consistent with, the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968, and entered into force March 5, 1960 (commonly referred to as the ''Nuclear Non-Proliferation Treaty'');

(3) such arrangements provide for the forward deployment of United States nuclear weapons in Europe, along with the supporting capabilities, infrastructure, and dual-capable aircraft dedicated to the delivery of United States nuclear weapons, provided by European NATO allies;

(4) in parallel to the independent commitments of the United States and the United Kingdom to the enduring security of NATO, 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, between the United States and the United Kingdom (commonly referred to as the ''Mutual Defense Agreement'');

(5) the unique partnership between the United States and the United Kingdom has enhanced sovereign military and scientific capabilities, strengthened bilateral ties, and resulted in the sharing of costs;

(6) as the international security environment deteriorates and potential adversaries expand and enhance their nuclear forces, the extended deterrence commitments of the United Kingdom play an increasingly important role in supporting the security interests of the United States and allies of the United States and the United Kingdom;

(7) 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;

(8) it is in the national security interest of the United States to support the United Kingdom with respect to the decision of the Government of the United Kingdom to maintain its nuclear forces to deter countries that are ''significantly increasing and diversifying their nuclear arsenals'' and ''investing in novel nuclear technologies and developing new 'warfighting' nuclear systems'' that could threaten NATO allies, as outlined in the March 2021 report of the Government of the United Kingdom entitled, ''Global Britain in a Competitive Age: The Integrated Review of Security, Defence, Development and Foreign Policy'';

(9) as the United States continues to modernize its aging nuclear forces to ensure its ability to continue to field a nuclear deterrent that is safe, secure, and effective, the United Kingdom faces a similar challenge;

(10) bilateral cooperation on such programs as the Trident II D5 weapons system, the common missile compartment for the future Dreadnought and Columbia classes of submarines, and the parallel development of the W93/Mk7 warhead of the United States and the replacement warhead of the United Kingdom, will allow the United States and the United Kingdom to responsibly address challenges within their legacy nuclear forces in a cost-effective manner that—

(A) meets national requirements and preserves independent, sovereign control;

(B) is consistent with each country's obligations under the Nuclear Non-Proliferation Treaty; and

(C) supports nonproliferation objectives; and

(11) continued cooperation between the nuclear programs of United States and the United Kingdom is essential to ensuring that the NATO alliance continues to be supported by credible nuclear forces capable of preserving peace, preventing coercion, and deterring aggression.

SEC. 1546. SENSE OF THE SENATE ON MAINTAINING DIVERSITY IN THE NUCLEAR WEAPONS STOCKPILE.

(a) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) in order to ensure adequate confidence in the functionality of the United States nuclear weapons stockpile, the National Nuclear Security Administration must maintain sufficient diversity in the designs and types of nuclear weapons it makes available to the Department of Defense;

(2) the Department of Defense should leverage that diversity to field a force with an appropriate mix of capabilities and technological distinctiveness to ensure that the United States nuclear deterrent remains capable of meeting military requirements, even during the unlikely event of a technical issue that renders one particular type of nuclear weapon temporarily or permanently unsuitable for deployment; and

(3) accordingly, it is in the national security interest of the United States to maintain no fewer than two distinct types of deployed nuclear weapons per leg of the nuclear triad in order to ensure that no potential adversary, nor United States ally, doubts the continuing effectiveness of the United States nuclear deterrent.

(b) DEFINITIONS.—In this section:

(1) TYPES OF NUCLEAR WEAPONS.—The term ''type'', with respect to nuclear weapons, means a unique configuration of nuclear explosive packages contained within a warhead or gravity bomb assembly.

(2) NUCLEAR TRIAD.—The term ''nuclear triad'' means the combination of platforms and delivery systems that comprise the strategic nuclear forces of the United States, organized by domain (known as a ''leg''), and consists of the following:

(A) For the land leg, LGM–30G Minuteman III intercontinental ballistic missiles, any associated reentry vehicles, and the planned replacement systems for such missiles and vehicles.

(B) For the sea leg, Ohio class fleet ballistic missile submarines, UGM–133 Trident II submarine-launched ballistic missiles, any associated reentry vehicles, and the planned replacement systems for such submarines, missiles, and vehicles.

(C) For the air leg, B–52H Stratofortress long-range heavy bombers, B–2A Spirit stealth bombers, AGM–86B air-launched cruise missiles, and the planned replacement systems for such bombers and missiles.

SEC. 1547. SENSE OF THE SENATE ON GROUND-BASED STRATEGIC DETERRENT.

(a) FINDINGS.—Congress makes the following findings:

(1) The Minuteman III intercontinental ballistic missile in service as of the date of the enactment of this Act was first deployed in 1970, with a planned 10-year service life.

(2) The Minuteman III force will begin experiencing attrition and age-related component degradation, resulting in the number of available intercontinental ballistic missiles falling below military requirement levels in the late 2020s.

(3) In a 2014 analysis of alternatives, the Air Force concluded that replacing the Minuteman III missile would provide necessary capabilities at lower cost when compared with extending the service life of the Minuteman III missile.

(4) The Director of Cost Assessment and Program Evaluation of the Department of Defense reviewed and validated the Air Force's 2014 analysis of alternatives, stating, ''We recommend moving expeditiously to a Milestone A decision to ensure the timely fielding of the future capability. Additionally, prompt action would demonstrate Air Force and DOD commitment to the following: the nuclear mission to the Airmen serving in the field; our allies relying on our umbrella nuclear deterrent coverage; the American public who has been following recent news reports; and the world at large.''.

(5) In February, 2015, President Barack Obama's budget requested $75,166,000 for a new program of record to develop a replacement for the Minuteman III intercontinental ballistic missile, named the ground-based strategic deterrent.

(6) In connection with the decision to begin the ground-based strategic deterrent program in 2015, the Department of Defense did not undertake new engineering and production efforts for components necessary to conduct a long-term life extension of the current Minuteman system.

(7) General Timothy Ray, former Commander of Air Force Global Strike Command, testified before the Subcommittee on Strategic Forces of the Committee on Armed Services of the Senate on May 12, 2021, that the most recent cost estimate indicates that attempting a long-term life extension of the Minuteman III system would—

(A) cost $38,000,000,000 more than the ground-based strategic deterrent program;

(B) deliver a less-capable, less-secure, less-sustainable system; and

(C) be unable to deliver life-extended systems in time to offset age-related erosion of the Minuteman fleet, resulting in ''a significant gap, in [intercontinental ballistic missile] capability''.

(8) Since 2015, and during multiple presidential administrations, Congress has authorized and appropriated more than $2,800,000,000 to develop the ground-based strategic deterrent.

(9) The ground-based strategic deterrent program has been shown to be a cost-effective solution to maintain the land-based leg of the nuclear triad.

(10) The ground-based strategic deterrent program has been leading the efforts of the Department of Air Force at digital engineering able to run millions of scenarios on the most cost-effective design and government-owned baseline.

(11) The ground-based strategic deterrent will provide the United States with a modern, reliable system capable of meeting emergent challenges while lowering sustainment costs and also improving safety and security.

(12) The Air Force's comprehensive approach to the ground-based strategic deterrent will also address aging infrastructure and modernize nuclear command and control capabilities associated with the intercontinental ballistic missile fleet, much of which remains predominantly unchanged since the 1960s.

(13) The marked erosion of global security conditions and continued increase in the quantity and quality of foreign nuclear arsenals reinforces the need to modernize the United States nuclear deterrent, including the land-based leg of the nuclear triad.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) intercontinental ballistic missiles are a critical component of the United States nuclear deterrent, providing the ability to hedge between legs of the nuclear triad in the case of a component-wide failure in another leg;

(2) the continued development of the ground-based strategic deterrent system, and its eventual replacement of the Minuteman III intercontinental ballistic missile, is needed to maintain an effective intercontinental ballistic missile capability into the future;

(3) ensuring the continued effectiveness of the United States nuclear deterrent through modernization programs such as the ground-based strategic deterrent may also increase opportunities for effective arms control in the future by enhancing the confidence of the United States in the sustainability and effectiveness of each leg of the triad, once replaced with modern equivalents; and

(4) it is in the national security interests of the United States that the Department of Defense prioritize an effective and cost-efficient execution of the ground-based strategic deterrent program before the retirement of the Minuteman III intercontinental ballistic missile in the mid-2030s.

Subtitle D—Missile Defense Programs

SEC. 1551. AUTHORITY TO DEVELOP AND DEPLOY NEXT GENERATION INTERCEPTOR FOR MISSILE DEFENSE OF THE UNITED STATES HOMELAND.

(a) AUTHORITY.—Subject to the availability of appropriations, the Director of the Missile Defense Agency may develop a highly reliable interceptor with volume-kill capabilities for the Ground-based Midcourse Defense system using sound acquisition practices, as outlined in the Government Accountability Office report, ''Observations on Ground-based Midcourse Defense Acquisitions Challenges and Potential Contract Strategy Changes'' (GAO–21–135R), including—

(1) emphasizing the use of high technology readiness level components and software across the system to reduce program risk;

(2) conducting critical parts testing of the Next Generation Interceptor prior to the preliminary design review in order to maximize reliability, producibility, and manufacturability;

(3) commencing rigorous flight testing of the Next Generation Interceptor when essential components reach a technology readiness level of seven or higher;

(4) completing at least two successful intercept flight tests before starting the first lot of production of the Next Generation Interceptor; and

(5) to the maximum extent practicable, promoting industrial base competition via the use of multiple vendors through the Next Generation Interceptor program's critical design review to maximize government return on investment.

(b) PLAN.—If the Director exercises the authority provided by subsection (a), the Director shall develop a funding plan that includes funding lines across the future years defense program for the Next Generation Interceptor that—

(1) produces and begins deployment of the Next Generation Interceptor as early as practicable after the date on which the Director completes carrying out the acquisition practices described in subsection (a);

(2) includes acquiring at least 20 operational Next Generation Interceptors to fill silos currently empty in the ground-based interceptor inventory; and

(3) includes transition plans to replace the current inventory of silo-based boosters with follow-on systems prior to the end of their useful lifecycle.

(c) 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 2023 (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 Next Generation Interceptor program to exercise the authority provided by subsection (a).

(d) CONGRESSIONAL NOTIFICATION OF CANCELLATION REQUIREMENT.—

(1) IN GENERAL.—Not later than 30 days prior to any final decision to cancel the Next Generation Interceptor program, the Director shall brief the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives of such decision.

(2) ELEMENTS.—A briefing under paragraph (1) shall include the following:

(A) A justification for the cancellation decision.

(B) An analysis of the national security risk being accepted due to the cancellation decision.

SEC. 1552. ANNUAL RELIABILITY TESTING FOR THE NEXT GENERATION INTERCEPTOR.

(a) ANNUAL FLIGHT TESTS REQUIRED.—The Director of the Missile Defense Agency shall—

(1) ensure that the Next Generation Interceptor program establishes a process for conducting annual flight tests to evaluate the reliability of the system after the system reaches initial operational capability; and

(2) ensure that such annual reliability testing begins not more than five years after declaration of initial operational capability for the Next Generation Interceptor.

(b) REPORT.—Not later than the date of approval for the Next Generation Interceptor program to enter the production phase of its acquisition process, the Director of the Missile Defense Agency shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report outlining estimated annual costs for conducting annual, operationally relevant flight testing to evaluate the reliability of the system developed under such program, including associated production costs for procuring sufficient flight systems to support such testing for the projected life of the system.

(c) WAIVER.—

(1) IN GENERAL.—The Secretary of Defense may, on an annual basis, waive the testing requirement in subsection (a), if the Secretary determines that the conduct of such a test in a given year will have an unacceptably adverse effect on the operational readiness of the Ballistic Missile Defense System.

(2) NOTICE.—If, pursuant to paragraph (1), the Secretary waives the requirement in subsection (a), the Secretary shall, not later than August 1 of each fiscal year in which a test required by subsection (a) will not occur, submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a notice, in writing, of such waiver.

SEC. 1553. NEXT GENERATION INTERCEPTOR DEVELOPMENT PROGRAM ACCOUNTABILITY MATRICES.

(a) IN GENERAL.—Concurrent with the submission to Congress of the budget of the President for fiscal year 2023 and each fiscal year thereafter pursuant to section 1105(a) of title 31, United States Code, the Director of the Missile Defense Agency shall submit to the congressional defense committees and the Comptroller General of the United States the matrices described in subsection (b) relating to the Next Generation Interceptor weapon system.

(b) MATRICES DESCRIBED.—The matrices described in this subsection are the following:

(1) TECHNOLOGY AND PRODUCT DEVELOPMENT GOALS.—A matrix that identifies, in six-month increments, key milestones, development events, and specific performance goals for the technology development phase and product development phase of the Next Generation Interceptor weapon system, which shall be subdivided, at a minimum, according to the following:

(A) Technology maturity, including technology readiness levels of major interceptor components and key demonstration events leading to full maturity.

(B) Design maturity, including key events and metrics, at the interceptor all up round level and subsystem level and for the ground system.

(C) Parts testing, including key events and metrics for vetting parts and components through a parts, materials, and processes mission assurance plan.

(D) Software maturity, including key events and metrics, at the all up round level and subsystem level for the interceptor and for the ground system.

(E) Manufacturing maturity, including manufacturing readiness levels for critical manufacturing operations and key demonstration events.

(F) Schedule, with respect to key program milestones, critical path events, and margins.

(G) Reliability, including growth plans and key milestones.

(H) Testing and cybersecurity, including developmental and operational ground and flight test planning, execution, and evaluation.

(I) Any other technology and product development goals the Director determines to be appropriate.

(2) COST.—

(A) IN GENERAL.—The following matrices relating to the cost of the Next Generation Interceptor weapon system:

(i) A matrix expressing, in six-month increments, the total cost for the technology development, product development, and initial production phases.

(ii) A matrix expressing the total cost for each of the contractors' estimates for the technology development, product development, and initial production phases.

(B) PHASING AND SUBDIVISION OF MATRICES.—The matrices described in clauses (i) and (ii) of subparagraph (A) shall be—

(i) phased over the entire technology development, product development, and initial production phases; and

(ii) subdivided according to the costs of the primary subsystems in the next Generation Interceptor weapon system work breakdown structure.

(3) STAKEHOLDER AND INDEPENDENT REVIEWS.—A matrix that identifies, in six-month increments, plans and status for coordinating products and obtaining independent reviews for the Next Generation Interceptor weapon system, which shall be grouped by development phase and subdivided according to the following:

(A) Performance requirements, including—

(i) coordinating, updating, and obtaining approval of the top-level requirements document; and

(ii) coordinating system level performance attributes with the Commander of United States Strategic Command.

(B) Intelligence inputs, processes, and products, including—

(i) coordinating, updating, and validating the homeland ballistic missile defense validated online lifecycle threat with the Director of the Defense Intelligence Agency; and

(ii) coordinating and obtaining approval of a lifecycle mission data plan.

(C) Independent assessments, including obtaining an initial and updated—

(i) independent technical risk assessment;

(ii) independent cost estimate; and

(iii) capability and utility assessment.

(D) Models and simulations, including—

(i) obtaining accreditation of interceptor models and simulations at both the all up round level and subsystem level from the Ballistic Missile Defense Operational Test Agency;

(ii) obtaining certification of threat models used for interceptor ground test from the Ballistic Missile Defense Operational Test Agency; and

(iii) obtaining accreditation from the Director of the Defense Intelligence Agency on all threat models, simulations, and associated data used to support interceptor development.

(E) Capability transfer, including establishment of a hybrid program office, lead military department designation, and transfer agreement.

(F) Sustainability and obsolescence, including coordinating and obtaining approval of a lifecycle sustainment plan.

(G) Cybersecurity, including coordinating and obtaining approval of a cybersecurity strategy.

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

(d) SEMIANNUAL UPDATES OF MATRICES.—Not later than 180 days after the date on which the Director submits the matrices described in subsection (b) for a year as required by subsection (a), the Director shall submit to the congressional defense committees and the Comptroller General updates to the matrices.

(e) TREATMENT OF THE FIRST MATRICES AS BASELINE.—

(1) IN GENERAL.—The first set of matrices submitted under subsection (a) shall be treated as the baseline for the full technology development, product development, and initial production phases of the Next Generation Interceptor weapon system program for purposes of updates submitted under subsection (d) and subsequent matrices submitted under subsection (a).

(2) ELEMENTS.—After the submission of the first set of matrices required by subsection (a), each update submitted under subsection

(d) and each subsequent set of matrices submitted under subsection (a) shall—

(A) clearly identify changes in key milestones, development events, and specific performance goals identified in the first set of matrices under subsection (b)(1);

(B) provide updated cost estimates under subsection (b)(2); and

(C) provide updated plans and status under subsection (b)(3).

(f) ASSESSMENT BY COMPTROLLER GENERAL OF THE UNITED STATES.—Not later than 60 days after receiving the matrices described in subsection (b) for a year as required by subsection (a), the Comptroller General shall assess the acquisition progress made with respect to the Next Generation Interceptor weapon system and brief the congressional defense committees on the results of that assessment.

(g) TERMINATION.—The requirements of this section shall terminate on the date that is one year after the Next Generation Interceptor weapon system achieves initial production.

SEC. 1554. EXTENSION OF PERIOD FOR TRANSITION OF BALLISTIC MISSILE DEFENSE PROGRAMS TO MILITARY DEPARTMENTS.

Section 1676(b)(1) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C. 2431 note) is amended by striking ''the date on which the budget of the President for fiscal year 2021 is submitted under section 1105 of title 31, United States Code,'' and inserting, ''October 1, 2023''.

SEC. 1555. IRON DOME SHORT-RANGE ROCKET DEFENSE SYSTEM AND ISRAELI CO-OPERATIVE MISSILE DEFENSE PROGRAM CO-DEVELOPMENT AND CO-PRODUCTION.

(a) IRON DOME SHORT-RANGE ROCKET DEFENSE SYSTEM.—

(1) AVAILABILITY OF FUNDS.—Of the funds authorized to be appropriated by this Act for fiscal year 2022 for procurement, Defense-wide, and available for the Missile Defense Agency, not more than $108,000,000 may be provided to the Government of Israel to procure components for the Iron Dome short-range rocket defense system through co-production of such components in the United States by industry of the United States.

(2) CONDITIONS.—

(A) AGREEMENT.—Funds described in paragraph (1) for the Iron Dome short-range rocket defense program shall be available subject to the terms and conditions in the Agreement Between the Department of Defense of the United States of America and the Ministry of Defense of the State of Israel Concerning Iron Dome Defense System Procurement, signed on March 5, 2014, as amended to include co-production for Tamir interceptors.

(B) CERTIFICATION.—Not later than 30 days prior to the initial obligation of funds described in paragraph (1), the Under Secretary of Defense for Acquisition and Sustainment shall submit to the appropriate congressional committees—

(i) a certification that the amended bilateral international agreement specified in subparagraph (A) is being implemented as provided in such agreement;

(ii) an assessment detailing any risks relating to the implementation of such agreement; and

(iii) for system improvements resulting in modified Iron Dome components and Tamir interceptor sub-components, a certification that the Government of Israel has demonstrated successful completion of Production Readiness Reviews, including the validation of production lines, the verification of component conformance, and the verification of performance to specification as defined in the Iron Dome Defense System Procurement Agreement, as further amended.

(b) ISRAELI COOPERATIVE MISSILE DEFENSE PROGRAM, DAVID'S SLING WEAPON SYSTEM CO-PRODUCTION.—

(1) IN GENERAL.—Subject to paragraph (3), of the funds authorized to be appropriated for fiscal year 2022 for procurement, Defense-wide, and available for the Missile Defense Agency not more than $30,000,000 may be provided to the Government of Israel to procure the David's Sling Weapon System, including for co-production of parts and components in the United States by United States industry.

(2) AGREEMENT.—Provision of funds specified in paragraph (1) shall be subject to the terms and conditions in the bilateral co-production agreement, including—

(A) a one-for-one cash match is made by Israel or in another matching amount that otherwise meets best efforts (as mutually agreed to by the United States and Israel); and

(B) co-production of parts, components, and all-up rounds (if appropriate) in the United States by United States industry for the David's Sling Weapon System is not less than 50 percent.

(3) CERTIFICATION AND ASSESSMENT.—The Under Secretary of Defense for Acquisition and Sustainment shall submit to the appropriate congressional committees—

(A) a certification that the Government of Israel has demonstrated the successful completion of the knowledge points, technical milestones, and production readiness reviews required by the research, development, and technology agreement and the bilateral co-production agreement for the David's Sling Weapon System; and

(B) an assessment detailing any risks relating to the implementation of such agreement.

(c) ISRAELI COOPERATIVE MISSILE DEFENSE PROGRAM, ARROW 3 UPPER TIER INTERCEPTOR PROGRAM CO-PRODUCTION.—

(1) IN GENERAL.—Subject to paragraph (2), of the funds authorized to be appropriated for fiscal year 2022 for procurement, Defense-wide, and available for the Missile Defense Agency not more than $62,000,000 may be provided to the Government of Israel for the Arrow 3 Upper Tier Interceptor Program, including for co-production of parts and components in the United States by United States industry.

(2) CERTIFICATION.—The Under Secretary of Defense for Acquisition and Sustainment shall submit to the appropriate congressional committees a certification that—

(A) the Government of Israel has demonstrated the successful completion of the knowledge points, technical milestones, and production readiness reviews required by the research, development, and technology agreement for the Arrow 3 Upper Tier Interceptor Program;

(B) funds specified in paragraph (1) will be provided on the basis of a one-for-one cash match made by Israel or in another matching amount that otherwise meets best efforts (as mutually agreed to by the United States and Israel);

(C) the United States has entered into a bilateral international agreement with Israel that establishes, with respect to the use of such funds—

(i) in accordance with subparagraph (D), the terms of co-production of parts and components on the basis of the greatest practicable co-production of parts, components, and all-up rounds (if appropriate) by United States industry and minimizes nonrecurring engineering and facilitization expenses to the costs needed for co-production;

(ii) complete transparency on the requirement of Israel for the number of interceptors and batteries that will be procured, including with respect to the procurement plans, acquisition strategy, and funding profiles of Israel;

(iii) technical milestones for co-production of parts and components and procurement;

(iv) a joint affordability working group to consider cost reduction initiatives; and

(v) joint approval processes for third-party sales; and

(D) the level of co-production described in subparagraph (C)(i) for the Arrow 3 Upper Tier Interceptor Program is not less than 50 percent.

(d) NUMBER.—In carrying out paragraph (2) of subsection (b) and paragraph (2) of subsection (c), the Under Secretary may submit—

(1) one certification covering both the David's Sling Weapon System and the Arrow 3 Upper Tier Interceptor Program; or

(2) separate certifications for each respective system.

(e) TIMING.—The Under Secretary shall submit to the congressional defense committees the certification and assessment under subsection (b)(3) and the certification under subsection (c)(2) no later than 30 days before the funds specified in paragraph (1) of subsections (b) and (c) for the respective system covered by the certification are provided to the Government of Israel.

(f) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional defense committees.

(2) The Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1556. SEMIANNUAL UPDATES ON MEETINGS HELD BY THE MISSILE DEFENSE EXECUTIVE BOARD.

(a) SEMIANNUAL UPDATES.—Not later than March 1 and September 1 of each year, the Under Secretary of Defense for Research and Engineering and the Under Secretary of Defense for Acquisition and Sustainment, acting in their capacities as co-chairmen of the Missile Defense Executive Board pursuant to section 1681(c) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2162), shall provide to the congressional defense committees a semiannual update including, with respect to the six-month period preceding the update—

(1) the dates on which the Board met; and

(2) except as provided by subsection (b), a summary of any decisions made by the Board at each meeting of the Board and the rationale for and options that informed such decisions.

(b) EXCEPTION FOR CERTAIN BUDGETARY MATTERS.—The co-chairmen shall not be required to include in a semiannual update under subsection (a) the matters described in paragraph (2) of such subsection with respect to decisions of the Board relating to the budget of the President for a fiscal year if the budget for that fiscal year has not been submitted to Congress under section 1105 of title 31, United States Code, as of the date of the semiannual update.

(c) FORM OF UPDATE.—The co-chairmen may provide a semiannual update under subsection (a) either in the form of a briefing or a written report.

SEC. 1557. INDEPENDENT STUDY OF DEPARTMENT OF DEFENSE COMPONENTS' ROLES AND RESPONSIBILITIES RELATING TO MISSILE DEFENSE.

(a) INDEPENDENT STUDY AND REPORT.—

(1) CONTRACT.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into a contract with the National Academy of

Public Administration (in this section referred to as the ''Academy'') for the Academy to perform the services covered by this subsection.

(2) STUDY AND REPORT.—(A) Under an agreement between the Secretary and the Academy under this subsection, the Academy shall carry out an study regarding the roles and responsibilities of the various components of the Department of Defense as they pertain to missile defense.

(B) The study required by subparagraph (A) shall include the following:

(i) A comprehensive assessment and analysis of existing Department component roles and responsibilities for the full range of missile defense activities, including establishment of requirements, research and development, system acquisition, and operations.

(ii) Identification of gaps in component capability of each applicability component for performing its assigned missile defense roles and responsibilities.

(iii) Identification of opportunities for deconflicting mission sets, eliminating areas of unnecessary duplication, reducing waste, and improving efficiency across the full range of missile defense activities.

(iv) Development of a timetable for the implementation of the opportunities identified under clause (iii).

(v) Development of recommendations for such legislative or administrative action as the Academy considers appropriate pursuant to carrying out clauses (i) through (iv).

(vi) Such other matters as the Secretary may require.

(C)(i) Not later than one year after the date on which the Secretary and the Academy enter into a contract under paragraph (1), the Academy shall submit to the Secretary and the congressional defense committees a report on the study conducted under subparagraph (A) of this paragraph.

(ii) The report submitted under clause (i) shall include the findings of the Academy with respect to the study carried out under subparagraph (A) and any recommendations the Academy may have for legislative or administrative action pursuant to such study.

(3) ALTERNATE CONTRACT ORGANIZATION.—(A) If the Secretary is unable within the time period prescribed in paragraph (1) to enter into an agreement described in such paragraph with the Academy on terms acceptable to the Secretary, the Secretary shall seek to enter into such an agreement with another appropriate organization that—

(i) is not part of the Government;

(ii) operates as a not-for-profit entity; and

(iii) has expertise and objectivity comparable to that of the Academy.

(B) If the Secretary enters into an agreement with another organization as described in subparagraph (A), any reference in this subsection to the Academy shall be treated as a reference to the other organization.

(b) REPORT BY SECRETARY OF DEFENSE.—Not later than 120 days after the date on which the report is submitted pursuant to subsection (a)(2)(C), the Secretary shall submit to the congressional defense committees a report on the views of the Secretary on the findings and recommendations set forth in the report submitted under such subsection, together with such recommendations as the Secretary may have for changes in the structure, functions, responsibilities, and authorities of the Department.

TITLE XVI—CYBERSPACE-RELATED MATTERS

SEC. 1601. MATTERS CONCERNING CYBER PERSONNEL REQUIREMENTS.

(a) IN GENERAL.—The Secretary of Defense shall—

(1) determine the overall workforce requirement of the Department of Defense for cyber and information operation military personnel across the active and reserve components of the Armed Forces (other than the Coast Guard) and for civilian personnel, and in doing so shall—

(A) consider personnel in positions securing the Department of Defense Information Network and associated enterprise information technology, defense agencies and field activities, and combatant commands, including current billets primarily associated with the information environment and cyberspace domain and projected future billets;

(B) consider the mix between military and civilian personnel, active and reserve components, and the use of the National Guard;

(C) develop a workforce development plan that covers accessions, training, and education; and

(D) consider such other elements as the Secretary determines appropriate;

(2) assess current and future general information warfare and cyber education curriculum and requirements for military and civilian personnel, including—

(A) acquisition personnel;

(B) accessions and recruits to the military services;

(C) cadets and midshipmen at the military service academies and enrolled in the Senior Reserve Officers' Training Corps;

(D) information environment and cyberspace military and civilian personnel; and

(E) non-information environment and cyberspace military and civilian personnel;

(3) identify appropriate locations for information warfare and cyber education for military and civilian personnel, including—

(A) the military service academies;

(B) the educational institutions described in section 2151(b) of title 10, United States Code;

(C) the Air Force Institute of Technology;

(D) the National Defense University;

(E) the Joint Special Operations University;

(F) any other military educational institution of the Department specified by the Secretary for purposes of this section;

(G) the Cyber Centers of Academic Excellence certified jointly by the National Security Agency and the Department of Homeland Security; and

(H) potential future educational institutions of the Federal Government, including an assessment, in consultation with the Secretary of Homeland Security and the National Cyber Director, of the feasibility and advisability of a National Cyber Academy or similar institute created for the purpose of educating and training civilian and military personnel for service in cyber, information, and related fields throughout the Federal Government; and

(4) determine—

(A) whether the cyberspace domain and information warfare mission requires a graduate-level professional military education college on par with and distinct from the war colleges for the Army, Navy, and Air Force in effect on the day before the date of the enactment of this Act;

(B) whether such a college should be joint; and

(C) where it should be located.

(b) REPORT REQUIRED.—Not later than November 1, 2022, the Secretary shall provide the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a briefing and, not later than Jan 1, 2023, the Secretary shall submit to such committees a report on—

(1) the findings of the Secretary in carrying out subsection (a);

(2) an implementation plan to achieve future information warfare and cyber education requirements at appropriate locations;

(3) such recommendations as the Secretary may have for personnel needs in information warfare and the cyberspace domain; and

(4) such legislative or administrative action as the Secretary identifies as necessary to effectively meet cyber personnel requirements.

(c) EDUCATION DEFINED.—The term ''education'' includes formal education requirements, such as degrees and certification in targeted subject areas, but also general training, including—

(1) reskilling;

(2) knowledge, skills, and abilities; and

(3) nonacademic professional development.

SEC. 1602. CYBER DATA MANAGEMENT.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, acting through the Principal Cyber Advisor to the Secretary of Defense, and the Chief Information Officer of the Department of Defense shall—

(1) develop a strategy and plan to access and utilize data associated with the Department of Defense Information Network enterprise that can support offensive and defensive cyber operations from components of the Department other than the Cyber Mission Forces, such as the National Security Agency, counterintelligence components of the Department, and cybersecurity service providers;

(2) develop processes or operating procedures governing the ingest, structuring, and storage of intelligence data, cyber threat information and Department of Defense Information Network sensor, tool, routing infrastructure, and endpoint data in Big Data Platform instances, relevant Cyber Operations Force systems, relevant United States Cyber Command commercial cloud enclaves, and other Department of Defense data lakes containing information pertinent to United States Cyber Command missions; and

(3) develop a strategy for piloting efforts, development of operational workflows and tactics, techniques, and procedures for the operational use of mission data by the Cyber Operations Force.

(b) ROLES AND RESPONSIBILITIES.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense, acting through the Principal Cyber Advisor to the Secretary, the Commander of United States Cyber Command, and the Secretaries of the military departments, shall establish the specific roles and responsibilities of the following in implementing each of the tasks required by subsection (a):

(1) The United States Cyber Command.

(2) Program offices responsible for the components of the Joint Cyber Warfighting Architecture.

(3) The military services.

(4) The Department of Defense Chief Information Officer and Chief Data Officer.

(5) Any other program office, headquarters element, or operational component newly instantiated or deemed relevant by the Secretary.

(c) BRIEFING.—Not later than 300 days after the date of the enactment of this Act, the Secretary shall provide to the congressional defense committees a briefing on the roles and responsibilities established under subsection (b).

SEC. 1603. ASSIGNMENT OF CERTAIN BUDGET CONTROL RESPONSIBILITIES TO COMMANDER OF UNITED STATES CYBER COMMAND.

(a) ASSIGNMENT OF RESPONSIBILITIES.—

(1) IN GENERAL.—The Commander of United States Cyber Command shall, subject to the authority, direction, and control of the Principal Cyber Advisor of the Department of Defense, be responsible for directly controlling

and managing the planning, programming, budgeting, and execution of the resources to train, equip, operate, and sustain the Cyber Mission Forces.

(2) EFFECTIVE DATE AND APPLICABILITY.—Paragraph (1) shall take effect on January 1, 2022, for control over budget execution, and shall apply with respect to planning, programming, budgeting, and execution of resources for fiscal year 2024 and each fiscal year thereafter.

(b) ELEMENTS.—

(1) IN GENERAL.—The responsibilities assigned to the Commander by subsection (a)(1) shall include the following:

(A) Preparation of a program objective memorandum and budget estimate submission for the resources required to train, equip, operate, and sustain the Cyber Mission Forces.

(B) Preparation of budget materials pertaining to United States Cyber Command for inclusion in the budget justification materials that are submitted to Congress in support of the Department of Defense budget for a fiscal year (as submitted with the budget of the President for a fiscal year under section 1105(a) of title 31, United States Code) that is separate from any other military service or component of the Department.

(2) RESPONSIBILITIES NOT DELEGATED.—The responsibilities assigned to the Commander by subsection (a)(1) shall not include the following:

(A) Military pay and allowances.

(B) Funding for facility support that is provided by the military services.

(c) IMPLEMENTATION PLAN.—

(1) IN GENERAL.—Not later than the date that is 30 days after the date of the enactment of this Act, the Comptroller of the Department of Defense and the Commander of United States Cyber Command, in coordination with Chief Information Officer of the Department, the Principal Cyber Advisor, the Under Secretary of Defense for Acquisition and Sustainment, Cost Assessment and Program Evaluation, and the Secretaries of the military departments, shall jointly develop an implementation plan for the transition of responsibilities assigned by subsection (a)(1).

(2) ELEMENTS.—The implementation plan developed under paragraph (1) shall include the following:

(A) A budgetary review to identify appropriate resources for transfer to the Commander of United States Cyber Command for carrying out responsibilities assigned by subsection (a)(1).

(B) Definition of appropriate roles and responsibilities.

(C) Specification of all program elements and subelements, and the training, equipment, Joint Cyber Warfighting Architecture capabilities, other enabling capabilities and infrastructure, intelligence support, operations, and sustainment investments in each program element and subelement, for which the Commander of United States Cyber Command is responsible.

(D) Specification of all program elements and subelements, and the training, equipment, Joint Cyber Warfighting Architecture capabilities, other enabling capabilities and infrastructure, intelligence support, operations, and sustainment investments in each program element and subelement, relevant to or that support the Cyber Mission Force for which the Secretaries of the military departments are responsible.

(E) Required levels of civilian and military staffing within the United States Cyber Command to execute proper planning, programming, budgeting, and execution of the responsibilities assigned by subsection (a)(1), and an estimate of when such levels of staffing will be achieved.

(d) BRIEFING.—

(1) IN GENERAL.—Not later than the earlier of the date on which the implementation plan required by subsection (c) is completed and the date that is 90 days after the date of the enactment of this Act, the Secretary of Defense shall provide the congressional defense committees a briefing on the implementation plan.

(2) ELEMENTS.—The briefing required by paragraph (1) shall address any recommendations for when and how the Secretary of Defense should delegate to the Commander of United States Cyber Command budget authority for Cyber Operations Forces, as stated in section 167b(d)(2) of title 10, United States Code, after successful implementation of budget authority for the Cyber Mission Forces.

SEC. 1604. COORDINATION BETWEEN UNITED STATES CYBER COMMAND AND PRIVATE SECTOR.

(a) VOLUNTARY PROCESS.—Not later than January 1, 2023, the Commander of United States Cyber Command shall establish a voluntary process to engage with commercial information technology and cybersecurity companies to explore and develop methods and plans through which the capabilities, knowledge, and actions of—

(1) companies operating inside the United States to defend against foreign malicious cyber actors could assist or be coordinated with the actions of Cyber Command operating outside the United States against the same foreign malicious cyber actors; and

(2) Cyber Command operating outside the United States against foreign malicious cyber actors could assist or be coordinated with the actions of companies operating inside the United States against the same foreign malicious cyber actors.

(b) ANNUAL BRIEFING.—

(1) IN GENERAL.—During the period beginning on March 1, 2022, and ending on March 1, 2026, the Commander shall, not less frequently than once each year, 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 status of activities conducted under subsection (a).

(2) ELEMENTS.—Each briefing provided under paragraph (1) shall include the following:

(A) Such recommendations for legislative or administrative action as the Commander considers appropriate to improve and facilitate the planning activities conducted under subsection (a).

(B) Such recommendations as the Commander may have for increasing private sector participation in the planning activities conducted under subsection (a).

(C) A description of the challenges encountered in carrying out subsection (a), including any concerns expressed to the Commander by private sector partners regarding participation in the planning activities under such subsection.

(D) A description of any improvements resulting from the planning activities conducted in subsection (a).

(E) Such other matters as the Commander considers appropriate.

(c) PROTECTION OF TRADE SECRETS AND PROPRIETARY INFORMATION.—The Commander shall ensure that any trade secret or proprietary information of a company engaged with the Department through the process established under subsection (a) that is made known to the Department pursuant to such process remains private and protected unless otherwise explicitly authorized by the company.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to authorize United States Cyber Command to conduct operations inside the United States or for private sector entities to conduct offensive cyber activities outside the United States, except to the extent such operations or activities are permitted by a provision of law in effect on the day before the date of the enactment of this Act.

SEC. 1605. PILOT PROGRAM ON PUBLIC-PRIVATE PARTNERSHIPS WITH INTERNET ECOSYSTEM COMPANIES TO DETECT AND DISRUPT ADVERSARY CYBER OPERATIONS.

(a) PILOT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall establish and commence a pilot program to assess the feasibility and advisability of entering into public-private partnerships with internet ecosystem companies to facilitate actions by such companies to discover and disrupt use of the platforms, systems, services, and infrastructure of such companies by malicious cyber actors.

(b) PUBLIC-PRIVATE PARTNERSHIPS.—

(1) IN GENERAL.—Under the pilot program required by subsection (a), the Secretary shall seek to enter into one or more public-private partnerships with internet ecosystem companies to facilitate actions as described in subsection (a).

(2) VOLUNTARY PARTICIPATION.—Participation by an internet ecosystem company in a public-private partnership under the pilot program shall be voluntary.

(c) AUTHORIZED ACTIVITIES.—In establishing and conducting the pilot program under subsection (a), the Secretary may—

(1) provide assistance to a participating company in developing effective know-your-customer processes and requirements;

(2) provide information, analytics, and technical assistance to improve the ability of participating companies to detect and prevent illicit or suspicious procurement, payment, and account creation;

(3) develop and socialize best practices for the collection, retention, and sharing of data by participating companies to support discovery of malicious cyber activity, investigations, and attribution;

(4) provide timely information to participating companies, such as foreign actor technical persona identification details, information about ongoing operations and infrastructure, and indicators of compromise, to enable such companies to detect and disrupt the use of their platforms, systems, services, and infrastructure by malicious cyber actors;

(5) facilitate development of threat-sharing, information-exchange, and data pooling and analysis arrangements among participating companies such that individual companies or trusted third parties, such as cybersecurity nonprofit organizations or information-sharing and analysis centers, can correlate relevant data and indicators, as described in paragraph (3), across platforms, systems, services, and infrastructure;

(6) provide recommendations for and assist in the development and institution of operational workflows, assessment and compliance practices, and training that participating companies can institute reliably to detect and disrupt the use of their platforms, systems, services, and infrastructure by malicious cyber actors;

(7) accelerate to the greatest extent possible, the automation of existing or instituted operational workflows to operate at line-rate in order to enable real-time mitigation without the need for manual review or action;

(8) provide recommendations for and assist in the development of technical capabilities to enable participating companies to collect and analyze data on activities occurring on

their platforms, systems, services, and infrastructure to detect and disrupt operations of malicious cyber actors; and

(9) provide recommendations regarding relevant mitigations for suspected or discovered malicious cyber activity and thresholds for action.

(d) COMPETITION CONCERNS.—The Secretary shall ensure that any trade secret or proprietary information of a participating company made known to the Department of Defense pursuant to a public-private partnership under the pilot program remains private and protected unless explicitly authorized by the participating company.

(e) IMPARTIALITY.—In carrying out the pilot program under subsection (a), the Secretary shall not take any action that is intended primarily to advance the particular business interests of a given company but are otherwise authorized to take actions that advance the interests of the United States, notwithstanding differential impact or benefit to a given company's or given companies' business interests.

(f) PARTICIPATION OF OTHER FEDERAL GOVERNMENT COMPONENTS.—The Secretary may invite to participate in the pilot program required by subsection (a) the heads of such departments or agencies as the Secretary considers appropriate.

(g) LIMITATION ON GOVERNMENT ACCESS TO DATA.—The Secretary shall ensure that Government officials involved in the pilot program have access to information authorized to be shared with the Federal Government pursuant to the Cybersecurity Information Sharing Act of 2015 (Public Law 114–113; 6 U.S.C. 1501 et seq.).

(h) BRIEFINGS.—

(1) INITIAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall brief the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives on the pilot program and the plans for the conduct of the pilot program under subsection (a).

(2) FOLLOW-UP.—Not later than 540 days after the date of the enactment of this Act, the Secretary shall brief the committees described in paragraph (1) on the progress of the pilot program conducted under subsection (a), the projected end date of the pilot program, and the findings of the Secretary with respect to the feasibility and advisability of extending or expanding the pilot program.

(i) DEFINITIONS.—In this section:

(1) The term ''internet ecosystem company'' means a business incorporated in the United States that provide cybersecurity services, internet service, content delivery services, Domain Name Service, cloud services, mobile telecommunications services, email and messaging services, internet browser services, or such other services as the Secretary determines appropriate for the purposes of the pilot program required by subsection (a).

(2) The term ''participating company'' means an internet ecosystem company that has entered into a public-private partnership with the Secretary under subsection (b).

SEC. 1606. ZERO TRUST STRATEGY, PRINCIPLES, MODEL ARCHITECTURE, AND IMPLEMENTATION PLANS.

(a) ZERO TRUST STRATEGY, PRINCIPLES, AND MODEL ARCHITECTURE REQUIRED.—Not later than 270 days after the date of the enactment of this Act, the Chief Information Officer of the Department of Defense and the Commander of Joint Forces Headquarters-Department of Defense Information Network shall jointly develop a zero trust strategy, principles, and a model architecture to be implemented across the Department of Defense Information Network, including classified networks, operational technology, and weapon systems.

(b) STRATEGY, PRINCIPLES, AND MODEL ARCHITECTURE ELEMENTS.—The zero trust strategy, principles, and model architecture required under subsection (a) shall include, at a minimum, the following elements:

(1) Prioritized policies and procedures for establishing implementations of mature zero trust enabling capabilities within on-premises, hybrid, and pure cloud environments, including access control policies that determine which persona or device shall have access to which resources and the following:

(A) Identity, credential, and access management.

(B) Macro and micro network segmentation, whether in virtual, logical, or physical environments.

(C) Traffic inspection.

(D) Application security and containment.

(E) Transmission, ingest, storage, and real-time analysis of cybersecurity metadata endpoints, networks, and storage devices.

(F) Data management, data rights management, and access controls.

(G) End-to-end encryption.

(H) User access and behavioral monitoring, logging, and analysis.

(I) Data loss detection and prevention methodologies.

(J) Least privilege, including system or network administrator privileges.

(K) Endpoint cybersecurity, including secure host, endpoint detection and response, and comply-to-connect requirements.

(L) Automation and orchestration.

(M) Configuration management of virtual machines, devices, servers, routers, and similar to be maintained on a single virtual device approved list (VDL).

(2) Policies specific to operational technology, critical data, infrastructures, weapon systems, and classified networks.

(3) Specification of enterprise-wide acquisitions of capabilities conducted or to be conducted pursuant to those policies.

(4) Specification of standard zero trust principles supporting reference architectures and metrics-based assessment plan.

(5) Roles, responsibilities, functions, and operational workflows of zero trust cybersecurity architecture and information technology personnel—

(A) at combatant commands, military services, and defense agencies; and

(B) Joint Forces Headquarters-Department of Defense Information Network.

(c) ARCHITECTURE DEVELOPMENT AND IMPLEMENTATION.—In developing and implementing the zero trust principles and model architecture required under subsection (a), the Chief Information Officer and the Commander shall—

(1) coordinate with—

(A) the Principal Cyber Advisor to the Secretary of Defense;

(B) military departments and defense agencies;

(C) the Director of the National Security Agency Cybersecurity Directorate;

(D) the Director of the Defense Advanced Research Projects Agency;

(E) the Chief Information Officers of each military service;

(F) the Commanders of the cyber components of the military services;

(G) the Principal Cyber Advisors of each military service; and

(H) the Chairman of the Joints Chiefs of Staff;

(2) assess the utility of the Joint Regional Security Stacks, automated continuous endpoint monitoring program, assured compliance assessment solution, and each of the defenses at the Internet Access Points for their relevance and applicability to the zero trust architecture and opportunities for integration or divestment;

(3) employ all available resources to include online training, leveraging commercially available zero trust training material, and other Federal agency training where feasible, to implement cybersecurity training on zero trust at the—

(A) executive level;

(B) cybersecurity professional or implementer level; and

(C) general knowledge levels for Department of Defense users;

(4) facilitate cyber protection team and cybersecurity service provider threat hunting and discovery of novel adversary activity;

(5) assess and implement means to effect Joint Force Headquarters–Department of Defense Information Network's automated command and control of the entire Department of Defense Information Network;

(6) assess the potential of and, as appropriate, encourage use of third-party cybersecurity-as-a-service models;

(7) engage with and conduct outreach to industry, academia, international partners, and other departments and agencies of the Federal Government on issues relating to deployment of zero trust architectures;

(8) assess the current Comply-to-Connect Plan; and

(9) review past and conduct additional pilots to guide development, including—

(A) utilization of networks designated for testing and accreditation under section 1658 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 2224 note);

(B) use of automated red team products for assessment of pilot architectures; and

(C) accreditation of piloted cybersecurity products for enterprise use in line with the findings on enterprise accreditation standards as performed under section 1654 of such Act (133 Stat. 1764; Public Law 116–92).

(d) IMPLEMENTATION PLANS.—

(1) IN GENERAL.—No later than one year after the finalization of the model zero trust principles and architecture required under subsection (a), the head of each military department and the head of each component of the Department of Defense shall transmit to the Chief Information Officer of the Department and the Commander of Joint Forces Headquarters-Department of Defense Information Network a draft plan to implement such zero trust strategy, principles, and model architecture across the networks of their respective components and military department.

(2) ELEMENTS.—Each implementation plan transmitted under paragraph (1) shall include, at a minimum, the following:

(A) Specific acquisitions, implementations, instrumentations, and operational workflows to be implemented, across unclassified and classified networks, operational technology, and weapon systems.

(B) A detailed schedule with target milestones and required expenditures.

(C) Interim and final metrics, including a phase migration plan.

(D) Identification of additional funding, authorities, and policies, as may be required.

(E) Requested waivers, exceptions to Department of Defense policy, and expected delays.

(3) LIMITATION ON PROCUREMENT.—A head described in paragraph (1) who transmits a plan under such paragraph may not procure any hardware or software pursuant to such plan until the Chief Information Office and the Commander both certify that the plan complies with Department interoperability needs, the Department zero trust reference architecture, and redundancy, resiliency, and federation requirements of the Department.

(e) IMPLEMENTATION OVERSIGHT.—

(1) IN GENERAL.—The Chief Information Officer shall—

(A) assess the implementation plans submitted under subsection (d)(1) for adequacy and responsiveness to the principles and model architecture required by subsection (a);

(B) assess such implementation plans and their institution for appropriate use of enterprise-wide acquisitions;

(C) ensure, at a high level, the interoperability and compatibility of individual components' Solutions Architectures to include the leveraging of enterprise capabilities where appropriate through standards derivation, policy and, reviews;

(D) use the annual investment guidance of the Chief to ensure appropriate implementation, including appropriate use of enterprise-wide acquisitions;

(E) track use of waivers and exceptions to policy;

(F) use the Cybersecurity Scorecard to track and drive implementation of Department components; and

(G) leverage the authorities of the Commander of Joint Forces Headquarters-Department of Defense Information Network and the Director of the Defense Information Systems Agency to begin implementation of the zero trust strategy, principles, and model architecture developed under subsection (a).

(2) ASSESSMENTS OF FUNDING.—Not later than March 31, 2024, and annually thereafter, each Principal Cyber Advisor of a military service shall include in the annual budget certification of the military service, as required by section 1657(d) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 391 note), an assessment of the adequacy of funding requested for each proposed budget for the purposes of carrying out the zero trust implementation plan for the military service developed in subsection (d).

(f) INITIAL BRIEFINGS.—

(1) BRIEFINGS ON MODEL ARCHITECTURE.—Not later than 90 days after finalizing the model zero trust principles and architecture required by subsection (a), the Chief Information Officer of the Department and the Commander of Joint Forces Headquarters-Department of Defense Information Network shall provide a briefing to the congressional defense committees on such strategy, principles, and model architecture.

(2) BRIEFINGS ON IMPLEMENTATION PLANS.—No later than 90 days after the Department of Defense Chief Information Officer's receipt of an implementation plan required under subsection (d), the secretary of a military department, in the case of an implementation plan pertaining to a military department or a military service, or the Chief Information Officer of the Department, in the case of an implementation plan pertaining to a remaining component of the Department, as the case may be, shall each provide a briefing to the congressional defense committees on the implementation plan.

(g) ANNUAL BRIEFINGS.—Effective February 1, 2022, at each of the annual cybersecurity budget review briefings of the Chief Information Officer of the Department and the military services for congressional staff until January 1, 2030, the Chief and the head of each of the military services shall provide updates on the implementation of the zero trust architecture in their respective networks.

SEC. 1607. DEMONSTRATION PROGRAM FOR AUTOMATED SECURITY VALIDATION TOOLS.

(a) DEMONSTRATION PROGRAM REQUIRED.—Not later than October 1, 2024, the Chief Information Officer of the Department of Defense shall, acting through the Director of the Defense Information Systems Agency, complete a demonstration program to demonstrate and assess an automated security validation capability to assist the Department of Defense by—

(1) mitigating cyber hygiene challenges;

(2) supporting ongoing efforts of the Department to assess weapon system resiliency;

(3) quantifying enterprise security effectiveness of enterprise security controls, to inform future acquisition decisions of the Department;

(4) assisting portfolio managers with balancing capability costs and capability coverage of the threat landscape; and

(5) supporting the Department of Defense Cybersecurity Analysis and Review threat framework.

(b) CONSIDERATIONS.—In developing capabilities for the demonstration program required by subsection (a), the Chief Information Officer shall consider—

(1) integration of advanced commercially available threat intelligence;

(2) metrics and scoring of security controls;

(3) cyber analysis, cyber campaign tracking, and cybersecurity information sharing;

(4) integration of security instrumentation and testing capability into cybersecurity enclaves and existing cybersecurity controls;

(5) endpoint sandboxing; and

(6) use of actual adversary attack methodologies.

(c) COORDINATION WITH MILITARY SERVICES.—In carrying out the demonstration program required by subsection (a), the Chief Information Officer shall, acting through the Director of the Defense Information Systems Agency, coordinate demonstration program activities with complementary efforts ongoing within the military services, defense agencies, and field agencies.

(d) INDEPENDENT CAPABILITY ASSESSMENT.—In carrying out the demonstration program required by subsection (a), the Chief Information Officer shall, acting through the Director of the Defense Information Systems Agency and in coordination with the Director, Operational Test and Evaluation, perform operational testing to evaluate the operational effectiveness, suitability, and cybersecurity of the capabilities developed under the demonstration program.

(e) BRIEFING.—

(1) INITIAL BRIEFING.—Not later than April 1, 2022, the Chief Information Officer shall brief the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives on the plans and status of the Chief Information Officer with respect to the demonstration program required by subsection (a).

(2) FINAL BRIEFING.—Not later than October 1, 2024, the Chief Information Officer shall brief the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives on the results and findings of the Chief Information Officer with respect to the demonstration program required by subsection (a).

SEC. 1608. IMPROVEMENTS TO CONSORTIUM OF UNIVERSITIES TO ADVISE SECRETARY OF DEFENSE ON CYBERSECURITY MATTERS.

(a) IN GENERAL.—Section 1659 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 391 note) is amended—

(1) in subsection (a), in the matter before paragraph (1), by striking ''one or more consortia'' and inserting ''a consortium''; and

(2) in subsection (c), by amending paragraph (1) to read as follows:

''(1) DESIGNATION OF ADMINISTRATIVE CHAIR.—The Secretary of Defense shall designate the National Defense University College of Information and Cyberspace to function as the administrative chair of the consortium established under subsection (a).''.

(b) CONFORMING AMENDMENTS.—Such section is further amended—

(1) in subsection (a)(1), by striking ''or consortia'';

(2) in subsection (b), by striking ''or consortia'';

(3) in subsection (c)—

(A) by striking paragraph (2);

(B) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively;

(C) in paragraph (2), as redesignated by subparagraph (B)—

(i) in the matter before subparagraph (A)—

(I) by striking ''Each administrative'' and inserting ''The administrative''; and

(II) by striking ''a consortium'' and inserting ''the consortium''; and

(ii) in subparagraph (A), by striking ''for the term specified by the Secretary under paragraph (1)'';

(D) by amending paragraph (3), as redesignated by subparagraph (B), to read as follows:

''(3) EXECUTIVE COMMITTEE.—The Secretary, in consultation with the administrative chair, may form an executive committee for the consortium that is comprised of representatives of the Federal Government to assist the chair with the management and functions of the consortium.''; and

(4) by amending subsection (d) to read as follows:

''(d) CONSULTATION.—The Secretary shall meet with such members of the consortium as the Secretary considers appropriate, not less frequently than twice each year or at such periodicity as is agreed to by the Secretary and the consortium.''.

SEC. 1609. QUARTERLY REPORTS ON CYBER OPERATIONS.

(a) IN GENERAL.—Section 484 of title 10, United States Code is amended—

(1) in the section heading, by inserting ''**and reports**'' after ''**briefings**'';

(2) in subsection (a)—

(A) by inserting ''AND REPORTS'' after ''BRIEFINGS''; and

(B) by inserting '', and submit to the congressional defense committees a report on,'' after ''briefings on''; and

(3) in subsection (b), in the matter before paragraph (1), by inserting ''and report'' after ''Each briefing''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 23 of such title is amended by striking the item relating to section 484 and inserting the following new item:

''484. Quarterly cyber operations briefings and reports.''.

SEC. 1610. ASSESSMENT OF CYBERSECURITY POSTURE AND OPERATIONAL ASSUMPTIONS AND DEVELOPMENT OF TARGETING STRATEGIES AND SUPPORTING CAPABILITIES.

(a) ASSESSMENT OF CYBERSECURITY POSTURE OF ADVERSARIES AND OPERATIONAL ASSUMPTIONS OF UNITED STATES GOVERNMENT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Commander of United States Cyber Command, the Under Secretary of Defense for Policy, and the Under Secretary of Defense for Intelligence and Security, shall jointly sponsor or conduct an assessment, including, if appropriate, a war-game or tabletop exercise, of the current and emerging offensive cyber posture of adversaries of the United States and the current operational assumptions and plans of the Armed Forces for offensive cyber operations during potential crises or conflict.

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

(A) Changes to strategies, operational concepts, operational preparation of the environment, and rules of engagement.

(B) Opportunities provided by armed forces in theaters of operations and other innovative alternatives.

(C) Changes in intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) targeting and operations in support of the Department of Defense.

(D) Adversary capabilities to deny or degrade United States activities in cyberspace.

(E) Adversaries' targeting of United States critical infrastructure and implications for United States policy.

(F) Potential effect of emerging technologies, such as fifth generation mobile networks, expanded use of cloud information technology services, and artificial intelligence.

(G) Changes in organizational design.

(H) The effect of private sector cybersecurity research.

(b) DEVELOPMENT OF TARGETING STRATEGIES, SUPPORTING CAPABILITIES, AND OPERATIONAL CONCEPTS.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Commander shall—

(A) assess and establish the capabilities, capacities, tools, and tactics required to support targeting strategies for—

(i) day-to-day persistent engagement of adversaries, including support to information operations;

(ii) support to geographic combatant commanders at the onset of hostilities and during sustained conflict; and

(iii) deterrence of attacks on United States critical infrastructure, including the threat of counter value responses;

(B) develop future cyber targeting strategies and capabilities across the categories of cyber missions and target classes where—

(i) time-consuming and human effort-intensive stealthy operations are required to acquire and maintain access to targets, and the mission is so important it is worthwhile to expend such efforts to hold them at risk;

(ii) target prosecution requires unique access and exploitation tools and technologies, and the target importance justifies such efforts, time, and expense;

(iii) operational circumstances do not allow for and do not require spending the time and human effort required for stealthy, nonattributable, and continuous access to targets;

(iv) capabilities are needed to rapidly prosecute targets that have not been previously planned and that can be accessed and exploited using known, available tools and techniques; and

(v) targets may be prosecuted with the aid of automated techniques to achieve speed, mass, and scale; and

(C) develop strategies for appropriate utilization of Cyber Mission Teams in support of combatant command objectives as—

(i) adjuncts to or substitutes for kinetic operations; or

(ii) independent means to achieve novel tactical, operational, and strategic objectives.

(2) BRIEFING REQUIRED.—

(A) IN GENERAL.—Not more than 30 days after the date on which all of the activities required by paragraph (1) have been completed, the Commander shall provide the congressional defense committees a briefing on the activities.

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

(i) Recommendations for such legislative or administrative action as the Commander considers necessary to address capability shortcomings.

(ii) Plans to address capability shortcomings.

(c) COUNTRY-SPECIFIC ACCESS STRATEGIES.—

(1) IN GENERAL.—Not later than one year after the date on which all of the activities required by subsection (b)(1) have been completed, the Commander shall complete development of country-specific access strategies for the Russian Federation, the People's Republic of China, the Democratic People's Republic of Korea, and the Islamic Republic of Iran.

(2) ELEMENTS.—Each country-specific access strategy developed under paragraph (1) shall include the following:

(A) Specification of desired and required—

(i) outcomes;

(ii) cyber warfighting architecture, to include—

(I) tools and redirectors;

(II) access platforms; and

(III) data analytics, modeling, and simulation capacity;

(iii) specific means to achieve and maintain persistent access and conduct command and control and exfiltration against hard targets and in operationally challenging environments across the continuum of conflict;

(iv) intelligence, surveillance, and reconnaissance support;

(v) operational partnerships with allies;

(vi) rules of engagement;

(vii) personnel, training, and equipment; and

(viii) targeting strategies, including those that do not demand deliberate targeting and precise access to achieve effects; and

(B) recommendations for such policy or resourcing changes as the Commander considers appropriate to address access shortfalls.

(3) CONSULTATION REQUIRED.—The Commander shall develop the country-specific access strategies under paragraph (1) independently but in consultation with the following:

(A) The Director of the National Security Agency.

(B) The Director of the Central Intelligence Agency.

(C) The Director of the Defense Advanced Research Projects Agency.

(D) The Director of the Strategic Capabilities Office.

(E) The Under Secretary of Defense for Policy.

(F) The Principal Cyber Advisor to the Secretary of Defense.

(G) The Commanders of all other Combatant Commands.

(4) BRIEFING.—Upon completion of the country-specific access strategies required by paragraph (1), the Commander shall provide the Deputy Secretary of Defense, the Vice Chairman of the Joint Chiefs of Staff, the Committee on Armed Services of the Senate, and the Committee on Armed Services of the House of Representatives a briefing on such strategies.

SEC. 1611. ASSESSING CAPABILITIES TO COUNTER ADVERSARY USE OF RANSOMWARE TOOLS, CAPABILITIES, AND INFRASTRUCTURE.

(a) COMPREHENSIVE ASSESSMENT AND RECOMMENDATIONS REQUIRED.—Not later than March 1, 2022, the Secretary of Defense shall—

(1) conduct a comprehensive assessment of the policy, capacity, and capabilities of the Department of Defense to diminish and defend the United States from ransomware threats, including—

(A) an assessment of the current and potential threats and risks to national and economic security posed by—

(i) foreign criminal organizations that provide large-scale and sophisticated cyber attack capabilities and infrastructure used to conduct ransomware attacks; and

(ii) organizations that conduct or could conduct ransomware or other attacks that use the capabilities and infrastructure described in clause (i) on a large scale against important assets and systems in the United States, including critical infrastructure;

(B) an assessment of—

(i) the threat posed by the criminal organizations, capabilities, and infrastructure described in subparagraph (A) to the Department of Defense Information Network and the United States; and

(ii) the current and potential role of United States Cyber Command in addressing the threat described in clause (i);

(C) an identification of the current and potential Department efforts, processes, and capabilities to deter and counter the threat described in subparagraph (B)(i), including through offensive cyber effects operations;

(D) an assessment of the application of the defend forward and persistent engagement operational concepts and capabilities of the Department to deter and counter the threat of ransomware to the United States;

(E) a description of the efforts of the Department in interagency processes, and joint collaboration with allies and partners of the United States, to address the growing threat of criminal cyber enterprises that conduct ransomware attacks and could conduct attacks with other objectives to the United States and allies and partners of the United States;

(F) a determination of the extent to which the governments of countries where large-scale and sophisticated criminal cyber enterprises are principally located are tolerating the activities of such enterprises, have interactions with such enterprises, could direct their operations, and could suppress them;

(G) an assessment as to whether the criminal cyber enterprises described in subparagraph (F) are perfecting and practicing attack techniques and capabilities at scale that can be co-opted and placed in the service of the country where they are based; and

(H) identification of such legislative or administrative action as may be necessary to more effectively counter the threat of ransomware; and

(2) develop recommendations for the Department to build capabilities to develop and execute innovative methods to deter and counter ransomware attacks prior and in response to the launching of attacks.

(b) BRIEFING.—Not later than April 1, 2022, the Secretary shall brief the congressional defense committees on the assessment completed under paragraph (1) of subsection (a) and the recommendations developed under paragraph (2) of such subsection.

SEC. 1612. COMPARATIVE ANALYSIS OF CYBERSECURITY CAPABILITIES.

(a) COMPARATIVE ANALYSIS REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Principal Cyber Advisor to the Secretary of Defense and the Director of Cost Assessment and Program Evaluation (CAPE), in consultation with the Chief Information Officers and Principal Cyber Advisors of each of the military departments, shall jointly sponsor a comparative analysis, that the Director of the National Security Agency and the Director of the Defense Information Systems Agency shall conduct, of the following:

(1) The cybersecurity tools, applications, and capabilities offered as options on enterprise software agreements for cloud-based productivity and collaboration suites such as that offered under the Defense Enterprise Office Solution and Enterprise Software Agreement contracts with Department of Defense

components, relative to those that are currently deployed in, or required by, the Department to conduct the functions of—

(A) asset discovery;

(B) vulnerability scanning;

(C) conditional access (also known as ''comply-to-connect'');

(D) event correlation;

(E) patch management and remediation;

(F) endpoint query and control;

(G) endpoint detection and response;

(H) data rights management;

(I) data loss prevention;

(J) data tagging;

(K) data encryption;

(L) security information and event management; and

(M) security orchestration, automation, and response.

(2) The identity, credential, and access management (ICAM) system, and associated capabilities to enforce the principle of least privilege access, offered as an existing option on a contract described in paragraph (1), relative to—

(A) the requirements of such system described in the Zero Trust Reference Architecture of the Department; and

(B) the requirements of such system under development by the Defense Information Systems Agency.

(3) The artificial intelligence and machine-learning capabilities associated with the tools, applications, and capabilities described in paragraphs (1) and (2), and the ability to host government or third-party artificial intelligence and machine-learning algorithms within the contracted environments described in paragraph (1) for those tools, applications, and capabilities described in paragraphs (1) and (2).

(4) The network consolidation and segmentation capabilities offered on the contracts described in paragraph (1) relative to capabilities projected in the Zero Trust Reference Architecture.

(5) The automated orchestration and interoperability among all of the tools, applications, and capabilities described in paragraphs (1) through (4).

(b) ELEMENTS OF COMPARATIVE ANALYSIS.—The comparative analysis conducted under subsection (a) shall include an assessment of the following:

(1) Costs.

(2) Performance.

(3) Sustainment.

(4) Scalability.

(5) Training requirements.

(6) Maturity.

(7) Human effort requirements.

(8) Speed of integrated operations.

(9) Ability to operate on multiple operating systems and in multiple cloud environments.

(10) Such other matters as the Principal Cyber Advisor to the Secretary of Defense and the Director of Cost Assessment and Program Evaluation consider appropriate.

(c) BRIEFING REQUIRED.—Not later than 30 days after the date on which the analysis required by subsection (a) is completed, the Principal Cyber Advisor and the Director shall jointly provide the congressional defense committees with a briefing on the findings of the Principal Cyber Advisor and the Director with respect to such analysis, along with such recommendations for legislative or administrative action as the Principal Cyber Advisor and the Director may have with respect to the matters covered by the analysis.

SEC. 1613. REPORT ON THE CYBERSECURITY MATURITY MODEL CERTIFICATION PROGRAM.

(a) REPORT REQUIRED.—Not later than January 15, 2022, the Secretary of Defense 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 plans of the Secretary for the Cyber Maturity Model Certification program in consideration of the recent internal review of the program and recent efforts of the Secretary to improve the cybersecurity of the defense industrial base.

(b) CONTENTS.—The report submitted under subsection (a) shall include the following:

(1) The programmatic changes required in Cyber Maturity Model Certification program to address recommendations developed pursuant to the review described in subsection (a).

(2) The strategy of the Secretary for rulemaking for such program and the process for the Cybersecurity Maturity Model Certification rule.

(3) The budget and resources required to support such program.

(4) A plan for communication and coordination with the defense industrial base regarding such program.

(5) The coordination needed within the Department and between Federal agencies for such program.

(6) The status of efforts to develop the framework required by section 1648 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 2224 note).

(7) Plans and explicit public announcement of processes for reimbursement of cybersecurity compliance expenses for small and nontraditional businesses in the defense industrial base.

(8) Plans for ensuring that persons seeking a Department of Defense contract for the first time are not required to expend funds to acquire cybersecurity capabilities and a certification required to perform under a contract as a precondition for bidding on such a contract without reimbursement in the event that such persons do not receive a contract award.

(9) Clarification of roles and responsibilities of prime contractors for assisting and managing cybersecurity performance of subcontractors.

(10) Such additional matters as the Secretary considers appropriate.

SEC. 1614. REPORT ON POTENTIAL DEPARTMENT OF DEFENSE SUPPORT AND ASSISTANCE FOR INCREASING THE AWARENESS OF THE CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY OF CYBER THREATS AND VULNERABILITIES AFFECTING CRITICAL INFRASTRUCTURE.

(a) REPORT REQUIRED.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of Homeland Security and the National Cyber Director, shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report that provides recommendations on how the Department of Defense can improve support and assistance to the Cybersecurity and Infrastructure Security Agency to increase awareness of threats and vulnerabilities affecting domestic networks that are critical infrastructure, including infrastructure that is critical to the Department and infrastructure that is critical to the defense of the United States.

(b) ELEMENTS OF REPORT.—The report required by subsection (a) shall—

(1) assess and identify areas in which the Department of Defense could provide support or assistance to the Cybersecurity and Infrastructure Security Agency in expanding or increasing the technical understanding and awareness of threats and vulnerabilities affecting critical infrastructure, including through information sharing and voluntary network monitoring programs;

(2) identify and assess any legal, policy, organizational, or technical barriers to enabling support provided by the Department to the Agency for improved situational awareness of cyber threats to critical infrastructure, including increased information sharing;

(3) assess and describe any legal or policy changes necessary to enable the Department to provide support or assistance to the Agency for improved situational awareness of cyber threats to critical infrastructure while preserving privacy and civil liberties;

(4) assess and describe the budgetary and other resource effects on the Department of providing support or assistance to the Agency for improved situational awareness of cyber threats to critical infrastructure; and

(5) provide a notional time-phased plan, including milestones, to enable the Department to provide support or assistance to the Agency to increase awareness of threats and vulnerabilities affecting domestic critical infrastructure networks.

(c) CRITICAL INFRASTRUCTURE DEFINED.—In this section, the term ''critical infrastructure'' has the meaning given such term in subsection (e) of the Critical Infrastructures Protection Act of 2001 (42 U.S.C. 5195c(e)).

SEC. 1615. DEADLINE FOR REPORTS ON ASSESSMENT OF CYBER RESILIENCY OF NUCLEAR COMMAND AND CONTROL SYSTEM.

Section 499(c) of title 10, United States Code, is amended—

(1) in paragraph (1), in the matter before subparagraph (A)—

(A) by striking ''The Commanders'' and inserting ''For each assessment conducted under subsection (a), the Commanders''; and

(B) by striking ''the assessment required by subsection (a)'' and inserting ''the assessment'';

(2) in paragraph (2), by striking ''the report'' and inserting ''each report'';

(3) in paragraph (3)—

(A) by striking ''The Secretary'' and inserting ''Not later than 90 days after the date of the submittal of a report under paragraph (1), the Secretary''; and

(B) by striking ''required by paragraph (1)''; and

(4) in the subsection heading by striking ''REPORT'' and inserting ''REPORTS''.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

SEC. 2001. SHORT TITLE.

This division may be cited as the ''Military Construction Authorization Act for Fiscal Year 2022''.

SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO BE SPECIFIED BY LAW.

(a) EXPIRATION OF AUTHORIZATIONS AFTER THREE YEARS.—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVII for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor) shall expire on the later of—

(1) October 1, 2024; or

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025.

(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, 2024; or

(2) the date of the enactment of an Act authorizing funds for fiscal year 2025 for military construction projects, land acquisition, family housing projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment Program.

SEC. 2003. EFFECTIVE DATE.

Titles XXI through XXVII shall take effect on the later of—

(1) October 1, 2021; or

(2) the date of the enactment of this Act.

TITLE XXI—ARMY MILITARY CONSTRUCTION

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Army: Inside the United States

State	Installation	Amount
Alabama	Fort Rucker	$66,000,000
	Redstone Arsenal	$55,000,000
California	Fort Irwin	$52,000,000
Georgia	Fort Stewart	$100,000,000
Hawaii	West Loch Naval Magazine Annex	$51,000,000
	Wheeler Army Airfield	$140,000,000
Kansas	Fort Leavenworth	$34,000,000
Kentucky	Fort Knox	$27,000,000
Louisiana	Camp Minden	$13,800,000
	Fort Polk	$111,000,000
Maryland	Fort Meade	$81,000,000
New York	Fort Hamilton	$26,000,000
	Watervliet Arsenal	$20,000,000
Pennsylvania	Letterkenny Army Depot	$21,000,000
Texas	Fort Bliss	$20,000,000
	Fort Hood	$130,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Army: Outside the United States

Country	Installation or Location	Amount
Belgium	SHAPE Headquarters	$16,000,000
Germany	East Camp Grafenwoehr	$103,000,000
	Smith Barracks	$33,500,000
Worldwide Classified	Classified Location	$31,000,000

SEC. 2102. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may construct or acquire family housing units (including land acquisition and supporting facilities) at the installation or location, in the number of units, and in the amounts set forth in the following table:

Army: Family Housing

Country	Installation or Location	Units	Amount
Italy	Vicenza	Family Housing New Construction	$92,304,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $7,545,000.

SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2021, 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. EXTENSION OF AUTHORIZATION OF FISCAL YEAR 2017 PROJECT AT WIESBADEN ARMY AIRFIELD.

(a) EXTENSION.—Notwithstanding section 2002 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2688), the authorization set forth in the table in subsection (b), as provided in section 2101(b) of that Act (130 Stat. 2689), shall remain in effect until October 1, 2023, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2024, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Army: Extension of 2017 Project Authorization

Country	Installation or Location	Project	Original Authorized Amount
Germany	Wiesbaden Army Airfield	Hazardous Material Storage Building	$2,700,000

SEC. 2105. ADDITIONAL AUTHORITY TO CARRY OUT FISCAL YEAR 2018 PROJECT AT FORT BLISS, TEXAS.

(a) PROJECT AUTHORIZATION.—The Secretary of the Army may carry out a military construction project to construct a defense access road at Fort Bliss, Texas, in the amount of $20,000,000.

(b) USE OF AMOUNTS.—The Secretary may use funds appropriated under section 131 of the Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2018 (title I of division J of Public Law 115–141; 132 Stat. 805) for the Defense Access Road Program to carry out subsection (a).

SEC. 2106. MODIFICATION OF AUTHORITY TO CARRY OUT FISCAL YEAR 2021 PROJECT AT FORT WAINWRIGHT, ALASKA.

(a) MODIFICATION OF PROJECT AUTHORITY.—In the case of the authorization contained in the table in section 2101(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) for Fort Wainwright, Alaska, for construction of unaccompanied enlisted personnel housing, as specified in the funding table in section 4601 of such Act, the Secretary of the Army may construct an unaccompanied enlisted personnel housing building of 104,300 square feet to incorporate a modified standard design, and also may construct an outdoor recreational shelter, sports fields and courts, barbecue and leisure area, and fitness stations associated with the unaccompanied enlisted personnel housing.

(b) MODIFICATION OF PROJECT AMOUNTS.—

(1) DIVISION B TABLE.—The authorization table in section 2101(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) is amended, in the item relating to Fort Wainwright, Alaska, by striking ''$114,000,000'' in the Amount column and inserting ''$146,000,000'' to reflect the project modification made by subsection (a).

(2) DIVISION D TABLE.—The funding table in section 4601 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) is amended, in the item relating to Fort Wainwright, Alaska, Unaccompanied Enlisted Personnel Housing, by striking ''$59,000'' in the Conference Authorized column and inserting ''$91,000'' to reflect the project modification made by subsection (a).

SEC. 2107. ADDITIONAL AUTHORITY TO CARRY OUT FISCAL YEAR 2022 PROJECT AT ABERDEEN PROVING GROUND, MARYLAND.

(a) PROJECT AUTHORIZATION.—The Secretary of the Army may carry out a military construction project to construct a 6,000 square foot recycling center to meet the requirements of a qualified recycling program at Aberdeen Proving Ground, Maryland, in the amount of $3,600,000.

(b) USE OF LEASE PAYMENT FUNDS.—The Secretary may use funds generated pursuant to section 2667 of title 10, United States Code, in addition to funds appropriated for unspecified minor military construction, for the project specified in subsection (a).

TITLE XXII—NAVY MILITARY CONSTRUCTION

SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Navy: Inside the United States

State	Installation or Location	Amount
Arizona	Marine Corps Air Station Yuma	$128,900,000
California	Marine Corps Air Ground Combat Center	$45,000,000
	Marine Corps Air Station Miramar	$240,900,000
	Marine Corps Base Camp Pendleton	$191,300,000
	Naval Base Ventura County	$197,500,000
	Naval Base Coronado	$63,600,000
	Marine Corps Reserve Depot San Diego	$93,700,000
	San Nicolas Island	$19,907,000
Florida	Marine Corps Support Facility Blount Island	$69,400,000
Hawaii	Marine Corps Base Kaneohe Bay	$165,700,000
Maine	Portsmouth Naval Shipyard	$225,000,000
North Carolina	Marine Corps Air Station Cherry Point	$340,117,000
	Marine Corps Base Camp Lejeune	$64,200,000
South Carolina	Marine Corps Air Station Beaufort	$127,600,000
Virginia	Naval Station Norfolk	$344,793,000
	Naval Station Yorktown	$93,500,000
	Portsmouth Naval Shipyard	$156,380,000
	Marine Corps Base Quantico	$42,850,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Navy: Outside the United States

Country	Installation or Location	Amount
El Salvador	Cooperative Security Location Comalapa	$28,000,000
Guam	Andersen Air Force Base	$50,890,000
	Joint Region Marianas	$507,527,000
Japan	Fleet Activities Yokosuka	$49,900,000
Spain	Naval Station Rota	$85,600,000

SEC. 2202. FAMILY HOUSING.

Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $5,732,000.

SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may improve existing military family housing units in an amount not to exceed $71,884,000.

SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2021, for military construction, land acquisition, and military family housing functions of the Department of the Navy, as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2201 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Air Force: Inside the United States

State	Installation or Location	Amount
Alaska	Eielson Air Force Base	$44,850,000
	Joint Base Elmendorf-Richardson	$251,000,000
Arizona	Davis-Monthan Air Force Base	$13,400,000
	Luke Air Force Base	$49,000,000
California	Vandenberg Space Force Base	$67,000,000
Colorado	Schriever Space Force Base	$30,000,000
District of Columbia	Joint Base Anacostia Bolling	$24,000,000
Florida	Eglin Air Force Base	$14,000,000
Georgia	Moody Air Force Base	$12,500,000
Louisiana	Barksdale Air Force Base	$272,000,000
Maryland	Joint Base Andrews	$26,000,000
Massachusetts	Hanscom Air Force Base	$66,000,000
Ohio	Wright-Patterson Air Force Base	$24,000,000
Oklahoma	Tinker Air Force Base	$160,000,000
South Carolina	Joint Base Charleston	$59,000,000
South Dakota	Ellsworth Air Force Base	$242,000,000
Tennessee	Arnold Air Force Base	$14,600,000
Texas	Joint Base San Antonio	$141,000,000
	Joint Base San Antonio–Lackland	$29,000,000
	Join Base San Antonio–Fort Sam Houston	$29,000,000
	Sheppard Air Force Base	$20,000,000
Virginia	Joint Base Langley Eustis	$24,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Air Force: Outside the United States

Country	Installation or Location	Amount
Australia	Royal Australian Air Force Base Darwin	$7,400,000
	Royal Australian Air Force Base Tindal	$14,400,000
Guam	Joint Region Marianas	$85,000,000
Italy	Aviano Air Force Base	$10,200,000
Japan	Kadena Air Base	$206,000,000
	Misawa Air Base	$25,000,000
	Yokota Air Base	$39,000,000
United Kingdom	Royal Air Force Lakenheath	$104,000,000

SEC. 2302. FAMILY HOUSING.

Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $10,458,000.

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 $105,258,000.

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, 2021, for military construction, land acquisition, and military family housing functions of the Department of the Air Force, as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2301 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

SEC. 2305. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2017 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2017 (division B of Public Law 114–328; 130 Stat. 2688), the authorizations set forth in the table in subsection (b), as provided in section 2301 of that Act (130 Stat. 2696), shall remain in effect until October 1, 2023, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2024, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Air Force: Extension of 2017 Project Authorizations

Country	Installation or Location	Project	Original Authorized Amount
Germany	Ramstein Air Base	37 AS Squadron Operations/Aircraft Maintenance Unit	$13,437,000
Guam	Joint Region Marianas	APR–Munitions Storage Igloos, Ph 2	$35,300,000
	Joint Region Marianas	APR–SATCOM C4I Facility	$14,200,000
Japan	Kadena Air Base	APR–Replace Munitions Structures	$19,815,000

Air Force: Extension of 2017 Project Authorizations—Continued

Country	Installation or Location	Project	Original Authorized Amount
	Yokota Air Base	C–130J Corrosion Control Hangar	$23,777,000
	Yokota Air Base	Construct Combat Arms Training and Maintenance Facility	$8,243,000
United Kingdom	Royal Air Force Croughton	Main Gate Complex	$16,500,000

SEC. 2306. EXTENSION OF AUTHORIZATIONS OF FISCAL YEAR 2017 PROJECTS AT SPANGDAHLEM AIR BASE, GERMANY.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2017 (division B of Public Law 114–328; 130 Stat. 2688), the authorizations set forth in the table in subsection (b), as provided in section 2902 of that Act (130 Stat. 2743), shall remain in effect until October 1, 2023, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2024, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Air Force: Extension of 2017 Project Authorizations

Country	Installation or Location	Project	Original Authorized Amount
Germany	Spangdahlem Air Base	F/A–22 Low Observable/Composite Repair Fac	$12,000,000
	Spangdahlem Air Base	Upgrade Hardened Aircraft Shelters for F/A–22	$2,700,000

SEC. 2307. EXTENSION OF AUTHORIZATION OF FISCAL YEAR 2017 PROJECT AT HANSCOM AIR FORCE BASE, MASSACHUSETTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2017 (division B of Public Law 114–328; 130 Stat. 2688), the authorization set forth in the table in subsection (b), as provided in section 2301 of that Act (130 Stat. 2696), shall remain in effect until October 1, 2022, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2023, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Air Force: Extension of 2017 Project Authorization

Country	Installation or Location	Project	Original Authorized Amount
Massachusetts	Hanscom Air Force Base	Construct Vandenberg Gate Complex	$10,965,000

SEC. 2308. MODIFICATION OF AUTHORITY TO CARRY OUT FISCAL YEAR 2018 PROJECT AT TYNDALL AIR FORCE BASE, FLORIDA.

In the case of the authorization contained in section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2018 (Division B of Public Law 115–91; 131 Stat. 1825) for Tyndall Air Force Base, Florida, for construction of a fire station, as specified in the funding table in section 4601 of that Act (131 Stat. 2002), the Secretary of the Air Force may construct up to 3,588 square meters of crash rescue or structural fire station.

SEC. 2309. MODIFICATION OF AUTHORITY TO CARRY OUT FISCAL YEAR 2020 PROJECTS AT TYNDALL AIR FORCE BASE, FLORIDA.

In the case of the authorization contained in section 2912(a) of the Military Construction Authorization Act for Fiscal Year 2020 (Division B of Public Law 116–92; 133 Stat. 1913) for Tyndall Air Force Base, Florida—

(1) for construction of Site Development, Utilities, and Demo Phase 1, as specified in the Natural Disaster Recovery Justification Book dated August 2019, the Secretary of the Air Force may construct—

(A) up to 3,698 lineal meters of waste water;

(B) up to 6,306 lineal meters of storm water; and

(C) two emergency power backup generators;

(2) for construction of Munitions Storage Facilities, as specified in the Natural Disaster Recovery Justification Book dated August 2019, the Secretary of the Air Force may construct—

(A) up to 4,393 square meters of aircraft support equipment storage yard;

(B) up to 1,535 square meters of tactical missile maintenance facility; and

(C) up to 560 square meters of missile warhead assembly and maintenance shop and storage;

(3) for construction of 325th Fighting Wing HQ Facility, as specified in the funding table in section 4603 of that Act (133 Stat. 2103), the Secretary of the Air Force may construct up to 769 square meters of separate administrative space for sexual assault prevention and response and sexual response coordinators;

(4) for construction of Deployment Center/Flight Line Dining/AAFES, as specified in such funding table, the Secretary of the Air Force may construct up to 144 square meters of Army and Air Force Exchange Service shoppette;

(5) for construction of Flightline—Muns Storage, 7000 Area, as specified in such funding table, the Secretary of the Air Force may construct—

(A) up to 1,861 square meters of above ground magazines; and

(B) up to 530 square meters of air support equipment shop or storage facility pad;

(6) for construction of Site Development, Utilities, and Demo Phase 2, as specified in such funding table, the Secretary of the Air Force may construct—

(A) up to 5,233 lineal meters of storm water;

(B) up to 48,560 square meters of roads;

(C) up to 3,612 lineal meters of gas pipeline; and

(D) up to 993 square meters of water fire pumping station with an emergency backup generator;

(7) for construction of Tyndall AFB Gate Complexes, as specified in such funding table, the Secretary of the Air Force may construct—

(A) up to 52,694 square meters of roadway with serpentines; and

(B) up to 20 active or passive barriers;

(8) for construction of Airfield Drainage, as specified in such funding table, the Secretary of the Air Force may construct—

(A) up to 18,931 meters of storm drain piping;

(B) up to 19,131 meters of box culvert;

(C) up to 3,704 meters of concrete block swale;

(D) up to 555 storm drain structures; and

(E) up to 81,500 square meters of storm drain ponds;

(9) for construction of 53 WEG Complex, as specified in the Natural Disaster Recovery Justification Book dated August 2019, the Secretary of the Air Force may construct—

(A) up to 1,693 square meters of aircraft maintenance shop;

(B) up to 1,458 square meters of fuel systems maintenance dock; and

(C) up to 3,471 square meters of group headquarters;

(10) for construction of 53 WEG Subscale Drone Facility, as specified in the Natural Disaster Recovery Justification Book dated August 2019, the Secretary of the Air Force may construct up to 511 square meters of pilotless aircraft shop in a separate facility;

(11) for construction of CE/Contracting/USACE Complex, as specified in the Natural Disaster Recovery Justification Book dated August 2019, the Secretary of the Air Force may construct—

(A) up to 557 square meters of base engineer storage shed 6000 area; and

(B) up to 183 square meters of non-Air Force administrative office;

(12) for construction of Logistics Readiness Squadron Complex, as specified in the Natural Disaster Recovery Justification Book dated August 2019, the Secretary of the Air Force may construct—

(A) up to 802 square meters of supply administrative headquarters;

(B) up to 528 square meters of vehicle wash rack; and

(C) up to 528 square meters of vehicle service rack;

(13) for construction of Fire Station Silver Flag #4, as specified in the Natural Disaster Recovery Justification Book dated August 2019, the Secretary of the Air Force may construct up to 651 square meters of fire station; and

(14) for construction of AFCEC RDT&E, as specified in the Natural Disaster Recovery Justification Book dated August 2019, the Secretary of the Air Force may construct 545 square meters of CE Mat Test Runway Support Building, 1,593 square meters of Robotics Range Control Support Building, and 953 square meters of fire garage.

TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION

SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Inside the United States

State	Installation or Location	Amount
Alabama	Redstone Arsenal	$153,000,000
California	Camp Pendleton	$13,600,000
	Silver Strand Training Complex	$33,700,000
Colorado	Buckley Air Force Base	$20,000,000
Georgia	Fort Benning	$62,000,000
Hawaii	Joint Base Pearl Harbor-Hickam	$29,800,000
Maryland	Fort Meade	$1,201,000,000
New Mexico	Kirtland Air Force Base	$8,600,000
Virginia	Fort Belvoir	$29,800,000
	Humphries Engineer Center and Support Activity	$36,000,000
	Pentagon	$50,543,000
Washington	Oak Harbor	$59,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Outside the United States

Country	Installation or Location	Amount
Germany	Ramstein Air Base	$93,000,000
Japan	Kadena Air Base	$24,000,000
	Misawa Air Base	$6,000,000
United Kingdom	Royal Air Force Lakenheath	$19,283,000

SEC. 2402. AUTHORIZED ENERGY RESILIENCE AND CONSERVATION INVESTMENT PROGRAM PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for energy conservation projects as specified in the funding table in section 4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code, for the installations or locations inside the United States, and in the amounts, set forth in the following table:

ERCIP Projects: Inside the United States

State	Installation or Location	Amount
Alabama	Fort Rucker	$24,000,000
California	Marine Corps Air Station Miramar	$4,054,000
	Naval Air Weapons Station China Lake/Ridgecrest	$9,120,000
District of Columbia	Joint Base Anacostia Bolling	$31,261,000
Florida	MacDill Air Force Base	$22,000,000
Georgia	Fort Benning	$17,593,000
	Fort Stewart	$22,000,000
	Naval Submarine Base Kings Bay	$19,314,000
Idaho	Mountain Home Air Force Base	$33,800,000
Michigan	Camp Grayling	$5,700,000
Mississippi	Camp Shelby	$45,655,000
New York	Fort Drum	$25,300,000
North Carolina	Fort Bragg	$27,169,000
Ohio	Springfield-Beckley Municipal Airport	$4,700,000
North Dakota	Cavalier Air Force Station	$24,150,000
Puerto Rico	Aguadilla	$10,120,000
	Fort Allen	$12,190,000
Tennessee	Memphis International Airport	$4,780,000
Virginia	Fort Belvoir, NGA Campus East	$365,000
	National Geospatial-Intelligence Agency Campus East	$5,299,000
	Pentagon, Mark Center, and Raven Rock Mountain Complex	$2,600,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for energy conservation projects as specified in the funding table in section 4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code, for the installations or locations outside the

United States, and in the amounts, set forth in the following table:

ERCIP Projects: Outside the United States

Country	Installation or Location	Amount
Guam	Polaris Point, Naval Base Guam	$38,300,000
Japan	Naval Air Facility Atsugi	$3,810,000
Kuwait	Camp Arifjan	$15,000,000

SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2021, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments), as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2401 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

SEC. 2404. EXTENSION OF AUTHORIZATION OF FISCAL YEAR 2017 PROJECT AT YOKOTA AIR BASE, JAPAN.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2017 (division B of Public Law 114–328; 130 Stat. 2688), the authorization set forth in the table in subsection (b), as provided in section 2401(b) of that Act (130 Stat. 2700), shall remain in effect until October 1, 2023, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2024, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Defense Agencies: Extension of 2017 Project Authorization

Country	Installation or Location	Project	Original Authorized Amount
Japan	Yokota Air Base	Hangar/AMU	$39,466,000

TITLE XXV—INTERNATIONAL PROGRAMS

Subtitle A—North Atlantic Treaty Organization Security Investment Program

SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Security Investment Program as provided in section 2806 of title 10, United States Code, in an amount not to exceed the sum of the amount authorized to be appropriated for this purpose in section 2502 and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.

(a) AUTHORIZATION.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2021, for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization Security Investment Program authorized by section 2501 as specified in the funding table in section 4601.

(b) AUTHORITY TO RECOGNIZE NATO AUTHORIZATION AMOUNTS AS BUDGETARY RESOURCES FOR PROJECT EXECUTION.—When the United States is designated as the Host Nation for the purposes of executing a project under the NATO Security Investment Program (NSIP), the Department of Defense construction agent may recognize the NATO project authorization amounts as budgetary resources to incur obligations for the purposes of executing the NSIP project.

Subtitle B—Host Country In-Kind Contributions

SEC. 2511. REPUBLIC OF KOREA FUNDED CONSTRUCTION PROJECTS.

Pursuant to agreement with the Republic of Korea for required in-kind contributions, the Secretary of Defense may accept military construction projects for the installations or locations in the Republic of Korea, and in the amounts, set forth in the following table:

Republic of Korea Funded Construction Projects

Component	Installation or Location	Project	Amount
Army	Camp Humphreys	Unaccompanied Enlisted Personnel Housing	$52,000,000
Army	Camp Humphreys	Type I Aircraft Parking Apron and Parallel Taxiway	$48,000,000
Navy	Mujuk	Expeditionary Dining Facility	$10,200,000
Air Force	Gimhae Air Base	Repair Contingency Hospital	$75,000,000
Air Force	Osan Air Base	Munitions Storage Area Move Delta (Phase 2)	$171,000,000

SEC. 2512. REPUBLIC OF POLAND PROVIDED INFRASTRUCTURE PROJECTS.

Pursuant to agreement with the Republic of Poland for required in-kind contributions, the Secretary of Defense may accept military construction projects for the installations or locations in the Republic of Poland, and in the amounts, set forth in the following table:

Republic of Poland Provided Infrastructure Projects

Component	Installation or Location	Project	Amount
Army	Poznan	Command and Control Facility	$30,000,000
Army	Poznan	Information Systems Facility	$7,000,000

SEC. 2513. AUTHORIZATION TO ACCEPT CONTRIBUTIONS FROM THE REPUBLIC OF KOREA IN THE FORM OF AN IRREVOCABLE LETTER OF CREDIT.

In addition to any other authorized form of burden sharing contribution, the Secretary of Defense may accept contributions from the Republic of Korea, under authorities available to the Secretary, in the form of an irrevocable letter of credit issued by a financial institution acceptable to the Treasurer of the United States, for construction of the Black Hat Intelligence Fusion Center, Camp Humphreys, Republic of Korea, and for other military construction projects within the Republic of Korea.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2606

and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army National Guard locations inside the United States, and in the amounts, set forth in the following table:

Army National Guard: Inside the United States

State	Location	Amount
Alabama	Huntsville Army National Guard	$17,000,000
Connecticut	Putnam	$17,500,000
Georgia	Fort Benning	$13,200,000
Idaho	Jerome	$15,000,000
Illinois	Bloomington	$15,000,000
Kansas	Topeka	$16,732,000
Louisiana	Lake Charles	$18,500,000
Maine	Saco	$21,200,000
Mississippi	Camp Shelby	$15,500,000
Montana	Butte	$16,000,000
Nebraska	Mead Training Site	$11,000,000
North Dakota	Dickinson	$15,500,000
Vermont	Bennington	$16,900,000
Virginia	Troutville	$13,000,000

(b) OUTSIDE THE UNITED STATES.—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 installation or location outside the United States, and in the amount, set forth in the following table:

Army National Guard: Outside the United States

Country	Installation or Location	Amount
Guam	Barrigada	$34,000,000

SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army Reserve locations inside the United States, and in the amounts, set forth in the following table:

Army Reserve

State	Location	Amount
Michigan	Southfield	$12,000,000
Ohio	Wright-Patterson Air Force Base	$19,000,000
Wisconsin	Fort McCoy	$70,600,000

SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE CORPS RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the Navy Reserve and Marine Corps Reserve installations or locations inside the United States, and in the amounts, set forth in the following table:

Navy Reserve and Marine Corps Reserve

State	Installation or Location	Amount
Michigan	Battle Creek	$49,090,000
Minnesota	Minneapolis Air Reserve Station	$14,350,000

SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air National Guard locations inside the United States, and in the amounts, set forth in the following table:

Air National Guard

State	Location	Amount
Alabama	Montgomery Regional Airport	$19,200,000
	Sumpter Smith Air National Guard Base	$7,500,000
Connecticut	Bradley International Airport	$17,000,000
Delaware	New Castle County Aiport	$17,500,000
Idaho	Boise Air Terminal (Gowen Field)	$6,500,000
Illinois	Abraham Lincoln Capital Airport	$10,200,000
Massachusetts	Barnes Municipal Airport	$12,200,000
Michigan	Alpena County Regional Airport	$23,000,000
	Selfridge Air National Guard Base	$28,000,000
	W.K. Kellogg Regional Airport	$10,000,000
Mississippi	Jackson International Airport	$9,300,000

Air National Guard—Continued

State	Location	Amount
New York	Francis S. Gabreski Airport	$14,800,000
	Schenectady Municipal Airport	$10,800,000
Ohio	Camp Perry	$7,800,000
South Carolina	McEntire Joint National Guard Base	$18,800,000
South Dakota	Joe Foss Field	$9,800,000
Texas	Kelly Field Annex	$9,500,000
Washington	Camp Murray Air National Guard Station	$27,000,000
Wisconsin	Truax Field	$44,200,000
Wyoming	Cheyenne Municipal Airport	$13,400,000

SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air Force Reserve locations inside the United States, and in the amounts, set forth in the following table:

Air Force Reserve

State	Location	Amount
California	Beale Air Force Base	$33,000,000
Florida	Homestead Air Force Station	$14,000,000
	Patrick Space Force Base	$18,500,000
Indiana	Grissom Air Reserve Base	$29,000,000
Minnesota	Minneapolis-St. Paul Air Reserve Station	$14,000,000
New York	Niagara Falls Air Reserve Station	$10,600,000
Ohio	Youngstown Air Reserve Base	$8,700,000

SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NATIONAL GUARD AND RESERVE.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2021, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of title 10, United States Code (including the cost of acquisition of land for those facilities), as specified in the funding table in section 4601.

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, 2021, for base realignment and closure activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account established by section 2906 of such Act (as amended by section 2711 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2140)), as specified in the funding table in section 4601.

SEC. 2702. PROHIBITION ON CONDUCTING ADDITIONAL BASE REALIGNMENT AND CLOSURE (BRAC) ROUND.

Nothing in this Act shall be construed to authorize an additional Base Realignment and Closure (BRAC) round.

TITLE XXVIII—MILITARY CONSTRUCTION AND GENERAL PROVISIONS

Subtitle A—Military Construction Program

SEC. 2801. CLARIFICATION OF ESTABLISHMENT OF THE OFFICE OF LOCAL DEFENSE COMMUNITY COOPERATION AS A DEPARTMENT OF DEFENSE FIELD ACTIVITY.

(a) TRANSFER TO CHAPTER 8.—Section 146 of title 10, United States Code, is transferred to subchapter I of chapter 8 of such title, inserted after section 197, and redesignated as section 198.

(b) ESTABLISHMENT AS DEPARTMENT OF DEFENSE FIELD ACTIVITY.—Section 198(a) of such title, as transferred and redesignated by subsection (a), is amended by striking ''in the Office of the Secretary of Defense'' and inserting ''established as a Department of Defense Field Activity''.

(c) APPOINTMENT OF DIRECTOR.—Such section 198 is further amended—

(1) in subsection (b) in the matter preceding paragraph (1), by striking ''Under Secretary of Defense for Acquisition and Sustainment'' and inserting ''Secretary of Defense''; and

(2) in subsection (c)(4), by striking ''Under Secretary of Defense for Acquisition and Sustainment'' and inserting ''Secretary''.

(d) CONFORMING AND CLERICAL AMENDMENTS.—

(1) CONFORMING AMENDMENTS.—Section 905 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) is amended—

(A) in subsection (b), by striking ''section 146'' and inserting ''section 198''; and

(B) in subsection (c), by striking ''section 146'' and inserting ''section 198''.

(2) CLERICAL AMENDMENTS.—

(A) CHAPTER 4.—The table of sections at the beginning of chapter 4 of title 10, United States Code, is amended by striking the item relating to section 146.

(B) CHAPTER 8.—The table of sections at the beginning of subtitle I of chapter 8 of such title is amended by inserting after the item relating to section 197 the following new item:

''198. Office of Local Defense Community Cooperation''.

SEC. 2802. USE OF AMOUNTS AVAILABLE FOR OPERATION AND MAINTENANCE IN CARRYING OUT MILITARY CONSTRUCTION PROJECTS FOR ENERGY RESILIENCE, ENERGY SECURITY, OR ENERGY CONSERVATION.

Section 2914 of title 10, United States Code, is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(2) by inserting after subsection (b) the following new subsection (c):

''(c) ALTERNATIVE FUNDING SOURCE.—(1) In addition to the authority under section 2805(c) of this title, in carrying out a military construction project for energy resilience, energy security, or energy conservation under this section, the Secretary concerned may use amounts available for operation and maintenance for the military department concerned if the Secretary concerned submits to the congressional defense committees a notification of the decision to carry out the project using such amounts and includes in the notification—

''(A) the current estimate of the cost of the project;

''(B) the source of funds for the project; and

''(C) a certification that deferring the project pending the availability of funds appropriated for or otherwise made available for military construction would be inconsistent with the timely assurance of energy resilience, energy security, or energy conservation for one or more critical national security functions.

''(2) A project carried out under this section using amounts under paragraph (1) may be carried out only after the end of the seven-day period beginning on the date on which a copy of the notification described in paragraph (1) is provided in an electronic medium pursuant to section 480 of this title.

''(3) The maximum aggregate amount that the Secretary concerned may obligate from amounts available to the military department concerned for operation and maintenance in any fiscal year for projects under the authority of this subsection is $100,000,000.''.

Subtitle B—Military Family Housing

SEC. 2811. COMMAND OVERSIGHT OF MILITARY PRIVATIZED HOUSING AS ELEMENT OF PERFORMANCE EVALUATIONS.

(a) EVALUATIONS IN GENERAL.—Each Secretary of a military department shall ensure that the performance evaluations of any individual described in subsection (b) under the jurisdiction of such Secretary provides for an assessment of the extent to which such individual has or has not exercised effective oversight and leadership in the following:

(1) Improving conditions of privatized housing under subchapter IV of chapter 169 of title 10, United States Code.

(2) Addressing concerns with respect to such housing of members of the Armed

Forces and their families who reside in such housing on an installation of the military department concerned.

(b) COVERED INDIVIDUALS.—The individuals described in this subsection are as follows:

(1) The commander of an installation of a military department at which on-installation housing is managed by a landlord of privatized housing under subchapter IV of chapter 169 of title 10, United States Code.

(2) Each officer or senior enlisted member of the Armed Forces at an installation described in paragraph (1) whose duties include facilities or housing management at such installation.

(3) Any other officer or enlisted member of the Armed Forces (whether or not at an installation described in paragraph (1)) as specified by the Secretary of the military department concerned for purposes of this section.

SEC. 2812. CLARIFICATION OF PROHIBITION AGAINST COLLECTION FROM TENANTS OF PRIVATIZED MILITARY HOUSING UNITS OF AMOUNTS IN ADDITION TO RENT AND APPLICATION OF EXISTING LAW.

(a) CLARIFICATION OF PROHIBITION.—

(1) IN GENERAL.—Section 2891a(e) of title 10, United States Code, is amended—

(A) by striking ''the any'' each place it appears and inserting ''any''; and

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

''(3) Costs incurred to modify or upgrade a housing unit to comply with standards under the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and facilitate occupancy of the housing unit by an individual with a disability (as defined in section 3 of such Act (42 U.S.C. 12102)) may not be considered optional services under paragraph (2)(A)(i) or another exception to the prohibition in paragraph (1) against collection from tenants of housing units of amounts in addition to rent.''.

(2) APPLICATION.—The amendment made by paragraph (1)(B) shall apply to contracts described in section 2891a(a) of title 10, United States Code, entered into on or after the date of the enactment of this Act.

(b) APPLICATION OF EXISTING LAW.—Section 2891a of title 10, United States Code, is amended by adding at the end the following new subsection:

''(f) APPLICATION OF EXISTING LAW.—The Secretary of Defense shall ensure that, in carrying out subsections (c) and (d), the head of each housing management office of an installation and each landlord providing a housing unit, as the case may be, comply with the following:

''(1) Section 804 of the Fair Housing Act (42 U.S.C. 3604).

''(2) Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794).

''(3) Title III of the Americans with Disabilities Act of 1990 (42 U.S.C. 12181 et seq.).''.

SEC. 2813. MODIFICATION OF CALCULATION OF MILITARY HOUSING CONTRACTOR PAY FOR PRIVATIZED MILITARY HOUSING.

Section 606(a) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 2871 note) is amended—

(1) in paragraph (1)(B)—

(A) by striking ''2.5 percent'' and inserting ''50 percent''; and

(B) by striking ''section 403(b)(3)(A)(i)'' and inserting ''section 403(b)(3)(A)(ii)''; and

(2) in paragraph (2)(B)—

(A) by striking ''2.5 percent'' and inserting ''50 percent''; and

(B) by striking ''section 403(b)(3)(A)(i)'' and inserting ''section 403(b)(3)(A)(ii)''.

SEC. 2814. MODIFICATION OF REQUIREMENTS RELATING TO WINDOW FALL PREVENTION DEVICES AT MILITARY FAMILY HOUSING.

(a) RETROFITTING OF EXISTING HOUSING UNITS.—

(1) IN GENERAL.—On the date of the enactment of this Act, the Secretary of Defense shall begin retrofitting windows at existing military family housing units acquired or constructed under chapter 169 of title 10, United States Code, with fall prevention devices or replacement of such windows with windows equipped with such devices pursuant to the program under subsection (b) of section 2879 of such title.

(2) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report that sets forth a plan to complete retrofitting or replacement of windows as described in subsection (a) by not later than one year after such date of enactment.

(b) EXCLUSION OF WINDOW OPENING CONTROL DEVICES AS APPROVED DEVICES.—Section 2879(a)(3) of title 10, United States Code, is amended—

(1) by striking ''or guard'' and inserting '', guard, or other passive barrier''; and

(2) by inserting before the period at the end the following: '', excluding a window opening control device''.

Subtitle C—Land Conveyances

SEC. 2821. LAND CONVEYANCE, ST. LOUIS, MISSOURI.

(a) CONVEYANCE AUTHORIZED.—

(1) CONVEYANCE TO LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY OF THE CITY OF ST. LOUIS.—

(A) IN GENERAL.—The Secretary of the Air Force (in this section referred to as the ''Secretary'') may convey to the Land Clearance for Redevelopment Authority of the City of St. Louis (in this section referred to as the ''Authority''), on behalf of the United States, all right, title, and interest of the United States in and to the parcel of land described in paragraph (2) for purposes of redevelopment by the Authority.

(B) LIMITATION.—The Secretary may convey only that portion of the parcel of land described in paragraph (2) to the Authority that is declared excess to the Department of Defense.

(2) PARCEL OF LAND DESCRIBED.—

(A) IN GENERAL.—The parcel of land described in this paragraph is approximately 24 acres of land located at 3200 S. 2nd Street, St. Louis, Missouri, and includes all improvements to the land.

(B) LEGAL DESCRIPTION.—The exact acreage and legal description of the property to be conveyed under paragraph (1) shall be determined by a survey satisfactory to the Secretary and the Authority.

(b) TERMS OF CONVEYANCE.—

(1) INSTRUMENT AND CONDITIONS.—

(A) IN GENERAL.—The conveyance under subsection (a)(1) shall be accomplished using a quitclaim deed or other legal instrument and upon terms and conditions satisfactory to the Secretary, including such additional terms and conditions as the Secretary considers appropriate to protect the interests of the United States.

(B) ENVIRONMENTAL CONDITIONS.—The conveyance under subsection (a)(1) may include conditions, restrictions, or covenants related the environmental condition of the property, which shall not adversely interfere with the use of existing structures and the development of the site for commercial or industrial uses.

(C) HISTORICAL PROPERTY CONDITIONS.—The conveyance under subsection (a)(1) may include conditions, restrictions, or covenants to ensure preservation of historic property, notwithstanding the effect such conditions, restrictions, or covenants may have on reuse of the site.

(2) CONDUCT OF REMEDIATION.—

(A) IN GENERAL.—The Secretary shall conduct all remediation at the parcel of land conveyed under subsection (a)(1) pursuant to approved activities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) and the Defense Environmental Restoration Program under section 2701 of title 10, United States Code.

(B) COMPLETION OF REMEDIATION.—The Secretary shall complete all remediation at the parcel of land conveyed under subsection (a)(1) in accordance with the requirements selected in the Record of Decision, Scott Air Force Base Environmental Restoration Program Site SS018, National Imagery and Mapping Agency, Second Street, dated August 2019.

(c) COSTS OF CONVEYANCE.—

(1) IN GENERAL.—There is authorized to be appropriated to the Secretary $2,000,000 for administrative expenses incurred by the Secretary to carry out the conveyance under subsection (a)(1), including survey costs and other administrative costs related to the conveyance.

(2) EXCLUSION.—Administrative expenses under paragraph (1) do not include any expenditures authorized under an environmental restoration account under section 2703(a) of title 10, United States Code.

(d) COMPLIANCE WITH EXISTING LAW.—The conveyance under subsection (a) shall be in compliance with division A of subtitle III of title 54, United States Code (formerly known as the ''National Historic Preservation Act'').

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect or limit the application of, or any obligation to comply with, the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

SEC. 2822. LAND CONVEYANCE, SAINT JOSEPH, MISSOURI.

(a) CONVEYANCE AUTHORIZED.—At such time as the Missouri Air National Guard vacates their existing location on the southern end of the airfield at Rosecrans Memorial Airport in Saint Joseph, Missouri, as determined by the Secretary of the Air Force (in this section referred to as the ''Secretary''), the Secretary may convey to the City of Saint Joseph (in this section referred to as the ''City'') all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 54 acres at the Rosecrans Air National Guard Base in Saint Joseph, Missouri, for the purpose of removing the property from the boundaries of the Rosecrans Air National Guard Base and accommodating the operations and maintenance needs of the Rosecrans Memorial Airport as well as the development of the parcels and buildings for economic purposes.

(b) CONDITION OF CONVEYANCE.—The conveyance under subsection (a) shall be subject to valid existing rights and the City shall accept the real property (and any improvements thereon) in its condition at the time of the conveyance (commonly known as a conveyance ''as is'').

(c) CONSIDERATION.—

(1) REQUIREMENT.—As consideration for the conveyance of the property under subsection (a), the City shall provide the United States an amount that is equivalent to the fair market value of the right, title, and interest conveyed under subsection (a) based on an appraisal approved by the Secretary.

(2) TYPES OF CONSIDERATION.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the consideration required to be provided under paragraph (1) may be

provided by land exchange, in-kind consideration described in subparagraph (D), or a combination thereof.

(B) LESS THAN FAIR MARKET VALUE.—If the value of the land exchange or in-kind consideration provided under subparagraph (A) is less than the fair market value of the property interest to be conveyed under subsection (a), the City shall pay to the United States an amount equal to the difference between the fair market value of the property interest and the value of the consideration provided under subparagraph (A).

(C) CASH CONSIDERATION.—Any cash consideration received by the United States under this subsection shall be deposited in the special account in the Treasury established under section 572(b)(5) of title 40, United States Code, and available in accordance with the provisions of subparagraph (B)(ii) of such section.

(D) IN-KIND CONSIDERATION.—In-kind consideration described in this subparagraph may include the construction, provision, improvement, alteration, protection, maintenance, repair, or restoration (including environmental restoration), or a combination thereof, of any facilities or infrastructure relating to the needs of the Missouri Air National Guard at Rosecrans Air National Guard Base that the Secretary considers appropriate.

(d) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary may require the City to cover all costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs related to environmental documentation, and any other administrative costs related to the conveyance. If amounts paid by the City to the Secretary in advance exceed the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the City.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out the conveyance under subsection (a) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance, or to an appropriate fund or account currently available to the Secretary for the purposes for which the costs were paid. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(e) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2823. LAND CONVEYANCE, MARINE CORPS AIR STATION, CHERRY POINT, NORTH CAROLINA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Navy (in this section referred to as the ''Secretary'') may convey to the City of Havelock, North Carolina (in this section referred to as the ''City''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 30 acres, known as the former Fort Macon Housing Area, located within the City limits.

(b) INTERIM LEASE.—Until such time as the real property described in subsection (a) is conveyed to the City, the Secretary may lease the property to the City for 20 years.

(c) CONSIDERATION.—

(1) IN GENERAL.—As consideration for the conveyance under subsection (a) and interim lease under subsection (b), the City shall pay to the Secretary an amount that is not less than the fair market value of the property conveyed, as determined by the Secretary, whether by cash payment, in-kind consideration as described under paragraph (2), or a combination thereof.

(2) IN-KIND CONSIDERATION.—In-kind consideration provided by the City under this subsection may include the acquisition, construction, provision, improvement, maintenance, repair, or restoration (including environmental restoration), or combination thereof, of any facilities or infrastructure, or delivery of services relating to the needs of Marine Corps Air Station Cherry Point, North Carolina, that the Secretary considers acceptable.

(3) DISPOSITION OF AMOUNTS.—

(A) CONVEYANCE.—Amounts received by the Secretary in exchange for the fee title of the real property described in subsection (a) shall be deposited in the special account in the Treasury established under section 572(b)(5) of title 40, United States Code, and shall be available in accordance with subparagraph (B)(ii) of such section.

(B) INTERIM LEASE.—Amounts received by the Secretary for the interim lease of the real property described in subsection (a) shall be deposited in the special account in the Treasury established for the Secretary under subsection (e) of section 2667 of title 10, United States Code, and shall be available for use in accordance with paragraph (1)(D) of such subsection.

(d) PAYMENT OF COSTS OF CONVEYANCE.—

(1) IN GENERAL.—The Secretary shall require the City to cover costs (except costs for environmental remediation of the property) to be incurred by the Secretary, or to reimburse the Secretary for such costs incurred by the Secretary, to carry out the conveyance under subsection (a) and interim lease under subsection (b), including costs for environmental and real estate due diligence and any other administrative costs related to the conveyance.

(2) REFUND OF EXCESS AMOUNTS.—If amounts are collected from the City under paragraph (1) 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 under subsection (a) and interim lease under subsection (b), the Secretary shall refund the excess amount to the City.

(e) CONDITION OF CONVEYANCE.—Conveyance of real property shall be subject to all existing easements, restrictions, and covenants of record and conditioned upon the following:

(1) Real property shall be used for municipal park and recreational purposes, which may include ancillary uses such as vending and restrooms.

(2) The City shall not use Federal funds to cover any portion of the amounts required by subsections (c) and (d) to be paid by the City.

(f) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(g) EXCLUSION OF REQUIREMENTS FOR PRIOR SCREENING BY GENERAL SERVICES ADMINISTRATION FOR ADDITIONAL FEDERAL USE.—Section 2696(b) of title 10, United States Code, does not apply to the conveyance of real property authorized under subsection (a).

(h) ADDITIONAL TERMS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2824. LAND CONVEYANCE, NAVAL AIR STATION OCEANA, VIRGINIA BEACH, VIRGINIA.

(a) CONVEYANCE AUTHORIZED.—

(1) IN GENERAL.—The Secretary of the Navy (in this section referred to as the ''Secretary'') may convey to the City of Virginia Beach, Virginia (in this section referred to as the ''City''), all right, title, and interest of the United States in and to a parcel of real property located at 4200 C Avenue, Virginia Beach, Virginia, including any improvements thereon, consisting of approximately 8 acres.

(2) AUTHORITY TO VOID LAND USE RESTRICTIONS.—The Secretary may void any land use restrictions associated with the property to be conveyed under paragraph (1).

(b) CONSIDERATION.—

(1) IN GENERAL.—As consideration for the conveyance under subsection (a)(1), the City shall pay to the Secretary an amount that is not less than the fair market value of the property conveyed, as determined by the Secretary, whether by cash payment, in-kind consideration as described in paragraph (2), or a combination thereof.

(2) IN-KIND CONSIDERATION.—In-kind consideration provided by the City under this subsection may include the acquisition, construction, provision, improvement, maintenance, repair, or restoration (including environmental restoration), or combination thereof, of any facilities or infrastructure, or delivery of services relating to the needs of Naval Air Station Oceana, Virginia, that the Secretary considers acceptable.

(3) DISPOSITION OF FUNDS.—Cash received in exchange for the fee title of the property conveyed under subsection (a)(1) shall be deposited in the special account in the Treasury established under subparagraph (A) of section 572(b)(5) of title 40, United States Code, and shall be available for use in accordance with subparagraph (B)(ii) of such section.

(c) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary shall require the City to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under subsection (a)(1), including costs related to environmental and real estate due diligence, and any other administrative costs related to the conveyance.

(2) REFUND OF EXCESS AMOUNTS.—If amounts are collected under paragraph (1) 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 under subsection (a)(1), the Secretary shall refund the excess amount to the City.

(3) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance under subsection (a)(1). Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the parcel of real property to be conveyed under subsection (a)(1) shall be determined by a survey satisfactory to the Secretary.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a)(1) as the

Secretary considers appropriate to protect the interests of the United States.

Subtitle D—Other Matters

SEC. 2831. CONSIDERATION OF PUBLIC EDUCATION WHEN MAKING BASING DECISIONS.

(a) IN GENERAL.—Section 2883 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) is amended—

(1) by redesignating subsections (e) through (j) as subsections (f) through (k), respectively; and

(2) by inserting after subsection (d) the following new subsection (e):

''(e) EDUCATION.—With regard to the military housing area in which an installation subject to a basing decision covered by subsection (a) is or will be located, the Secretary of the military department concerned shall take into account the extent to which high-quality public education is available and accessible to dependents of members of the Armed Forces in the military housing area by comparing the progress of students served by relevant local educational agencies in the State in which the installation and military housing area are located under the statewide accountability system described in section 1111 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311) as compared to the progress of all students in such State under such system.''.

(b) CONFORMING AMENDMENT.—Subsection (a) of such section is amended by striking ''subsection (e)'' and inserting ''subsection (f)''.

SEC. 2832. DESIGNATION OF FACILITY AT ROCK ISLAND ARSENAL, ILLINOIS.

The Secretary of the Army shall designate a facility located at Rock Island Arsenal, Illinois, to be named after Charles Carroll Smith, in recognition of his significant public service contributions.

SEC. 2833. IMPROVEMENT OF SECURITY OF LODGING AND LIVING SPACES ON MILITARY INSTALLATIONS.

(a) ASSESSMENT.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall conduct an assessment of all on-base dormitories and barracks at military installations for purposes of identifying—

(1) locking mechanisms on points of entry into the main facility, including doors and windows, or interior doors leading into private sleeping areas that require replacing or repairing;

(2) areas, such as exterior sidewalks, entry points, and other public areas where closed-circuit television security cameras should be installed; and

(3) other passive security measures, such as additional lighting, that may be necessary to prevent crime, including sexual assault.

(b) EMERGENCY REPAIRS.—The Secretary shall make any necessary repairs of broken locks or other safety mechanisms discovered during the assessment conducted under subsection (a) not later than 30 days after discovering the issue.

(c) REPORT.—

(1) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the results of the assessment conducted under subsection (a).

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

(A) a cost estimate to make any improvements recommended pursuant to the assessment under subsection (a), disaggregated by military department and installation; and

(B) an estimated schedule for making such improvements.

SEC. 2834. EXPANSION OF AUTHORITY OF SECRETARY OF THE NAVY TO LEASE AND LICENSE NAVY MUSEUM FACILITIES TO GENERATE REVENUE TO SUPPORT MUSEUM ADMINISTRATION AND OPERATIONS.

(a) INCLUSION OF ALL NAVY MUSEUMS.—Section 2852 of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109–163; 119 Stat. 3530) is amended—

(1) in subsection (a)—

(A) by striking ''the Naval Historical Foundation any portion of the facilities located at the Washington Naval Yard, District of Columbia, that house the United States Navy Museum'' and inserting ''a foundation established to support a Navy museum any portion of the facilities of that Navy museum'';

(B) by striking ''the Foundation'' and inserting ''the foundation''; and

(C) by striking ''the United States Navy Museum'' both places it appears and inserting ''that Navy museum'';

(2) in subsection (b), by striking ''the United States Navy Museum'' and inserting ''the Navy museum of which the facility is a part'';

(3) in subsection (c), by striking ''the Naval Historical Foundation'' and inserting ''a foundation described in subsection (a)''; and

(4) in subsection (d)—

(A) by striking ''the United States Navy Museum'' and inserting ''the applicable Navy museum''; and

(B) by striking ''the Museum'' and inserting ''the museum''.

(b) CONFORMING CLERICAL AMENDMENT.—The section heading for section 2852 of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109–163; 119 Stat. 3530) is amended by striking ''**AT WASHINGTON, NAVY YARD, DISTRICT OF COLUMBIA**''.

SEC. 2835. PILOT PROGRAM ON ESTABLISHMENT OF ACCOUNT FOR REIMBURSEMENT FOR USE OF TESTING FACILITIES AT INSTALLATIONS OF THE DEPARTMENT OF THE AIR FORCE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall establish a pilot program to authorize installations of the Department of the Air Force to establish a reimbursable account for the purpose of being reimbursed for the use of testing facilities on such installation.

(b) INSTALLATIONS SELECTED.—The Secretary of the Air Force shall select not more than two installations of the Department of the Air Force to participate in the pilot program under subsection (a) from among any such installations that are part of the Air Force Flight Test Center construct and are currently funded for Facilities Sustainment, Restoration, and Modernization (FSRM) through the Research, Development, Test, and Evaluation account of the Department of the Air Force.

(c) OVERSIGHT OF FUNDS.—For each installation selected for the pilot program under subsection (a), the commander of such installation shall have direct oversight over 50 percent of the funds allocated to the installation for Facilities Sustainment, Restoration, and Modernization and the Commander of the Air Force Civil Engineer Center shall have direct oversight over the remaining 50 percent of such funds.

(d) BRIEFING AND REPORT.—

(1) BRIEFING.—Not later than 30 days after establishing the pilot program under subsection (a), the Secretary of the Air Force shall brief the congressional defense committees on the pilot program.

(2) ANNUAL REPORT.—Not later than one year after establishing the pilot program under subsection (a), and annually thereafter, the Secretary of the Air Force shall submit to the congressional defense committees a report on the pilot program.

(e) TERMINATION.—The pilot program under subsection (a) shall terminate on December 1, 2026.

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 2022 for the activities of the National Nuclear Security Administration in carrying out programs as specified in the funding table in section 4701.

(b) AUTHORIZATION OF NEW PLANT PROJECTS.—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out new plant projects for the National Nuclear Security Administration as follows:

Project 22–D–513, Power Sources Capability, Sandia National Laboratories, Albuquerque, New Mexico, $13,827,000.

Project 22–D–514, Digital Infrastructure Capability Expansion, Lawrence Livermore National Laboratory, Livermore, California, $8,000,000.

Project 22–D–531, Chemistry and Radiological Health Building, Knolls Atomic Power Laboratory, Niskayuna, New York, $41,620,000.

Project 22–D–532, Security Upgrades, Knolls Atomic Power Laboratory, Niskayuna, New York, $5,100,000.

SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2022 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 22–D–401, L–888, 400 Area Fire Station, Hanford Site, Richland, Washington, $15,200,000.

Project 22–D–402, L–897, 200 Area Water Treatment Facility, Hanford Site, Richland, Washington, $12,800,000.

Project 22–D–403, Spent Nuclear Fuel Staging Facility, Idaho National Laboratory, Idaho Falls, Idaho, $3,000,000.

Project 22–D–404, Additional Idaho CERCLA Disposal Facility Landfill Disposal Cell and Evaporation Ponds Project, Idaho National Laboratory, Idaho Falls, Idaho, $5,000,000.

SEC. 3103. OTHER DEFENSE ACTIVITIES.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2022 for other defense activities in carrying out programs as specified in the funding table in section 4701.

SEC. 3104. NUCLEAR ENERGY.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2022 for nuclear energy as specified in the funding table in section 4701.

Subtitle B—Nuclear Weapons Stockpile Matters

SEC. 3111. PORTFOLIO MANAGEMENT FRAMEWORK FOR NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Administrator for Nuclear Security shall—

(1) in consultation with the Nuclear Weapons Council established under section 179 of title 10, United States Code, develop and implement a portfolio management framework for the nuclear security enterprise that—

(A) defines the National Nuclear Security Administration's portfolio of nuclear weapons stockpile and infrastructure maintenance and modernization programs;

(B) establishes a portfolio governance structure, including portfolio-level selection criteria, prioritization criteria, and performance metrics;

(C) outlines the approach of the National Nuclear Security Administration to managing that portfolio; and

(D) incorporates the leading practices identified by the Government Accountability Office in its report entitled ''Nuclear Security Enterprise: NNSA Should Use Portfolio Management Leading Practices to Support Modernization Efforts'' (GAO–21–398) and dated June 2021; and

(2) complete an integrated, comprehensive assessment of the portfolio management capabilities required to execute the weapons activities portfolio of the National Nuclear Security Administration.

(b) BRIEFING REQUIREMENT.—Not later than June 1, 2022, the Administrator shall provide to the congressional defense committees a briefing on—

(1) the progress of the Administrator in developing the framework described in paragraph (1) of subsection (a) and completing the assessment required by paragraph (2) of that subsection; and

(2) the plans of the Administrator for implementing the recommendations of the Government Accountability Office in the report referred to in subsection (a)(1)(D).

(c) NUCLEAR SECURITY ENTERPRISE DEFINED.—In this section, the term ''nuclear security enterprise'' has the meaning given that term in section 4002 of the Atomic Energy Defense Act (50 U.S.C. 2501).

SEC. 3112. REPORTS ON RISKS TO AND GAPS IN INDUSTRIAL BASE FOR NUCLEAR WEAPONS COMPONENTS, SUBSYSTEMS, AND MATERIALS.

Section 3113 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) is amended by adding at the end the following new subsection:

''(e) REPORTS REQUIRED.—The Administrator, acting through the official designated under subsection (a), shall submit to the Committees on Armed Services of the Senate and the House of Representatives, contemporaneously with each briefing required by subsection (d)(2), a report that—

''(1) identifies actual or potential risks to or specific gaps in any element of the industrial base that supports the nuclear weapons components, subsystems, or materials of the National Nuclear Security Administration;

''(2) describing the actions the Administration is taking to further assess, characterize, and prioritize such risks and gaps;

''(3) describing mitigating actions, if any, the Administration has underway or planned to mitigate any such risks or gaps;

''(4) setting forth the anticipated timelines and resources needed for such mitigating actions; and

''(5) describing the nature of any coordination with or burden sharing by other Federal agencies or the private sector to address such risks and gaps.''.

SEC. 3113. SENSE OF SENATE ON OVERSIGHT ROLE OF CONGRESS IN CONDUCT OF NUCLEAR WEAPONS TESTING.

It is the sense of the Senate that Congress should have an oversight role in overseeing the United States Government's ability to conduct nuclear weapons testing that produces nuclear yield.

Subtitle C—Defense Environmental Cleanup Matters

PART I—ENVIRONMENTAL MANAGEMENT LIABILITY REDUCTION AND TECHNOLOGY DEVELOPMENT

SEC. 3121. DEFINITIONS.

In this part:

(1) COMPLEX.—The term ''complex'' means all sites managed in whole or in part by the Office.

(2) DEPARTMENT.—The term ''Department'' means the Department of Energy.

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

(4) MISSION.—The term ''mission'' means the mission of the Office.

(5) NATIONAL LABORATORY.—The term ''National Laboratory'' has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(6) OFFICE.—The term ''Office'' means the Office of Environmental Management of the Department.

(7) SECRETARY.—The term ''Secretary'' means the Secretary of Energy, acting through the Assistant Secretary for Environmental Management.

SEC. 3122. INDEPENDENT ASSESSMENT AND MANAGEMENT OF DEFENSE ENVIRONMENTAL CLEANUP PROGRAMS.

(a) INDEPENDENT ASSESSMENT.—

(1) IN GENERAL.—The Secretary shall obtain from the Corps of Engineers an independent assessment of the lifecycle costs and schedules of the defense environmental cleanup programs of the Office.

(2) FOCUS OF ASSESSMENT.—The assessment under paragraph (1) shall be focused on identifying key remaining technical risks and uncertainties of the defense environmental cleanup programs.

(3) USE OF ASSESSMENT.—The Office shall use the assessment under paragraph (1)—

(A) to reevaluate the major defense environmental cleanup challenges faced by the Office, including the timeline and costs associated with addressing those challenges with existing science and technology investments;

(B) to make any adjustments to the science and technology development program of the Office that are necessary to address those challenges;

(C) to evaluate potential savings from the development of new technologies over the life of the cleanup programs of the Office; and

(D) to provide recommendations to Congress with respect to the annual funding levels for the Incremental Technology Development Program established under section 3123(a) and the High-Impact Technology Development Program established under section 3124(a) that will ensure maximum cost-savings over the life of the defense environmental cleanup programs of the Office.

(4) NO EFFECT ON PROGRAM IMPLEMENTATION.—Nothing in this subsection affects the establishment, implementation, or carrying out of any project or program under any other provision of law, including this part, or under any existing agreement or consent decree to which the Department is a party, during the time period in which the assessment under paragraph (1) is carried out.

(b) MANAGEMENT PROCESS.—The Secretary shall design and implement a science and technology management process for identifying, prioritizing, selecting, developing, testing, permitting, and deploying the new knowledge and technologies needed to address the defense environmental cleanup challenges faced by the Office, including the technical risks and uncertainties identified by the assessment under subsection (a).

(c) PEER REVIEW.—The Secretary shall use independent peer review to evaluate—

(1) the science and technology management process designed under subsection (b) before that process is implemented;

(2) any science and technology projects before those projects are funded; and

(3) the overall effectiveness and impact of the science and technology efforts of the Office.

SEC. 3123. INCREMENTAL TECHNOLOGY DEVELOPMENT PROGRAM.

(a) ESTABLISHMENT.—The Secretary shall establish a program, to be known as the ''Incremental Technology Development Program'' (in this section referred to as the ''program''), to improve the efficiency and effectiveness of the defense environmental cleanup processes of the Office.

(b) FOCUS.—

(1) IN GENERAL.—The program shall focus on the continuous improvement of new or available technologies, including—

(A) decontamination chemicals and techniques;

(B) remote sensing and wireless communication to reduce manpower and laboratory efforts;

(C) detection, assay, and certification instrumentation;

(D) packaging materials, methods, and shipping systems; and

(E) improving the overall efficiency and effectiveness of the Office.

(2) OTHER AREAS.—The program may include mission-relevant development, demonstration, and deployment activities unrelated to the focus areas described in paragraph (1).

(c) USE OF NEW AND EMERGING TECHNOLOGIES.—

(1) IN GENERAL.—In carrying out the program, the Secretary shall ensure that site offices of the Office conduct technology development and demonstration of new and emerging technologies to establish a sound technical basis for the selection of technologies for defense environmental cleanup or infrastructure operations.

(2) COLLABORATION REQUIRED.—The Secretary shall collaborate, to the extent practicable, with the heads of other Federal agencies, the National Laboratories, other Federal laboratories, appropriate State regulators and agencies, and the Department of Labor in the development, demonstration, testing, permitting, and deployment of new technologies under the program.

(d) AGREEMENTS TO CARRY OUT PROJECTS.—

(1) IN GENERAL.—In carrying out the program, the Secretary may enter into agreements for technology development, demonstration, and deployment projects to improve technologies in accordance with subsection (b).

(2) SELECTION.—The Secretary shall select projects under paragraph (1) through a rigorous process that involves—

(A) transparent and open competition; and

(B) an independent peer review process described in paragraph (3).

(3) PEER REVIEW PROCESS.—

(A) IN GENERAL.—Each technology development, demonstration, and deployment project under consideration for selection under paragraph (2) shall undergo an independent peer review process by a panel of not fewer than 3 peer reviewers selected in accordance with subparagraph (C), who shall evaluate the project in accordance with the

criteria described in subparagraph (B), with the goal of maximizing—

(i) returns on the research and development expenditures of the Office; and

(ii) the return on investment of funds made available under the program.

(B) CRITERIA.—The criteria for peer review under subparagraph (A), with respect to each project, including any technology to be developed, demonstrated, or deployed by the project, shall include an evaluation of—

(i) mission relevancy;

(ii) scientific and technical validity;

(iii) ability to meet an existing mission void;

(iv) superiority to alternatives;

(v) cost effectiveness;

(vi) ability to reduce risk;

(vii) regulatory compliance;

(viii) public acceptance; and

(ix) likelihood of implementation.

(C) PEER REVIEWERS.—

(i) IN GENERAL.—A peer reviewer for a project under subparagraph (A) shall be selected—

(I) through a systematic approach to accessing peer reviewer information that ensures the appropriate range of expertise for the peer review panel; and

(II) from among—

(aa) contractors of the Department;

(bb) the National Laboratories;

(cc) other Federal Laboratories;

(dd) institutions of higher education; and

(ee) members of relevant professional societies.

(ii) MINIMIZATION OF DOE PARTICIPATION.—To the maximum extent practicable, the peer reviewer selection process under clause (i) shall minimize the participation of employees of the Department as peer reviewers.

(iii) MINIMIZATION OF CONFLICTS OF INTEREST.—A peer reviewer selected under clause (i) to review the project may not be affiliated with the project being reviewed or the entity that would carry out that project.

(D) REVIEW PROCESS.—Each panel of peer reviewers shall review a project under subparagraph (A)—

(i) using a process of regular review and staged decision making that is comparable to other peer review programs; and

(ii) with rigorous attention to—

(I) the collection of activity; and

(II) the achievement of performance metrics.

(4) COST-SHARING.—The Federal share of the costs of the development, demonstration, testing, permitting, and deployment of new technologies carried out under this subsection shall be not more than 70 percent.

SEC. 3124. HIGH-IMPACT TECHNOLOGY DEVELOPMENT PROGRAM.

(a) ESTABLISHMENT.—The Secretary shall establish a program, to be known as the ''High-Impact Technology Development Program'' (in this section referred to as the ''program''), under which the Secretary shall enter into agreements for projects that pursue technologies that, with respect to the mission—

(1) holistically address difficult challenges;

(2) hold the promise of breakthrough improvements; or

(3) align existing or in-use technologies with difficult challenges.

(b) WORKSHOP.—The Secretary shall commence the program with a workshop to identify, with respect to the technologies developed pursuant to the program—

(1) the challenges that need to be addressed; and

(2) how—

(A) to maximize the impact of existing resources of the Office; and

(B) to ensure that the technology development targets challenges across the complex.

(c) AREAS OF FOCUS.—Areas of focus of a project carried out under this section may include—

(1) developing and demonstrating improved methods for source and plume characterization and monitoring, with an emphasis on—

(A) real-time field acquisition; and

(B) the use of indicator species analyses with advanced contaminant transport models to enable better understanding of contaminant migration;

(2) developing and determining the limits of performance for remediation technologies and integrated remedial systems that prevent migration of contaminants, including by producing associated guidance and design manuals for technologies that could be widely used across the complex;

(3) demonstrating advanced monitoring approaches that use multiple lines of evidence for monitoring long-term performance of—

(A) remediation systems; and

(B) noninvasive near-field monitoring techniques;

(4) developing and demonstrating methods to characterize the physical and chemical attributes of waste that control behavior, with an emphasis on—

(A) rapid and nondestructive examination and assay techniques; and

(B) methods to determine radio-nuclide, heavy metals, and organic constituents;

(5) demonstrating the technical basis for determining when enhanced or natural attenuation is an appropriate approach for remediation of complex sites;

(6) developing and demonstrating innovative methods to achieve real-time and, if practicable, in situ characterization data for tank waste and process streams that could be useful for all phases of the waste management program, including improving the accuracy and representativeness of characterization data for residual waste in tanks and ancillary equipment;

(7) adapting existing waste treatment technologies or demonstrating new waste treatment technologies at the pilot plant scale using real wastes or realistic surrogates—

(A) to address engineering adaptations;

(B) to ensure compliance with waste treatment standards and other applicable requirements under Federal and State law and any existing agreements or consent decrees to which the Department is a party; and

(C) to enable successful deployment at full-scale and in support of operations;

(8) developing and demonstrating rapid testing protocols that—

(A) are accepted by the Environmental Protection Agency, the Nuclear Regulatory Commission, the Department, and the scientific community;

(B) can be used to measure long-term waste form performance under realistic disposal environments;

(C) can determine whether a stabilized waste is suitable for disposal; and

(D) reduce the need for extensive, time-consuming, and costly analyses on every batch of waste prior to disposal;

(9) developing and demonstrating direct stabilization technologies to provide waste forms for disposing of elemental mercury; and

(10) developing and demonstrating innovative and effective retrieval methods for removal of waste residual materials from tanks and ancillary equipment, including mobile retrieval equipment or methods capable of immediately removing waste from leaking tanks, and connecting pipelines.

(d) PROJECT SELECTION.—

(1) SELECTION.—The Secretary shall select projects to be carried out under the program through a rigorous process that involves—

(A) transparent and open competition; and

(B) an independent peer review process described in paragraph (2).

(2) PEER REVIEW PROCESS.—

(A) IN GENERAL.—Each project under consideration for selection under paragraph (1) shall undergo an independent peer review process by a panel of not fewer than 3 peer reviewers selected in accordance with subparagraph (B).

(B) PEER REVIEWERS.—

(i) IN GENERAL.—A peer reviewer for a project under subparagraph (A) shall be selected—

(I) through a systematic approach to accessing peer reviewer information that ensures the appropriate range of expertise for the peer review panel; and

(II) from—

(aa) a relevant database, such as a database of chemical engineers, geologists, physicists, materials scientists, or biologists; or

(bb) among members of relevant professional societies.

(ii) MINIMIZATION OF DOE PARTICIPATION.—To the maximum extent practicable, the peer reviewer selection process under clause (i) shall minimize the participation of employees of the Department as peer reviewers.

(iii) MINIMIZATION OF CONFLICTS OF INTEREST.—A peer reviewer selected under clause (i) to review a project may not be affiliated with the project being reviewed or the entity that would carry out that project.

(C) REVIEW PROCESS.—Each panel of peer reviewers shall review a project under subparagraph (A)—

(i) using a process of regular review and staged decision making that is comparable to other peer review programs; and

(ii) with rigorous attention to—

(I) the collection of activity; and

(II) the achievement of performance metrics.

SEC. 3125. ENVIRONMENTAL MANAGEMENT UNIVERSITY PROGRAM.

(a) ESTABLISHMENT.—The Secretary shall establish a program, to be known as the ''Environmental Management University Program'' (in this section referred to as the ''program'')—

(1) to engage faculty, post-doctoral fellows or researchers, and graduate students of institutions of higher education on subjects relating to the mission to show a clear path for students for employment with the Department or contractors of the Department;

(2) to provide to institutions of higher education—

(A) a source of new ideas; and

(B) access to advances in engineering and science;

(3) to clearly identify to institutions of higher education the tools necessary to enter into the environmental management field professionally; and

(4) to encourage current employees of the Department to pursue advanced degrees.

(b) AREAS OF FOCUS.—Areas of focus of a project receiving a grant under this section may include—

(1) the atomic- and molecular-scale chemistries of waste processing;

(2) contaminant immobilization in engineered and natural systems;

(3) developing innovative materials, with an emphasis on nanomaterials or biomaterials, that could enable sequestration of challenging hazardous or radioactive constituents such as technetium and iodine;

(4) elucidating and exploiting complex speciation and reactivity far from equilibrium;

(5) understanding and controlling chemical and physical processes at interfaces;

(6) harnessing physical and chemical processes to revolutionize separations;

(7) tailoring waste forms for contaminants in harsh chemical environments; or

(8) predicting and understanding subsurface system behavior and response to perturbations.

(c) INDIVIDUAL RESEARCH GRANTS.—In carrying out the program, the Secretary may make individual research grants to faculty, post-doctoral fellows or researchers, and graduate students of institutions of higher education for 3-year research projects, with an option for an extension of one additional period of 2 years.

(d) GRANTS FOR INTERDISCIPLINARY COLLABORATIONS.—In carrying out the program, the Secretary may make research grants for strategic partnerships among scientists, faculty, post-doctoral fellows or researchers, and graduate students of institutions of higher education for 3-year research projects.

(e) HIRING OF UNDERGRADUATES.—In carrying out the program, the Secretary may establish a summer internship program for undergraduates of institutions of higher education to work on projects relating to environmental management.

(f) WORKSHOPS.—In carrying out the program, the Secretary may hold workshops with the Office of Environmental Management, the Office of Science, and members of academia and industry concerning environmental management challenges and solutions.

PART II—OTHER MATTERS

SEC. 3131. COMPREHENSIVE STRATEGY FOR TREATING, STORING, AND DISPOSING OF DEFENSE NUCLEAR WASTE RESULTING FROM STOCKPILE MAINTENANCE AND MODERNIZATION ACTIVITIES.

(a) IN GENERAL.—Not later than one year after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2022, the Administrator for Nuclear Security shall submit to the congressional defense committees and the Comptroller General of the United States a comprehensive strategy for treating, storing, and disposing of defense nuclear waste generated as a result of stockpile maintenance and modernization activities.

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

(1) A projection of the location, type, and quantity of defense nuclear waste the National Nuclear Security Administration anticipates generating as a result of stockpile maintenance and modernization activities during the periods of five and ten fiscal years after the submission of the strategy, with a long-term outlook for the period of 25 fiscal years after such submission.

(2) Budgetary estimates associated the projection under paragraph (1) during the period of five fiscal years after the submission of the strategy.

(3) A description of how the National Nuclear Security Administration plans to coordinate with the Office of Environmental Management of the Department of Energy to treat, store, and dispose of the type and quantity of waste projected to be generated under paragraph (1).

(4) An identification of—

(A) disposal facilities that could accept that waste;

(B) disposal facilities that could accept that waste with modifications; and

(C) in the case of facilities described in subparagraph (B), the modifications necessary for such facilities to accept that waste.

(c) FOLLOW-ON STRATEGY.—Concurrent with the submission of the budget of the President to Congress under section 1105(a) of title 31, United States Code, for fiscal year 2027, the Administrator shall submit to the congressional defense committees a follow-on strategy to the strategy required by subsection (a) that includes—

(1) the elements set forth in subsection (b); and

(2) any other matters that the Administrator considers appropriate.

Subtitle D—Budget and Financial Management Matters

SEC. 3141. IMPROVEMENTS TO COST ESTIMATES INFORMING ANALYSES OF ALTERNATIVES.

(a) IN GENERAL.—Subtitle A of title XLVII of the Atomic Energy Defense Act (50 U.S.C. 2741 et seq.) is amended by adding at the end the following new section:

"SEC. 4718. IMPROVEMENTS TO COST ESTIMATES INFORMING ANALYSES OF ALTERNATIVES.

''(a) REQUIREMENT FOR ANALYSES OF ALTERNATIVES.—The Administrator shall ensure that any cost estimate used in an analysis of alternatives for a project carried out using funds authorized by a DOE national security authorization is designed to fully satisfy the requirements outlined in the mission needs statement approved at critical decision 0 in the acquisition process, as set forth in Department of Energy Order 413.3B (relating to program management and project management for the acquisition of capital assets) or a successor order.

''(b) USE OF PROJECT ENGINEERING AND DESIGN FUNDS.—In the case of a project the total estimated cost of which exceeds $500,000,000 and that has not reached critical decision 1 in the acquisition process, the Administrator may use funds authorized by a DOE national security authorization for project engineering and design to begin the development of a conceptual design to facilitate the development of a cost estimate for the project during the analysis of alternatives for the project if—

''(1) the Administrator—

''(A) determines that such use of funds would improve the quality of the cost estimate for the project; and

''(B) notifies the congressional defense committees of that determination; and

''(2) a period of 15 days has elapsed after the date on which such committees receive the notification.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by inserting after the item relating to section 4717 the following new item:

''Sec. 4718. Improvements to cost estimates informing analyses of alternatives.''.

SEC. 3142. MODIFICATION OF REQUIREMENTS FOR CERTAIN CONSTRUCTION PROJECTS.

(a) INCREASE IN MINOR CONSTRUCTION THRESHOLD FOR PLANT PROJECTS.—Section 4701(2) of the Atomic Energy Defense Act (50 U.S.C. 2741(2)) is amended by striking ''$20,000,000'' and inserting ''$25,000,000''.

(b) NOTIFICATION REQUIREMENT FOR CERTAIN MINOR CONSTRUCTION PROJECTS.—

(1) IN GENERAL.—Section 4703 of the Atomic Energy Defense Act (50 U.S.C. 2743) is amended—

(A) by redesignating subsection (d) as subsection (e); and

(B) by inserting after subsection (c) the following new subsection (d):

''(d) NOTIFICATION REQUIRED FOR CERTAIN PROJECTS.—Notwithstanding subsection (a), the Secretary may not start a minor construction project with a total estimated cost of more than $5,000,000 until—

''(1) the Secretary notifies the congressional defense committees of such project and total estimated cost; and

''(2) a period of 15 days has elapsed after the date on which such notification is received.''.

(2) CONFORMING REPEAL.—Section 3118(c) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 50 U.S.C. 2743 note) is repealed.

(c) INCREASE IN CONSTRUCTION DESIGN THRESHOLD.—Section 4706(b) of the Atomic Energy Defense Act (50 U.S.C. 2746(b)) is amended by striking ''$2,000,000'' each place it appears and inserting ''$5,000,000''.

SEC. 3143. MODIFICATION TO TERMINOLOGY FOR REPORTS ON FINANCIAL BALANCES FOR ATOMIC ENERGY DEFENSE ACTIVITIES.

Section 4732 of the Atomic Energy Defense Act (50 U.S.C. 2772) is amended—

(1) in subsection (b)(2)—

(A) in subparagraph (G), by striking ''committed'' and inserting ''encumbered'';

(B) in subparagraph (H), by striking ''uncommitted'' and inserting ''unencumbered''; and

(C) in subparagraph (I), by striking ''uncommitted'' and inserting ''unencumbered''; and

(2) in subsection (c)—

(A) by striking paragraphs (1) and (3);

(B) by redesignating paragraphs (2) and (4) as paragraphs (1) and (3), respectively;

(C) in paragraph (1), as redesignated by subparagraph (B), by striking ''by the contractor'' and inserting ''from the contractor'';

(D) by inserting after paragraph (1), as so redesignated, the following new paragraph (2):

''(2) ENCUMBERED.—The term 'encumbered', with respect to funds, means the funds have been obligated to a contract and are being held for a specific known purpose by the contractor.'';

(E) in paragraph (3), as so redesignated, by striking ''by the contractor'' and inserting ''from the contractor''; and

(F) by inserting after paragraph (3), as so redesignated, the following new paragraph (4):

''(4) UNENCUMBERED.—The term 'unencumbered', with respect to funds, means the funds have been obligated to a contract and are not being held for a specific known purpose by the contractor.''.

Subtitle E—Other Matters

SEC. 3151. EXTENSION OF AUTHORITY FOR APPOINTMENT OF CERTAIN SCIENTIFIC, ENGINEERING, AND TECHNICAL PERSONNEL.

Section 4601(c)(1) of the Atomic Energy Defense Act (50 U.S.C. 2701(c)(1)) is amended by striking ''September 30, 2021'' and inserting ''September 30, 2026''.

SEC. 3152. EXTENSION OF ENHANCED PROCUREMENT AUTHORITY TO MANAGE SUPPLY CHAIN RISK.

Section 4806(g) of the Atomic Energy Defense Act (50 U.S.C. 2786(g)) is amended by striking ''June 30, 2023'' and inserting ''December 31, 2028''.

SEC. 3153. EXTENSION OF AUTHORITY FOR ACCEPTANCE OF CONTRIBUTIONS FOR ACCELERATION OF REMOVAL OR SECURITY OF FISSILE MATERIALS, RADIOLOGICAL MATERIALS, AND RELATED EQUIPMENT AT VULNERABLE SITES WORLDWIDE.

(a) IN GENERAL.—Section 3132 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (50 U.S.C. 2569) is—

(1) transferred to title XLIII of the Atomic Energy Defense Act (50 U.S.C. 2565 et seq.);

(2) redesignated as section 4306B;

(3) inserted after section 4306A; and

(4) amended, in subsection (f)(6), by striking ''December 31, 2023'' and inserting ''December 31, 2028''.

(b) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by inserting after the item relating to section 4306A the following new item:

''Sec. 4306B. Acceleration of removal or security of fissile materials, radiological materials, and related equipment at vulnerable sites worldwide.''.

SEC. 3154. UPDATES TO INFRASTRUCTURE MODERNIZATION INITIATIVE.

(a) IN GENERAL.—Section 3111(b) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 50 U.S.C. 2402 note) is amended—

(1) in paragraph (2)(A)(i)(II), by striking ''$50,000,000'' and inserting ''$75,000,000'';

(2) in paragraph (3)—

(A) in the paragraph heading, by striking ''INITIAL PLAN'' and inserting ''PLAN REQUIRED''; and

(B) in the matter preceding subparagraph (A)—

(i) by striking ''2018'' and inserting ''2022''; and

(ii) by striking ''initial''; and

(3) in paragraph (4), by striking ''2024'' and inserting ''2023''.

(b) CERTIFICATION.—Not later than March 1, 2023, and annually thereafter through 2025, the Administrator for Nuclear Security shall submit to the congressional defense committees a certification with respect to whether the updated plan required by paragraph (3) of section 3111(b) of the National Defense Authorization Act for Fiscal Year 2018, as amended by subsection (a), is being implemented in a manner adequate to meet the goal set forth in paragraph (2) of that section of reducing the backlog of deferred maintenance and repair needs of the nuclear security enterprise by not less than 30 percent by 2025.

SEC. 3155. ACQUISITION OF HIGH-PERFORMANCE COMPUTING CAPABILITIES BY NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the Advanced Simulation and Computing Program of the National Nuclear Security Administration is an essential element of the Stockpile Stewardship Program; and

(2) developing the next generation of exascale high-performance computers to conduct performance assessments of nuclear weapons systems and next-generation weapons design is in the national security interests of the United States.

(b) ROADMAP FOR ACQUISITION.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Administrator for Nuclear Security shall submit to the congressional defense committees a roadmap for the acquisition by the Administration of high-performance computing capabilities during the 10-year period following submission of the roadmap.

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

(A) A description of the high-performance computing capabilities required to support the mission of the Administration as of the date on which the roadmap is submitted under paragraph (1).

(B) An identification of any existing or anticipated gaps in such capabilities.

(C) A description of the high-performance computing capabilities anticipated to be required by the Administration during the 10-year period following submission of the roadmap, including computational performance and other requirements, as appropriate.

(D) A description of the strategy of the Administration for acquiring such capabilities.

(E) An assessment of the ability of the industrial base to support that strategy.

(F) Such other matters the Administrator considers appropriate.

(3) CONSULTATION AND CONSIDERATIONS.—In developing the roadmap required by paragraph (1), the Administrator shall—

(A) consult with the Secretary of Energy; and

(B) take into consideration the findings of the review of the future of computing beyond exascale computing conducted by the National Academy of Sciences under section 3172 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283).

(c) INDEPENDENT ASSESSMENT OF HIGH-PERFORMANCE COMPUTING ACQUISITIONS.—

(1) IN GENERAL.—The Administrator shall enter into an arrangement with a federally funded research and development center to assess the first acquisition of high-performance computing capabilities by the Administration after the date of the enactment of this Act.

(2) ELEMENTS.—The assessment required by paragraph (1) of the acquisition of high-performance computing capabilities described in that paragraph shall include an assessment of the following:

(A) The mission needs of the Administration met by the acquisition.

(B) The evidence used to support the acquisition decision, such as an analysis of alternatives or business case analyses.

(C) Market research performed by the Advanced Simulation and Computing Program related to the acquisition.

(3) REPORT REQUIRED.—

(A) IN GENERAL.—Not later than 90 days after entering into the arrangement under paragraph (1), the Administrator shall submit to the congressional defense committees a report on the assessment conducted under paragraph (1).

(B) FORM OF REPORT.—The report required by subparagraph (A) shall be submitted in unclassified form but may include a classified annex.

SEC. 3156. LIMITATION ON USE OF FUNDS FOR NAVAL NUCLEAR FUEL SYSTEMS BASED ON LOW-ENRICHED URANIUM.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act for fiscal year 2022 for the National Nuclear Security Administration for research and development of an advanced naval nuclear fuel system based on low-enriched uranium, not more than 50 percent may be obligated or expended until the following determinations are submitted to the congressional defense committees:

(1) A determination made jointly by the Secretary of Energy and the Secretary of Defense with respect to whether the determination made jointly by the Secretary of Energy and the Secretary of the Navy pursuant to section 3118(c)(1) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1196) and submitted to the congressional defense committees on March 25, 2018, that the United States should not pursue research and development of an advanced naval nuclear fuel system based on low-enriched uranium, remains valid.

(2) A determination by the Secretary of the Navy with respect to whether an advanced naval nuclear fuel system based on low-enriched uranium can be produced that 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 2021 for development of nonproliferation fuels, including a description of any progress made toward technological or nonproliferation goals as a result of such activities.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SEC. 3201. AUTHORIZATION.

There are authorized to be appropriated for fiscal year 2022, $31,000,000 for the operation of the Defense Nuclear Facilities Safety Board under chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

SEC. 3202. REFERENCES TO CHAIRPERSON AND VICE CHAIRPERSON OF DEFENSE NUCLEAR FACILITIES SAFETY BOARD.

Chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.) is amended—

(1) in section 311(c), in the subsection heading, by striking ''CHAIRMAN, VICE CHAIRMAN'' and inserting ''CHAIRPERSON, VICE CHAIRPERSON''; and

(2) by striking ''Chairman'' each place it appears and inserting ''Chairperson''.

TITLE XXXV—MARITIME ADMINISTRATION

SEC. 3501. MARITIME ADMINISTRATION.

Section 109 of title 49, United States Code, is amended to read as follows:

''§ 109. Maritime Administration

''(a) ORGANIZATION AND MISSION.—The Maritime Administration is an administration in the Department of Transportation. The mission of the Maritime Administration is to foster, promote, and develop the merchant maritime industry of the United States.

''(b) MARITIME ADMINISTRATOR.—The head of the Maritime Administration is the Maritime Administrator, who is appointed by the President by and with the advice and consent of the Senate. The Administrator shall report directly to the Secretary of Transportation and carry out the duties prescribed by the Secretary.

''(c) DEPUTY MARITIME ADMINISTRATOR.—The Maritime Administration shall have a Deputy Maritime Administrator, who is appointed in the competitive service by the Secretary, after consultation with the Administrator. The Deputy Administrator shall carry out the duties prescribed by the Administrator. The Deputy Administrator shall be Acting Administrator during the absence or disability of the Administrator and, unless the Secretary designates another individual, during a vacancy in the office of Administrator.

''(d) DUTIES AND POWERS VESTED IN SECRETARY.—All duties and powers of the Maritime Administration are vested in the Secretary.

''(e) REGIONAL OFFICES.—The Maritime Administration shall have regional offices for the Atlantic, Gulf, Great Lakes, and Pacific port ranges, and may have other regional offices as necessary. The Secretary shall appoint a qualified individual as Director of each regional office. The Secretary shall carry out appropriate activities and programs of the Maritime Administration through the regional offices.

''(f) INTERAGENCY AND INDUSTRY RELATIONS.—The Secretary shall establish and maintain liaison with other agencies, and with representative trade organizations throughout the United States, concerned with the transportation of commodities by water in the export and import foreign commerce of the United States, for the purpose of securing preference to vessels of the United States for the transportation of those commodities.

''(g) DETAILING OFFICERS FROM ARMED FORCES.—To assist the Secretary in carrying out duties and powers relating to the Maritime Administration, not more than five officers of the Armed Forces may be detailed to the Secretary at any one time, in addition to details authorized by any other law. During the period of a detail, the Secretary shall pay the officer an amount that, when added

to the officer's pay and allowances as an officer in the Armed Forces, makes the officer's total pay and allowances equal to the amount that would be paid to an individual performing work the Secretary considers to be of similar importance, difficulty, and responsibility as that performed by the officer during the detail.

''(h) CONTRACTS, COOPERATIVE AGREEMENTS, AND AUDITS.—

''(1) CONTRACTS AND COOPERATIVE AGREEMENTS.—In the same manner that a private corporation may make a contract within the scope of its authority under its charter, the Secretary may make contracts and cooperative agreements for the United States Government and disburse amounts to—

''(A) carry out the Secretary's duties and powers under this section, subtitle V of title 46, and all other Maritime Administration programs; and

''(B) protect, preserve, and improve collateral held by the Secretary to secure indebtedness.

''(2) AUDITS.—The financial transactions of the Secretary under paragraph (1) shall be audited by the Comptroller General. The Comptroller General shall allow credit for an expenditure shown to be necessary because of the nature of the business activities authorized by this section or subtitle V of title 46. At least once a year, the Comptroller General shall report to Congress any departure by the Secretary from this section or subtitle V of title 46.

''(i) GRANT ADMINISTRATIVE EXPENSES.—Except as otherwise provided by law, the administrative and related expenses for the administration of any grant programs by the Maritime Administrator may not exceed 3 percent.

''(j) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—Except as otherwise provided in this subsection, there are authorized to be appropriated such amounts as may be necessary to carry out the duties and powers of the Secretary relating to the Maritime Administration.

''(2) LIMITATIONS.—Only those amounts specifically authorized by law may be appropriated for the use of the Maritime Administration for—

''(A) acquisition, construction, or reconstruction of vessels;

''(B) construction-differential subsidies incident to the construction, reconstruction, or reconditioning of vessels;

''(C) costs of national defense features;

''(D) payments of obligations incurred for operating-differential subsidies;

''(E) expenses necessary for research and development activities, including reimbursement of the Vessel Operations Revolving Fund for losses resulting from expenses of experimental vessel operations;

''(F) the Vessel Operations Revolving Fund;

''(G) National Defense Reserve Fleet expenses;

''(H) expenses necessary to carry out part B of subtitle V of title 46; and

''(I) other operations and training expenses related to the development of waterborne transportation systems, the use of waterborne transportation systems, and general administration.''.

DIVISION D—FUNDING TABLES

SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TABLES.

(a) IN GENERAL.—Whenever a funding table in this division specifies a dollar amount authorized for a project, program, or activity, the obligation and expenditure of the specified dollar amount for the project, program, or activity is hereby authorized, subject to the availability of appropriations.

(b) MERIT-BASED DECISIONS.—A decision to commit, obligate, or expend funds with or to a specific entity on the basis of a dollar amount authorized pursuant to subsection (a) shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

(c) RELATIONSHIP TO TRANSFER AND PROGRAMMING AUTHORITY.—An amount specified in the funding tables in this division may be transferred or reprogrammed under a transfer or reprogramming authority provided by another provision of this Act or by other law. The transfer or reprogramming of an amount specified in such funding tables shall not count against a ceiling on such transfers or reprogrammings under section 1001 or section 1522 of this Act or any other provision of law, unless such transfer or reprogramming would move funds between appropriation accounts.

(d) APPLICABILITY TO CLASSIFIED ANNEX.—This section applies to any classified annex that accompanies this Act.

(e) ORAL WRITTEN COMMUNICATIONS.—No oral or written communication concerning any amount specified in the funding tables in this division shall supersede the requirements of this section.

TITLE XLI—PROCUREMENT

SEC. 4101. PROCUREMENT.

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Senate Authorized
	AIRCRAFT PROCUREMENT, ARMY		
	FIXED WING		
3	FUTURE UAS FAMILY	0	73,000
	Army UFR--Replace Shadow UAS in 8 BCTs		[73,000]
4	SMALL UNMANNED AIRCRAFT SYSTEM	16,005	16,005
	ROTARY		
7	AH–64 APACHE BLOCK IIIA REMAN	504,136	504,136
8	AH–64 APACHE BLOCK IIIA REMAN	192,230	192,230
10	UH–60 BLACKHAWK M MODEL (MYP)	630,263	630,263
11	UH–60 BLACKHAWK M MODEL (MYP)	146,068	146,068
12	UH–60 BLACK HAWK L AND V MODELS	166,205	166,205
13	CH–47 HELICOPTER	145,218	397,218
	Army UFR—Support minimum sustainment rate		[252,000]
14	CH–47 HELICOPTER	18,559	18,559
	MODIFICATION OF AIRCRAFT		
17	GRAY EAGLE MODS2	3,143	3,143
18	MULTI SENSOR ABN RECON	127,665	127,665
19	AH–64 MODS	118,560	118,560
20	CH–47 CARGO HELICOPTER MODS (MYP)	9,918	12,918
	CH–47 cargo aircraft modifications		[3,000]
21	GRCS SEMA MODS	2,762	2,762
22	ARL SEMA MODS	9,437	9,437
23	EMARSS SEMA MODS	1,568	1,568
24	UTILITY/CARGO AIRPLANE MODS	8,530	8,530
25	UTILITY HELICOPTER MODS	15,826	15,826
26	NETWORK AND MISSION PLAN	29,206	29,206
27	COMMS, NAV SURVEILLANCE	58,117	58,117
29	AVIATION ASSURED PNT	47,028	47,028
30	GATM ROLLUP	16,776	16,776
32	UAS MODS	3,840	3,840
	GROUND SUPPORT AVIONICS		
33	AIRCRAFT SURVIVABILITY EQUIPMENT	64,561	64,561
34	SURVIVABILITY CM	5,104	5,104
35	CMWS	148,570	148,570
36	COMMON INFRARED COUNTERMEASURES (CIRCM)	240,412	240,412
	OTHER SUPPORT		
38	COMMON GROUND EQUIPMENT	13,561	13,561
39	AIRCREW INTEGRATED SYSTEMS	41,425	41,425
40	AIR TRAFFIC CONTROL	21,759	21,759
	TOTAL AIRCRAFT PROCUREMENT, ARMY	**2,806,452**	**3,134,452**

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Senate Authorized
	MISSILE PROCUREMENT, ARMY		
	SURFACE-TO-AIR MISSILE SYSTEM		
2	LOWER TIER AIR AND MISSILE DEFENSE (AMD) SEN	35,473	35,473
3	M-SHORAD—PROCUREMENT	331,575	331,575
4	MSE MISSILE	776,696	776,696
5	PRECISION STRIKE MISSILE (PRSM)	166,130	166,130
6	INDIRECT FIRE PROTECTION CAPABILITY INC 2–I	25,253	25,253
	AIR-TO-SURFACE MISSILE SYSTEM		
7	HELLFIRE SYS SUMMARY	118,800	118,800
8	JOINT AIR-TO-GROUND MSLS (JAGM)	152,177	219,177
	Army UFR—Additional JAGM procurement		[67,000]
9	LONG RANGE PRECISION MUNITION	44,744	44,744
	ANTI-TANK/ASSAULT MISSILE SYS		
10	JAVELIN (AAWS-M) SYSTEM SUMMARY	120,842	135,842
	Army UFR—Light Weight Command Launch Units		[15,000]
11	TOW 2 SYSTEM SUMMARY	104,412	104,412
12	GUIDED MLRS ROCKET (GMLRS)	935,917	985,917
	Army UFR—Restores GMLRS procurement		[50,000]
13	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	29,574	29,574
14	HIGH MOBILITY ARTILLERY ROCKET SYSTEM (HIMARS	128,438	128,438
16	LETHAL MINIATURE AERIAL MISSILE SYSTEM (LMAMS	68,278	68,278
	MODIFICATIONS		
17	PATRIOT MODS	205,469	205,469
21	AVENGER MODS	11,227	11,227
22	ITAS/TOW MODS	4,561	4,561
23	MLRS MODS	273,856	273,856
24	HIMARS MODIFICATIONS	7,192	7,192
	SPARES AND REPAIR PARTS		
25	SPARES AND REPAIR PARTS	5,019	5,019
	SUPPORT EQUIPMENT & FACILITIES		
26	AIR DEFENSE TARGETS	10,618	10,618
	TOTAL MISSILE PROCUREMENT, ARMY	**3,556,251**	**3,688,251**
	PROCUREMENT OF W&TCV, ARMY		
	TRACKED COMBAT VEHICLES		
1	ARMORED MULTI PURPOSE VEHICLE (AMPV)	104,727	104,727
2	ASSAULT BREACHER VEHICLE (ABV)	16,454	16,454
3	MOBILE PROTECTED FIREPOWER	286,977	286,977
	MODIFICATION OF TRACKED COMBAT VEHICLES		
5	STRYKER UPGRADE	1,005,028	1,005,028
6	BRADLEY PROGRAM (MOD)	461,385	518,354
	Army UFR—Improved Bradley Acquisition System upgrade		[56,969]
7	M109 FOV MODIFICATIONS	2,534	2,534
8	PALADIN INTEGRATED MANAGEMENT (PIM)	446,430	645,930
	Army UFR—PIM increase		[199,500]
9	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES)	52,059	52,059
10	ASSAULT BRIDGE (MOD)	2,136	2,136
13	JOINT ASSAULT BRIDGE	110,773	110,773
15	ABRAMS UPGRADE PROGRAM	981,337	1,350,337
	Army UFR—Abrams ARNG M1A2SEPv3 fielding		[369,000]
16	VEHICLE PROTECTION SYSTEMS (VPS)	80,286	80,286
	WEAPONS & OTHER COMBAT VEHICLES		
18	MULTI-ROLE ANTI-ARMOR ANTI-PERSONNEL WEAPON S	31,623	31,623
19	MORTAR SYSTEMS	37,485	50,338
	Army UFR—120mm mortar cannon		[12,853]
20	XM320 GRENADE LAUNCHER MODULE (GLM)	8,666	8,666
21	PRECISION SNIPER RIFLE	11,040	11,040
23	CARBINE	4,434	4,434
24	NEXT GENERATION SQUAD WEAPON	97,087	97,087
26	HANDGUN	4,930	4,930
	MOD OF WEAPONS AND OTHER COMBAT VEH		
27	MK–19 GRENADE MACHINE GUN MODS	13,027	13,027
28	M777 MODS	21,976	23,771
	Army UFR—Software Defined Radio-Hardware Integration Kits		[1,795]
30	M2 50 CAL MACHINE GUN MODS	3,612	21,527
	Army UFR—Additional M2A1s for MATVs		[17,915]
	SUPPORT EQUIPMENT & FACILITIES		
36	ITEMS LESS THAN $5.0M (WOCV-WTCV)	1,068	1,068
37	PRODUCTION BASE SUPPORT (WOCV-WTCV)	90,819	90,819
	TOTAL PROCUREMENT OF W&TCV, ARMY	**3,875,893**	**4,533,925**
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
1	CTG, 5.56MM, ALL TYPES	47,490	79,890
	Army UFR—Enhanced Performance Round and Tracer		[32,400]
2	CTG, 7.62MM, ALL TYPES	74,870	74,870
3	NEXT GENERATION SQUAD WEAPON AMMUNITION	76,794	76,794
4	CTG, HANDGUN, ALL TYPES	7,812	7,812
5	CTG, .50 CAL, ALL TYPES	29,716	29,716
6	CTG, 20MM, ALL TYPES	4,371	4,371
8	CTG, 30MM, ALL TYPES	34,511	34,511

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Senate Authorized
9	CTG, 40MM, ALL TYPES	35,231	49,231
	Army UFR—MK19 training and war reserves		[14,000]
	MORTAR AMMUNITION		
10	60MM MORTAR, ALL TYPES	23,219	23,219
11	81MM MORTAR, ALL TYPES	52,135	52,135
12	120MM MORTAR, ALL TYPES	104,144	104,144
	TANK AMMUNITION		
13	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES	224,503	323,821
	Army UFR—Tank main gun ammo		[99,318]
	ARTILLERY AMMUNITION		
14	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES	26,709	26,709
15	ARTILLERY PROJECTILE, 155MM, ALL TYPES	174,015	204,859
	Army UFR—Additional inventory		[30,844]
16	PROJ 155MM EXTENDED RANGE M982	73,498	73,498
17	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	150,873	150,873
	MINES		
18	MINES & CLEARING CHARGES, ALL TYPES	25,980	25,980
19	CLOSE TERRAIN SHAPING OBSTACLE	34,761	34,761
	ROCKETS		
20	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	24,408	24,408
21	ROCKET, HYDRA 70, ALL TYPES	109,536	109,536
	OTHER AMMUNITION		
22	CAD/PAD, ALL TYPES	6,549	6,549
23	DEMOLITION MUNITIONS, ALL TYPES	27,904	27,904
24	GRENADES, ALL TYPES	37,437	37,437
25	SIGNALS, ALL TYPES	7,530	7,530
26	SIMULATORS, ALL TYPES	8,350	8,350
27	REACTIVE ARMOR TILES	17,755	17,755
	MISCELLANEOUS		
28	AMMO COMPONENTS, ALL TYPES	2,784	2,784
29	ITEMS LESS THAN $5 MILLION (AMMO)	17,797	17,797
30	AMMUNITION PECULIAR EQUIPMENT	12,290	12,290
31	FIRST DESTINATION TRANSPORTATION (AMMO)	4,331	4,331
32	CLOSEOUT LIABILITIES	99	99
	PRODUCTION BASE SUPPORT		
34	INDUSTRIAL FACILITIES	538,120	642,620
	Army UFR—Demolition of Legacy Nitrate Esters (Nitroglycerin) NG1 Facility, Radford Army Ammunition Plant (RFAAP), Virginia		[40,000]
	Army UFR—Environmental, Safety, Construction, Maintenance and Repair of GOCO Facilities in VA, TN, MO, PA, & IA		[40,000]
	Army UFR—Pyrotechnics Energetic Capability (PEC) construction at Lake City Army Ammunition Plant (LCAAP), Missouri		[12,000]
	Army UFR—Solvent Propellant Facility, Preliminary Design, Radford Army Ammunition Plant, Virginia		[12,500]
35	CONVENTIONAL MUNITIONS DEMILITARIZATION	139,410	139,410
36	ARMS INITIATIVE	3,178	3,178
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	**2,158,110**	**2,439,172**
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
2	SEMITRAILERS, FLATBED:	12,539	18,931
	Army UFR—M872 semitrailer		[6,392]
3	SEMITRAILERS, TANKERS	17,985	17,985
4	HI MOB MULTI-PURP WHLD VEH (HMMWV)	60,706	60,706
5	GROUND MOBILITY VEHICLES (GMV)	29,807	34,807
	Infantry Squad Vehicle		[5,000]
8	JOINT LIGHT TACTICAL VEHICLE FAMILY OF VEHICL	574,562	694,562
	Army UFR—Additional JLTV fielding		[120,000]
9	TRUCK, DUMP, 20T (CCE)	9,882	9,882
10	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	36,885	36,885
11	FAMILY OF COLD WEATHER ALL-TERRAIN VEHICLE (C	16,450	16,450
12	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP	26,256	26,256
13	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	64,282	64,282
14	PLS ESP	16,943	16,943
17	TACTICAL WHEELED VEHICLE PROTECTION KITS	17,957	17,957
18	MODIFICATION OF IN SVC EQUIP	29,349	29,349
	NON-TACTICAL VEHICLES		
20	PASSENGER CARRYING VEHICLES	1,232	1,232
21	NONTACTICAL VEHICLES, OTHER	24,246	24,246
	COMM—JOINT COMMUNICATIONS		
22	SIGNAL MODERNIZATION PROGRAM	140,036	142,536
	Army UFR—Multi-Domain Task Force All-Domain Operations Center cloud pilot		[2,500]
23	TACTICAL NETWORK TECHNOLOGY MOD IN SVC	436,524	436,524
25	DISASTER INCIDENT RESPONSE COMMS TERMINAL (DI	3,863	3,863
26	JCSE EQUIPMENT (USRDECOM)	4,845	4,845
	COMM—SATELLITE COMMUNICATIONS		
29	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS	97,369	97,369
30	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS	120,550	120,550
31	SHF TERM	38,129	38,129
32	ASSURED POSITIONING, NAVIGATION AND TIMING	115,291	115,291
33	SMART-T (SPACE)	15,407	15,407
34	GLOBAL BRDCST SVC—GBS	2,763	2,763
	COMM—C3 SYSTEM		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Senate Authorized
37	COE TACTICAL SERVER INFRASTRUCTURE (TSI)	99,858	99,858
	COMM—COMBAT COMMUNICATIONS		
38	HANDHELD MANPACK SMALL FORM FIT (HMS)	775,069	775,069
40	ARMY LINK 16 SYSTEMS	17,749	17,749
42	UNIFIED COMMAND SUITE	17,984	17,984
43	COTS COMMUNICATIONS EQUIPMENT	191,702	191,702
44	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE	15,957	15,957
45	ARMY COMMUNICATIONS & ELECTRONICS	89,441	89,441
	COMM—INTELLIGENCE COMM		
47	CI AUTOMATION ARCHITECTURE-INTEL	13,317	13,317
48	DEFENSE MILITARY DECEPTION INITIATIVE	5,207	5,207
49	MULTI-DOMAIN INTELLIGENCE	20,095	20,095
	INFORMATION SECURITY		
51	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	987	987
52	COMMUNICATIONS SECURITY (COMSEC)	126,273	126,273
53	DEFENSIVE CYBER OPERATIONS	27,389	31,489
	Army UFR—Cybersecurity / IT Network Mapping		[4,100]
56	SIO CAPABILITY	21,303	21,303
57	BIOMETRIC ENABLING CAPABILITY (BEC)	914	914
	COMM—LONG HAUL COMMUNICATIONS		
59	BASE SUPPORT COMMUNICATIONS	9,209	9,209
	COMM—BASE COMMUNICATIONS		
60	INFORMATION SYSTEMS	219,026	219,026
61	EMERGENCY MANAGEMENT MODERNIZATION PROGRAM	4,875	4,875
64	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	223,001	225,041
	EUCOM UFR—Mission Partner Environment		[2,040]
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
67	JTT/CIBS-M	5,463	5,463
68	TERRESTRIAL LAYER SYSTEMS (TLS)	39,240	39,240
70	DCGS-A-INTEL	92,613	119,563
	Army UFR—Additional fixed node cloud servers		[26,950]
71	JOINT TACTICAL GROUND STATION (JTAGS)-INTEL	8,088	8,088
72	TROJAN	30,828	30,828
73	MOD OF IN-SVC EQUIP (INTEL SPT)	39,039	39,039
74	BIOMETRIC TACTICAL COLLECTION DEVICES	11,097	11,097
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
76	EW PLANNING & MANAGEMENT TOOLS (EWPMT)	783	783
77	AIR VIGILANCE (AV)	13,486	13,486
79	FAMILY OF PERSISTENT SURVEILLANCE CAP.	14,414	14,414
80	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	19,111	19,111
81	CI MODERNIZATION	421	421
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
82	SENTINEL MODS	47,642	47,642
83	NIGHT VISION DEVICES	1,092,341	822,575
	Program reduction—IVAS early to need		[–269,766]
84	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF	21,103	21,103
85	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS	6,153	6,153
86	FAMILY OF WEAPON SIGHTS (FWS)	184,145	184,145
87	ENHANCED PORTABLE INDUCTIVE ARTILLERY FUZE SE	2,371	2,371
88	FORWARD LOOKING INFRARED (IFLIR)	11,929	11,929
89	COUNTER SMALL UNMANNED AERIAL SYSTEM (C-SUAS)	60,058	60,058
90	JOINT BATTLE COMMAND—PLATFORM (JBC-P)	263,661	263,661
91	JOINT EFFECTS TARGETING SYSTEM (JETS)	62,082	62,082
93	COMPUTER BALLISTICS: LHMBC XM32	2,811	2,811
94	MORTAR FIRE CONTROL SYSTEM	17,236	17,236
95	MORTAR FIRE CONTROL SYSTEMS MODIFICATIONS	2,830	2,830
96	COUNTERFIRE RADARS	31,694	31,694
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
97	ARMY COMMAND POST INTEGRATED INFRASTRUCTURE (	49,410	49,410
98	FIRE SUPPORT C2 FAMILY	9,853	9,853
99	AIR & MSL DEFENSE PLANNING & CONTROL SYS	67,193	67,193
100	IAMD BATTLE COMMAND SYSTEM	301,872	301,872
101	LIFE CYCLE SOFTWARE SUPPORT (LCSS)	5,182	5,182
102	NETWORK MANAGEMENT INITIALIZATION AND SERVICE	31,349	31,349
104	GLOBAL COMBAT SUPPORT SYSTEM-ARMY (GCSS-A)	11,271	11,271
105	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPP	16,077	16,077
107	MOD OF IN-SVC EQUIPMENT (ENFIRE)	3,160	3,160
	ELECT EQUIP—AUTOMATION		
108	ARMY TRAINING MODERNIZATION	9,833	9,833
109	AUTOMATED DATA PROCESSING EQUIP	130,924	133,924
	Army UFR—ATRRS unlimited data rights		[3,000]
110	ACCESSIONS INFORMATION ENVIRONMENT (AIE)	44,635	44,635
111	GENERAL FUND ENTERPRISE BUSINESS SYSTEMS FAM	1,452	1,452
112	HIGH PERF COMPUTING MOD PGM (HPCMP)	69,943	69,943
113	CONTRACT WRITING SYSTEM	16,957	16,957
114	CSS COMMUNICATIONS	73,110	73,110
115	RESERVE COMPONENT AUTOMATION SYS (RCAS)	12,905	12,905
	ELECT EQUIP—SUPPORT		
117	BCT EMERGING TECHNOLOGIES	13,835	13,835
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	18,304	18,304
	CHEMICAL DEFENSIVE EQUIPMENT		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Senate Authorized
119	BASE DEFENSE SYSTEMS (BDS)	62,295	62,295
120	CBRN DEFENSE	55,632	66,932
	CNGB UFR—Man portable radiological detection system		[11,300]
	BRIDGING EQUIPMENT		
122	TACTICAL BRIDGING	9,625	9,625
123	TACTICAL BRIDGE, FLOAT-RIBBON	76,082	76,082
124	BRIDGE SUPPLEMENTAL SET	19,867	19,867
125	COMMON BRIDGE TRANSPORTER (CBT) RECAP	109,796	109,796
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
126	HANDHELD STANDOFF MINEFIELD DETECTION SYS-HST	5,628	5,628
128	HUSKY MOUNTED DETECTION SYSTEM (HMDS)	26,823	75,159
	Army UFR—Additional HMDS		[48,336]
131	ROBOTICS AND APPLIQUE SYSTEMS	124,233	134,237
	Army UFR—Common Robotic System-Individual (CRS-I)		[10,004]
132	RENDER SAFE SETS KITS OUTFITS	84,000	87,158
	Army UFR—Additional render safe equipment		[3,158]
	COMBAT SERVICE SUPPORT EQUIPMENT		
134	HEATERS AND ECU'S	7,116	7,116
135	SOLDIER ENHANCEMENT	1,286	1,286
136	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)	9,741	9,741
137	GROUND SOLDIER SYSTEM	150,244	150,244
138	MOBILE SOLDIER POWER	17,815	17,815
139	FORCE PROVIDER	28,860	28,860
140	FIELD FEEDING EQUIPMENT	2,321	2,321
141	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	40,240	40,240
142	FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS	36,163	36,163
	PETROLEUM EQUIPMENT		
144	QUALITY SURVEILLANCE EQUIPMENT	744	744
145	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	72,296	76,716
	Army UFR—Modular Fuel System (MFS)		[4,420]
	MEDICAL EQUIPMENT		
146	COMBAT SUPPORT MEDICAL	122,145	122,145
	MAINTENANCE EQUIPMENT		
147	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	14,756	14,756
	CONSTRUCTION EQUIPMENT		
154	ALL TERRAIN CRANES	112,784	112,784
156	CONST EQUIP ESP	8,694	8,694
	RAIL FLOAT CONTAINERIZATION EQUIPMENT		
158	ARMY WATERCRAFT ESP	44,409	58,009
	Army UFR—Landing Craft Utility modernization		[13,600]
159	MANEUVER SUPPORT VESSEL (MSV)	76,660	76,660
	GENERATORS		
161	GENERATORS AND ASSOCIATED EQUIP	47,606	47,606
162	TACTICAL ELECTRIC POWER RECAPITALIZATION	10,500	10,500
	MATERIAL HANDLING EQUIPMENT		
163	FAMILY OF FORKLIFTS	13,325	13,325
	TRAINING EQUIPMENT		
164	COMBAT TRAINING CENTERS SUPPORT	79,565	79,565
165	TRAINING DEVICES, NONSYSTEM	174,644	174,644
166	SYNTHETIC TRAINING ENVIRONMENT (STE)	122,104	122,104
168	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING	11,642	11,642
	TEST MEASURE AND DIG EQUIPMENT (TMD)		
170	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	42,934	42,934
172	TEST EQUIPMENT MODERNIZATION (TEMOD)	24,304	24,304
	OTHER SUPPORT EQUIPMENT		
174	PHYSICAL SECURITY SYSTEMS (OPA3)	86,930	86,930
175	BASE LEVEL COMMON EQUIPMENT	27,823	27,823
176	MODIFICATION OF IN-SVC EQUIPMENT (OPA–3)	32,392	48,292
	Expeditionary solid waste disposal system		[15,900]
177	BUILDING, PRE-FAB, RELOCATABLE	32,227	32,227
179	SPECIAL EQUIPMENT FOR TEST AND EVALUATION	76,917	76,917
	OPA2		
180	INITIAL SPARES—C&E	9,272	9,272
	TOTAL OTHER PROCUREMENT, ARMY	**8,873,558**	**8,880,492**
	AIRCRAFT PROCUREMENT, NAVY		
	COMBAT AIRCRAFT		
1	F/A–18E/F (FIGHTER) HORNET	87,832	87,832
3	JOINT STRIKE FIGHTER CV	2,111,009	2,646,009
	Navy UFR—Additional F–35C		[535,000]
4	JOINT STRIKE FIGHTER CV	246,781	246,781
5	JSF STOVL	2,256,829	2,256,829
6	JSF STOVL	216,720	345,520
	Marine Corps UFR—F–35 peculiar ground support equipment		[128,800]
7	CH–53K (HEAVY LIFT)	1,286,296	1,536,296
	Additional aircraft		[250,000]
8	CH–53K (HEAVY LIFT)	182,871	182,871
9	V–22 (MEDIUM LIFT)	751,716	1,123,716
	Marine Corps UFR—MV–22 nacelle maintenance stands		[18,000]
	Marine Corps UFR—MV–22 support equipment		[15,000]
	Marine Corps UFR—MV–22 tooling for WESTPAC		[4,600]
	Navy UFR—Additional V–22B		[334,400]

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Senate Authorized
11	H–1 UPGRADES (UH–1Y/AH–1Z)	939	939
13	P–8A POSEIDON	44,595	44,595
14	E–2D ADV HAWKEYE	766,788	957,788
	Navy UFR—Additional E–2D		[191,000]
15	E–2D ADV HAWKEYE	118,095	118,095
	TRAINER AIRCRAFT		
16	ADVANCED HELICOPTER TRAINING SYSTEM	163,490	163,490
	OTHER AIRCRAFT		
17	KC–130J	520,787	1,055,987
	Marine Corps UFR—KC–130J weapons system trainer		[31,500]
	Marine Corps UFR—Replace KC–130J aircraft		[197,900]
	Navy UFR—Additional C–130J–30		[305,800]
18	KC–130J	68,088	68,088
21	MQ–4 TRITON	160,151	483,151
	Additional aircraft		[323,000]
23	MQ–8 UAV	49,249	49,249
24	STUASL0 UAV	13,151	13,151
25	MQ–25	47,468	47,468
27	MARINE GROUP 5 UAS	233,686	293,686
	Marine Corps UFR—Additional aircraft		[40,000]
	Marine Corps UFR—Additional ground control stations		[20,000]
	MODIFICATION OF AIRCRAFT		
30	F–18 A-D UNIQUE	163,095	245,595
	Marine Corps UFR—F–18 ALR–67(V)5 radar warning receiver		[55,000]
	Marine Corps UFR—F–18C/D AESA radar upgrade		[27,500]
31	F–18E/F AND EA–18G MODERNIZATION AND SUSTAINM	482,899	482,899
32	MARINE GROUP 5 UAS SERIES	1,982	1,982
33	AEA SYSTEMS	23,296	23,296
34	AV–8 SERIES	17,882	17,882
35	INFRARED SEARCH AND TRACK (IRST)	138,827	138,827
36	ADVERSARY	143,571	155,971
	Marine Corps UFR—Upgrade of current VMFT–401 adversary aircraft		[12,400]
37	F–18 SERIES	327,571	327,571
38	H–53 SERIES	112,436	112,436
39	MH–60 SERIES	94,794	94,794
40	H–1 SERIES	124,194	124,194
41	EP–3 SERIES	28,848	28,848
42	E–2 SERIES	204,826	204,826
43	TRAINER A/C SERIES	7,849	7,849
44	C–2A	2,843	2,843
45	C–130 SERIES	145,610	145,610
46	FEWSG	734	734
47	CARGO/TRANSPORT A/C SERIES	10,682	10,682
48	E–6 SERIES	128,029	128,029
49	EXECUTIVE HELICOPTERS SERIES	45,326	45,326
51	T–45 SERIES	158,772	158,772
52	POWER PLANT CHANGES	24,915	24,915
53	JPATS SERIES	22,955	22,955
54	AVIATION LIFE SUPPORT MODS	2,477	2,477
55	COMMON ECM EQUIPMENT	119,574	127,174
	Marine Corps UFR—F–18 ALE–39 to ALE–47 retrofit		[7,600]
56	COMMON AVIONICS CHANGES	118,839	118,839
57	COMMON DEFENSIVE WEAPON SYSTEM	5,476	5,476
58	ID SYSTEMS	13,154	13,154
59	P–8 SERIES	131,298	161,998
	Navy UFR—P–8A Inc III kits		[30,700]
60	MAGTF EW FOR AVIATION	29,151	35,451
	Marine Corps UFR—Increase EW of AN/ALQ–231(V)3		[6,300]
61	MQ–8 SERIES	31,624	31,624
62	V–22 (TILT/ROTOR ACFT) OSPREY	312,835	352,135
	Marine Corps UFR—MV–22 Mesh Network Manager		[39,300]
63	NEXT GENERATION JAMMER (NGJ)	266,676	266,676
64	F–35 STOVL SERIES	177,054	177,054
65	F–35 CV SERIES	138,269	138,269
66	QRC	98,563	98,563
67	MQ–4 SERIES	7,100	7,100
68	RQ–21 SERIES	14,123	14,123
	AIRCRAFT SPARES AND REPAIR PARTS		
72	SPARES AND REPAIR PARTS	2,339,077	2,466,977
	Marine Corps UFR—F–35B engine spares		[117,800]
	Marine Corps UFR—KC–130J initial spares		[7,000]
	Marine Corps UFR—KC–130J weapons system trainer initial spares		[3,100]
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
73	COMMON GROUND EQUIPMENT	517,267	517,267
74	AIRCRAFT INDUSTRIAL FACILITIES	80,500	80,500
75	WAR CONSUMABLES	42,496	42,496
76	OTHER PRODUCTION CHARGES	21,374	21,374
77	SPECIAL SUPPORT EQUIPMENT	271,774	271,774
	TOTAL AIRCRAFT PROCUREMENT, NAVY	**16,477,178**	**19,178,878**
	WEAPONS PROCUREMENT, NAVY		
	MODIFICATION OF MISSILES		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Senate Authorized
1	TRIDENT II MODS	1,144,446	1,144,446
	SUPPORT EQUIPMENT & FACILITIES		
2	MISSILE INDUSTRIAL FACILITIES	7,319	7,319
	STRATEGIC MISSILES		
3	TOMAHAWK	124,513	124,513
	TACTICAL MISSILES		
5	SIDEWINDER	86,366	86,366
6	STANDARD MISSILE	521,814	521,814
7	STANDARD MISSILE	45,357	45,357
8	JASSM	37,039	37,039
9	SMALL DIAMETER BOMB II	40,877	40,877
10	RAM	92,981	92,981
11	JOINT AIR GROUND MISSILE (JAGM)	49,702	49,702
12	HELLFIRE	7,557	7,557
13	AERIAL TARGETS	150,339	150,339
14	DRONES AND DECOYS	30,321	30,321
15	OTHER MISSILE SUPPORT	3,474	16,074
	Marine Corps UFR—AGM–167A Griffin		[12,600]
16	LRASM	161,212	161,212
17	NAVAL STRIKE MISSILE (NSM)	59,331	113,231
	Navy UFR—Additional NSM		[53,900]
	MODIFICATION OF MISSILES		
18	TOMAHAWK MODS	206,233	206,233
19	ESSM	248,619	248,619
21	AARGM	116,345	116,345
22	STANDARD MISSILES MODS	148,834	148,834
	SUPPORT EQUIPMENT & FACILITIES		
23	WEAPONS INDUSTRIAL FACILITIES	1,819	1,819
	ORDNANCE SUPPORT EQUIPMENT		
26	ORDNANCE SUPPORT EQUIPMENT	191,905	191,905
	TORPEDOES AND RELATED EQUIP		
27	SSTD	4,545	4,545
28	MK–48 TORPEDO	159,107	209,007
	Navy UFR—Heavyweight Torpedo (HWT) quantity increase		[49,900]
29	ASW TARGETS	13,630	13,630
	MOD OF TORPEDOES AND RELATED EQUIP		
30	MK–54 TORPEDO MODS	106,112	106,112
31	MK–48 TORPEDO ADCAP MODS	35,680	35,680
32	MARITIME MINES	8,567	8,567
	SUPPORT EQUIPMENT		
33	TORPEDO SUPPORT EQUIPMENT	93,400	93,400
34	ASW RANGE SUPPORT	3,997	3,997
	DESTINATION TRANSPORTATION		
35	FIRST DESTINATION TRANSPORTATION	4,023	4,023
	GUNS AND GUN MOUNTS		
36	SMALL ARMS AND WEAPONS	14,909	14,909
	MODIFICATION OF GUNS AND GUN MOUNTS		
37	CIWS MODS	6,274	6,274
38	COAST GUARD WEAPONS	45,958	45,958
39	GUN MOUNT MODS	68,775	68,775
40	LCS MODULE WEAPONS	2,121	2,121
41	AIRBORNE MINE NEUTRALIZATION SYSTEMS	14,822	14,822
	SPARES AND REPAIR PARTS		
43	SPARES AND REPAIR PARTS	162,382	166,682
	Navy UFR—Maritime outfitting and interim spares		[4,300]
	TOTAL WEAPONS PROCUREMENT, NAVY	**4,220,705**	**4,341,405**
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
1	GENERAL PURPOSE BOMBS	48,635	48,635
2	JDAM	74,140	74,140
3	AIRBORNE ROCKETS, ALL TYPES	75,383	75,383
4	MACHINE GUN AMMUNITION	11,215	11,215
5	PRACTICE BOMBS	52,225	52,225
6	CARTRIDGES & CART ACTUATED DEVICES	70,876	70,876
7	AIR EXPENDABLE COUNTERMEASURES	61,600	103,200
	Marine Corps UFR—Additional units		[41,600]
8	JATOS	6,620	6,620
9	5 INCH/54 GUN AMMUNITION	28,922	28,922
10	INTERMEDIATE CALIBER GUN AMMUNITION	36,038	36,038
11	OTHER SHIP GUN AMMUNITION	39,070	39,070
12	SMALL ARMS & LANDING PARTY AMMO	45,493	45,493
13	PYROTECHNIC AND DEMOLITION	9,163	9,163
15	AMMUNITION LESS THAN $5 MILLION	1,575	1,575
	MARINE CORPS AMMUNITION		
16	MORTARS	50,707	50,707
17	DIRECT SUPPORT MUNITIONS	120,037	120,037
18	INFANTRY WEAPONS AMMUNITION	94,001	94,001
19	COMBAT SUPPORT MUNITIONS	35,247	35,247
20	AMMO MODERNIZATION	16,267	16,267
21	ARTILLERY MUNITIONS	105,669	105,669
22	ITEMS LESS THAN $5 MILLION	5,135	5,135

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Senate Authorized
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	**988,018**	**1,029,618**
	SHIPBUILDING AND CONVERSION, NAVY		
	FLEET BALLISTIC MISSILE SHIPS		
1	OHIO REPLACEMENT SUBMARINE	3,003,000	3,003,000
2	OHIO REPLACEMENT SUBMARINE	1,643,980	1,773,980
	Submarine industrial base development		[130,000]
	OTHER WARSHIPS		
3	CARRIER REPLACEMENT PROGRAM	1,068,705	1,068,705
4	CVN–81	1,299,764	1,299,764
5	VIRGINIA CLASS SUBMARINE	4,249,240	4,249,240
6	VIRGINIA CLASS SUBMARINE	2,120,407	2,120,407
7	CVN REFUELING OVERHAULS	2,456,018	2,456,018
8	CVN REFUELING OVERHAULS	66,262	66,262
9	DDG 1000	56,597	71,597
	Navy UFR—DDG–1001 combat system activation		[15,000]
10	DDG–51	2,016,787	3,675,787
	Navy UFR—Arleigh Burke-class destroyer DDG–51		[1,659,000]
11	DDG–51 AP	0	175,000
	FY23 3rd DDG LLTM		[125,000]
	Surface combatant supplier base		[50,000]
13	FFG-FRIGATE	1,087,900	1,087,900
14	FFG-FRIGATE	69,100	69,100
	AMPHIBIOUS SHIPS		
15	LPD FLIGHT II	60,636	60,636
16	LPD FLIGHT II	0	250,000
	Program increase		[250,000]
19	LHA REPLACEMENT	68,637	418,637
	Program increase		[350,000]
20	EXPEDITIONARY FAST TRANSPORT (EPF)	0	270,000
	Program increase		[270,000]
	AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST		
21	TAO FLEET OILER	668,184	668,184
22	TAO FLEET OILER	76,012	76,012
23	TAGOS SURTASS SHIPS	434,384	434,384
24	TOWING, SALVAGE, AND RESCUE SHIP (ATS)	183,800	183,800
25	LCU 1700	67,928	67,928
26	OUTFITTING	655,707	655,707
27	SHIP TO SHORE CONNECTOR	156,738	156,738
28	SERVICE CRAFT	67,866	67,866
29	LCAC SLEP	32,712	32,712
30	AUXILIARY VESSELS (USED SEALIFT)	299,900	0
	Program reduction		[–299,900]
31	COMPLETION OF PY SHIPBUILDING PROGRAMS	660,795	660,795
	TOTAL SHIPBUILDING AND CONVERSION, NAVY	**22,571,059**	**25,120,159**
	OTHER PROCUREMENT, NAVY		
	SHIP PROPULSION EQUIPMENT		
1	SURFACE POWER EQUIPMENT	41,414	41,414
	GENERATORS		
2	SURFACE COMBATANT HM&E	83,746	83,746
	NAVIGATION EQUIPMENT		
3	OTHER NAVIGATION EQUIPMENT	72,300	72,300
	OTHER SHIPBOARD EQUIPMENT		
4	SUB PERISCOPE, IMAGING AND SUPT EQUIP PROG	234,932	234,932
5	DDG MOD	583,136	583,136
6	FIREFIGHTING EQUIPMENT	15,040	15,040
7	COMMAND AND CONTROL SWITCHBOARD	2,194	2,194
8	LHA/LHD MIDLIFE	133,627	133,627
9	LCC 19/20 EXTENDED SERVICE LIFE PROGRAM	4,387	4,387
10	POLLUTION CONTROL EQUIPMENT	18,159	18,159
11	SUBMARINE SUPPORT EQUIPMENT	88,284	88,284
12	VIRGINIA CLASS SUPPORT EQUIPMENT	22,669	22,669
13	LCS CLASS SUPPORT EQUIPMENT	9,640	9,640
14	SUBMARINE BATTERIES	21,834	21,834
15	LPD CLASS SUPPORT EQUIPMENT	34,292	34,292
16	DDG 1000 CLASS SUPPORT EQUIPMENT	126,107	126,107
17	STRATEGIC PLATFORM SUPPORT EQUIP	12,256	12,256
18	DSSP EQUIPMENT	10,682	10,682
19	CG MODERNIZATION	156,951	193,651
	Navy UFR—CG Modernization Pricing		[36,700]
20	LCAC	21,314	21,314
21	UNDERWATER EOD EQUIPMENT	24,146	24,146
22	ITEMS LESS THAN $5 MILLION	84,789	84,789
23	CHEMICAL WARFARE DETECTORS	2,997	2,997
	REACTOR PLANT EQUIPMENT		
25	SHIP MAINTENANCE, REPAIR AND MODERNIZATION	1,307,651	1,475,051
	Navy UFR—A–120 availability		[167,400]
26	REACTOR POWER UNITS	3,270	3,270
27	REACTOR COMPONENTS	438,729	438,729
	OCEAN ENGINEERING		
28	DIVING AND SALVAGE EQUIPMENT	10,772	10,772

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Senate Authorized
	SMALL BOATS		
29	STANDARD BOATS	58,770	58,770
	PRODUCTION FACILITIES EQUIPMENT		
30	OPERATING FORCES IPE	168,822	168,822
	OTHER SHIP SUPPORT		
31	LCS COMMON MISSION MODULES EQUIPMENT	74,231	74,231
32	LCS MCM MISSION MODULES	40,630	40,630
33	LCS ASW MISSION MODULES	1,565	1,565
34	LCS SUW MISSION MODULES	3,395	3,395
35	LCS IN-SERVICE MODERNIZATION	122,591	122,591
36	SMALL & MEDIUM UUV	32,534	32,534
	SHIP SONARS		
38	SPQ–9B RADAR	15,927	15,927
39	AN/SQQ–89 SURF ASW COMBAT SYSTEM	131,829	131,829
40	SSN ACOUSTIC EQUIPMENT	379,850	379,850
41	UNDERSEA WARFARE SUPPORT EQUIPMENT	13,965	13,965
	ASW ELECTRONIC EQUIPMENT		
42	SUBMARINE ACOUSTIC WARFARE SYSTEM	24,578	24,578
43	SSTD	11,010	11,010
44	FIXED SURVEILLANCE SYSTEM	363,651	363,651
45	SURTASS	67,500	67,500
	ELECTRONIC WARFARE EQUIPMENT		
46	AN/SLQ–32	370,559	370,559
	RECONNAISSANCE EQUIPMENT		
47	SHIPBOARD IW EXPLOIT	261,735	261,735
48	AUTOMATED IDENTIFICATION SYSTEM (AIS)	3,777	3,777
	OTHER SHIP ELECTRONIC EQUIPMENT		
49	COOPERATIVE ENGAGEMENT CAPABILITY	24,641	61,541
	Navy UFR—Accelerate Naval Tactical Grid Development for Joint All-Domain Command and Control (JADC2)		[23,600]
	Navy UFR—Maritime outfitting and interim spares		[13,300]
50	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)	14,439	16,639
	Navy UFR—Naval Operational Business Logistics Enterprise (NOBLE)		[2,200]
51	ATDLS	101,595	101,595
52	NAVY COMMAND AND CONTROL SYSTEM (NCCS)	3,535	3,535
53	MINESWEEPING SYSTEM REPLACEMENT	15,640	15,640
54	SHALLOW WATER MCM	5,610	5,610
55	NAVSTAR GPS RECEIVERS (SPACE)	33,097	33,097
56	AMERICAN FORCES RADIO AND TV SERVICE	2,513	2,513
57	STRATEGIC PLATFORM SUPPORT EQUIP	4,823	4,823
	AVIATION ELECTRONIC EQUIPMENT		
58	ASHORE ATC EQUIPMENT	83,464	83,464
59	AFLOAT ATC EQUIPMENT	67,055	67,055
60	ID SYSTEMS	46,918	46,918
61	JOINT PRECISION APPROACH AND LANDING SYSTEM (	35,386	35,386
62	NAVAL MISSION PLANNING SYSTEMS	17,951	17,951
	OTHER SHORE ELECTRONIC EQUIPMENT		
63	MARITIME INTEGRATED BROADCAST SYSTEM	2,360	2,360
64	TACTICAL/MOBILE C4I SYSTEMS	18,919	18,919
65	DCGS-N	16,691	16,691
66	CANES	412,002	460,002
	Navy UFR—Resilient Communications PNT for Combat Logistics Fleet (CLF)		[48,000]
67	RADIAC	9,074	9,074
68	CANES-INTELL	51,593	51,593
69	GPETE	23,930	23,930
70	MASF	8,795	8,795
71	INTEG COMBAT SYSTEM TEST FACILITY	5,829	5,829
72	EMI CONTROL INSTRUMENTATION	3,925	3,925
73	ITEMS LESS THAN $5 MILLION	156,042	181,242
	Navy UFR—CVN–78 Dual Band Radar and DDG–1000 Multifunction Radar: Signal Data Processor Tech Refresh and Obsolete Component Redesign		[25,200]
	SHIPBOARD COMMUNICATIONS		
74	SHIPBOARD TACTICAL COMMUNICATIONS	43,212	43,212
75	SHIP COMMUNICATIONS AUTOMATION	90,724	101,224
	Navy UFR—Accelerate Naval Tactical Grid Development for Joint All-Domain Command and Control (JADC2)		[5,500]
	Navy UFR—Resilient Communications and PNT for Combat Logistics Fleet (CLF)		[5,000]
76	COMMUNICATIONS ITEMS UNDER $5M	44,447	44,447
	SUBMARINE COMMUNICATIONS		
77	SUBMARINE BROADCAST SUPPORT	47,579	47,579
78	SUBMARINE COMMUNICATION EQUIPMENT	64,642	64,642
	SATELLITE COMMUNICATIONS		
79	SATELLITE COMMUNICATIONS SYSTEMS	38,636	38,636
80	NAVY MULTIBAND TERMINAL (NMT)	34,723	34,723
	SHORE COMMUNICATIONS		
81	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	2,651	2,651
	CRYPTOGRAPHIC EQUIPMENT		
82	INFO SYSTEMS SECURITY PROGRAM (ISSP)	146,879	146,879
83	MIO INTEL EXPLOITATION TEAM	977	977
	CRYPTOLOGIC EQUIPMENT		
84	CRYPTOLOGIC COMMUNICATIONS EQUIP	17,809	17,809
	OTHER ELECTRONIC SUPPORT		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Senate Authorized
92	COAST GUARD EQUIPMENT	63,214	63,214
	SONOBUOYS		
94	SONOBUOYS—ALL TYPES	249,121	303,521
	Navy UFR—Additional sonobuoys		[54,400]
	AIRCRAFT SUPPORT EQUIPMENT		
95	MINOTAUR	4,963	4,963
96	WEAPONS RANGE SUPPORT EQUIPMENT	98,898	98,898
97	AIRCRAFT SUPPORT EQUIPMENT	178,647	178,647
98	ADVANCED ARRESTING GEAR (AAG)	22,265	22,265
99	METEOROLOGICAL EQUIPMENT	13,687	13,687
100	LEGACY AIRBORNE MCM	4,446	4,446
101	LAMPS EQUIPMENT	1,470	1,470
102	AVIATION SUPPORT EQUIPMENT	70,665	70,665
103	UMCS-UNMAN CARRIER AVIATION(UCA)MISSION CNTRL	86,584	86,584
	SHIP GUN SYSTEM EQUIPMENT		
104	SHIP GUN SYSTEMS EQUIPMENT	5,536	5,536
	SHIP MISSILE SYSTEMS EQUIPMENT		
105	HARPOON SUPPORT EQUIPMENT	204	204
106	SHIP MISSILE SUPPORT EQUIPMENT	237,987	280,487
	Navy UFR—Additional OTH-WS		[42,500]
107	TOMAHAWK SUPPORT EQUIPMENT	88,726	88,726
	FBM SUPPORT EQUIPMENT		
108	STRATEGIC MISSILE SYSTEMS EQUIP	281,259	281,259
	ASW SUPPORT EQUIPMENT		
109	SSN COMBAT CONTROL SYSTEMS	143,289	143,289
110	ASW SUPPORT EQUIPMENT	30,595	30,595
	OTHER ORDNANCE SUPPORT EQUIPMENT		
111	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	1,721	1,721
112	ITEMS LESS THAN $5 MILLION	8,746	8,746
	OTHER EXPENDABLE ORDNANCE		
113	ANTI-SHIP MISSILE DECOY SYSTEM	76,994	76,994
114	SUBMARINE TRAINING DEVICE MODS	75,813	75,813
115	SURFACE TRAINING EQUIPMENT	127,814	127,814
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
116	PASSENGER CARRYING VEHICLES	4,140	4,140
117	GENERAL PURPOSE TRUCKS	2,805	2,805
118	CONSTRUCTION & MAINTENANCE EQUIP	48,403	48,403
119	FIRE FIGHTING EQUIPMENT	15,084	15,084
120	TACTICAL VEHICLES	27,400	27,400
121	POLLUTION CONTROL EQUIPMENT	2,607	2,607
122	ITEMS LESS THAN $5 MILLION	51,963	51,963
123	PHYSICAL SECURITY VEHICLES	1,165	1,165
	SUPPLY SUPPORT EQUIPMENT		
124	SUPPLY EQUIPMENT	24,698	24,698
125	FIRST DESTINATION TRANSPORTATION	5,385	5,385
126	SPECIAL PURPOSE SUPPLY SYSTEMS	660,750	660,750
	TRAINING DEVICES		
127	TRAINING SUPPORT EQUIPMENT	3,465	3,465
128	TRAINING AND EDUCATION EQUIPMENT	60,114	60,114
	COMMAND SUPPORT EQUIPMENT		
129	COMMAND SUPPORT EQUIPMENT	31,007	31,007
130	MEDICAL SUPPORT EQUIPMENT	7,346	26,146
	Navy UFR—Expeditionary medical readiness		[18,800]
132	NAVAL MIP SUPPORT EQUIPMENT	2,887	2,887
133	OPERATING FORCES SUPPORT EQUIPMENT	12,815	12,815
134	C4ISR EQUIPMENT	6,324	6,324
135	ENVIRONMENTAL SUPPORT EQUIPMENT	25,098	25,098
136	PHYSICAL SECURITY EQUIPMENT	110,647	110,647
137	ENTERPRISE INFORMATION TECHNOLOGY	31,709	31,709
	OTHER		
141	NEXT GENERATION ENTERPRISE SERVICE	41	41
142	CYBERSPACE ACTIVITIES	12,859	12,859
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	19,808	19,808
	SPARES AND REPAIR PARTS		
143	SPARES AND REPAIR PARTS	424,405	626,005
	Navy UFR—DDG–1000 and CVN–78 Dual Band Radar spares		[108,900]
	Navy UFR—Maritime outfitting and interim spares		[92,700]
	TOTAL OTHER PROCUREMENT, NAVY	**10,875,912**	**11,520,112**
	PROCUREMENT, MARINE CORPS		
	TRACKED COMBAT VEHICLES		
1	AAV7A1 PIP	36,836	36,836
2	AMPHIBIOUS COMBAT VEHICLE FAMILY OF VEHICLES	532,355	532,355
3	LAV PIP	23,476	23,476
	ARTILLERY AND OTHER WEAPONS		
4	155MM LIGHTWEIGHT TOWED HOWITZER	32	32
5	ARTILLERY WEAPONS SYSTEM	67,548	221,348
	Marine Corps UFR—Ground-launched anti-ship missiles		[57,800]
	Marine Corps UFR—Ground-launched long range fires		[96,000]
6	WEAPONS AND COMBAT VEHICLES UNDER $5 MILLION	35,402	35,402
	GUIDED MISSILES		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Senate Authorized
8	GROUND BASED AIR DEFENSE	9,349	9,349
9	ANTI-ARMOR MISSILE-JAVELIN	937	937
10	FAMILY ANTI-ARMOR WEAPON SYSTEMS (FOAAWS)	20,481	20,481
11	ANTI-ARMOR MISSILE-TOW	14,359	14,359
12	GUIDED MLRS ROCKET (GMLRS)	98,299	98,299
	COMMAND AND CONTROL SYSTEMS		
13	COMMON AVIATION COMMAND AND CONTROL SYSTEM (C	18,247	18,247
	REPAIR AND TEST EQUIPMENT		
14	REPAIR AND TEST EQUIPMENT	33,554	33,554
	OTHER SUPPORT (TEL)		
15	MODIFICATION KITS	167	167
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
16	ITEMS UNDER $5 MILLION (COMM & ELEC)	64,879	133,779
	Marine Corps UFR—Fly-Away Broadcast System		[9,000]
	Marine Corps UFR—INOD Block III long-range sight		[16,900]
	Marine Corps UFR—Squad binocular night vision goggle		[43,000]
17	AIR OPERATIONS C2 SYSTEMS	1,291	3,291
	Marine Corps UFR—CEC (AN/USG–4B)		[2,000]
	RADAR + EQUIPMENT (NON-TEL)		
19	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	297,369	645,369
	Marine Corps UFR—Additional G/ATOR units		[304,000]
	Marine Corps UFR—Additional radar retrofit kits and FRP systems		[44,000]
	INTELL/COMM EQUIPMENT (NON-TEL)		
20	GCSS-MC	604	604
21	FIRE SUPPORT SYSTEM	39,810	39,810
22	INTELLIGENCE SUPPORT EQUIPMENT	67,309	72,909
	Marine Corps UFR—SCINet equipment		[5,600]
24	UNMANNED AIR SYSTEMS (INTEL)	24,299	24,299
25	DCGS-MC	28,633	28,633
26	UAS PAYLOADS	3,730	3,730
	OTHER SUPPORT (NON-TEL)		
29	NEXT GENERATION ENTERPRISE NETWORK (NGEN)	97,060	116,060
	Marine Corps UFR—Network infrastructure compliance/NGEN		[19,000]
30	COMMON COMPUTER RESOURCES	83,606	97,406
	Marine Corps UFR—MC Hardware Suite End User Devices refresh		[6,300]
	Marine Corps UFR—Secure Operational Network Infrastructure and Communications modernization		[7,500]
31	COMMAND POST SYSTEMS	53,708	53,708
32	RADIO SYSTEMS	468,678	468,678
33	COMM SWITCHING & CONTROL SYSTEMS	49,600	49,600
34	COMM & ELEC INFRASTRUCTURE SUPPORT	110,835	116,635
	Marine Corps UFR—Base telecommunications equipment upgrades		[5,800]
35	CYBERSPACE ACTIVITIES	25,377	46,577
	Marine Corps UFR—Defensive Cyber Ops-Internal Defensive Measures suites		[21,200]
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	4,034	4,034
	ADMINISTRATIVE VEHICLES		
38	COMMERCIAL CARGO VEHICLES	17,848	17,848
	TACTICAL VEHICLES		
39	MOTOR TRANSPORT MODIFICATIONS	23,363	23,363
40	JOINT LIGHT TACTICAL VEHICLE	322,013	322,013
42	TRAILERS	9,876	9,876
	ENGINEER AND OTHER EQUIPMENT		
44	TACTICAL FUEL SYSTEMS	2,161	2,161
45	POWER EQUIPMENT ASSORTED	26,625	26,625
46	AMPHIBIOUS SUPPORT EQUIPMENT	17,119	17,119
47	EOD SYSTEMS	94,472	107,672
	Marine Corps UFR—BCWD/UnSAT/Explosive Hazard Defeat Systems		[7,800]
	Marine Corps UFR—ENFIRE/Explosive Hazard Defeat Systems		[5,400]
	MATERIALS HANDLING EQUIPMENT		
48	PHYSICAL SECURITY EQUIPMENT	84,513	84,513
	GENERAL PROPERTY		
49	FIELD MEDICAL EQUIPMENT	8,105	8,105
50	TRAINING DEVICES	37,814	37,814
51	FAMILY OF CONSTRUCTION EQUIPMENT	34,658	50,458
	Marine Corps UFR—All-terrain crane		[10,800]
	Marine Corps UFR—Rough terrain container handler		[5,000]
52	ULTRA-LIGHT TACTICAL VEHICLE (ULTV)	15,439	15,439
	OTHER SUPPORT		
53	ITEMS LESS THAN $5 MILLION	4,402	15,002
	Marine Corps UFR—Lightweight water purification system		[10,600]
	SPARES AND REPAIR PARTS		
54	SPARES AND REPAIR PARTS	32,819	32,819
	TOTAL PROCUREMENT, MARINE CORPS	**3,043,091**	**3,720,791**
	AIRCRAFT PROCUREMENT, AIR FORCE		
	STRATEGIC OFFENSIVE		
1	B–21 RAIDER	108,027	108,027
	TACTICAL FORCES		
2	F–35	4,167,604	4,427,604
	Air Force UFR—F–35 power modules		[175,000]
	Program increase		[85,000]
3	F–35	352,632	352,632

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Senate Authorized
5	F–15EX	1,186,903	1,762,903
	Air Force UFR—Additional aircraft, spares, support equipment		[576,000]
6	F–15EX	147,919	147,919
	TACTICAL AIRLIFT		
7	KC–46A MDAP	2,380,315	2,380,315
	OTHER AIRLIFT		
8	C–130J	128,896	128,896
9	MC–130J	220,049	220,049
	UPT TRAINERS		
11	ADVANCED TRAINER REPLACEMENT T-X	10,397	10,397
	HELICOPTERS		
12	MH–139A	0	75,000
	Program increase		[75,000]
13	COMBAT RESCUE HELICOPTER	792,221	792,221
	MISSION SUPPORT AIRCRAFT		
16	CIVIL AIR PATROL A/C	2,813	2,813
	OTHER AIRCRAFT		
17	TARGET DRONES	116,169	116,169
19	E–11 BACN/HAG	124,435	124,435
21	MQ–9	3,288	103,288
	Additional aircraft		[100,000]
	STRATEGIC AIRCRAFT		
23	B–2A	29,944	29,944
24	B–1B	30,518	30,518
25	B–52	82,820	86,820
	B–52 training system		[4,000]
26	COMBAT RESCUE HELICOPTER	61,191	61,191
27	LARGE AIRCRAFT INFRARED COUNTERMEASURES	57,001	57,001
	TACTICAL AIRCRAFT		
28	A–10	83,621	83,621
29	E–11 BACN/HAG	68,955	68,955
30	F–15	234,340	234,340
31	F–16	613,166	638,166
	F–16 AESAs		[25,000]
32	F–22A	424,722	424,722
33	F–35 MODIFICATIONS	304,135	1,974,885
	F–35 upgrades to Block 4		[1,670,750]
34	F–15 EPAW	149,797	149,797
36	KC–46A MDAP	1,984	1,984
	AIRLIFT AIRCRAFT		
37	C–5	25,431	25,431
38	C–17A	59,570	59,570
40	C–32A	1,949	1,949
41	C–37A	5,984	5,984
	TRAINER AIRCRAFT		
42	GLIDER MODS	142	142
43	T–6	8,735	8,735
44	T–1	3,872	3,872
45	T–38	49,851	49,851
	OTHER AIRCRAFT		
46	U–2 MODS	126,809	126,809
47	KC–10A (ATCA)	1,902	1,902
49	VC–25A MOD	96	96
50	C–40	262	262
51	C–130	29,071	29,071
52	C–130J MODS	110,784	110,784
53	C–135	61,376	61,376
54	COMPASS CALL	195,098	270,098
	Air Force UFR—Additional spare engines		[75,000]
56	RC–135	207,596	207,596
57	E–3	109,855	109,855
58	E–4	19,081	19,081
59	E–8	16,312	16,312
60	AIRBORNE WARNING AND CNTRL SYS (AWACS) 40/45	30,327	30,327
62	H–1	1,533	1,533
63	H–60	13,709	13,709
64	RQ–4 MODS	3,205	3,205
65	HC/MC–130 MODIFICATIONS	150,263	150,263
66	OTHER AIRCRAFT	54,828	54,828
67	MQ–9 MODS	144,287	144,287
68	MQ–9 UAS PAYLOADS	40,800	40,800
69	SENIOR LEADER C3, SYSTEM—AIRCRAFT	23,554	23,554
70	CV–22 MODS	158,162	240,562
	SOCOM UFR—CV–22 reliability acceleration		[82,400]
	AIRCRAFT SPARES AND REPAIR PARTS		
71	INITIAL SPARES/REPAIR PARTS	915,710	915,710
	COMMON SUPPORT EQUIPMENT		
72	AIRCRAFT REPLACEMENT SUPPORT EQUIP	138,761	138,761
	POST PRODUCTION SUPPORT		
73	B–2A	1,651	1,651
74	B–2B	38,811	38,811
75	B–52	5,602	5,602

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Senate Authorized
78	F–15	2,324	2,324
79	F–16	10,456	10,456
81	RQ–4 POST PRODUCTION CHARGES	24,592	24,592
	INDUSTRIAL PREPAREDNESS		
82	INDUSTRIAL RESPONSIVENESS	18,110	18,110
	WAR CONSUMABLES		
83	WAR CONSUMABLES	35,866	35,866
	OTHER PRODUCTION CHARGES		
84	OTHER PRODUCTION CHARGES	979,388	979,388
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	18,092	18,092
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	**15,727,669**	**18,595,819**
	MISSILE PROCUREMENT, AIR FORCE		
	MISSILE REPLACEMENT EQUIPMENT—BALLISTIC		
1	MISSILE REPLACEMENT EQ-BALLISTIC	57,793	57,793
	BALLISTIC MISSILES		
2	GROUND BASED STRATEGIC DETERRENT	8,895	8,895
	TACTICAL		
3	REPLAC EQUIP & WAR CONSUMABLES	7,681	7,681
4	AGM–183A AIR-LAUNCHED RAPID RESPONSE WEAPON	160,850	160,850
6	JOINT AIR-SURFACE STANDOFF MISSILE	710,550	710,550
8	SIDEWINDER (AIM–9X)	107,587	107,587
9	AMRAAM	214,002	214,002
10	PREDATOR HELLFIRE MISSILE	103,684	103,684
11	SMALL DIAMETER BOMB	82,819	82,819
12	SMALL DIAMETER BOMB II	294,649	294,649
	INDUSTRIAL FACILITIES		
13	INDUSTR'L PREPAREDNS/POL PREVENTION	757	757
	CLASS IV		
15	ICBM FUZE MOD	53,013	65,263
	Realignment of funds		[12,250]
16	ICBM FUZE MOD	47,757	35,507
	Realignment of funds		[–12,250]
17	MM III MODIFICATIONS	88,579	88,579
19	AIR LAUNCH CRUISE MISSILE (ALCM)	46,799	46,799
	MISSILE SPARES AND REPAIR PARTS		
20	MSL SPRS/REPAIR PARTS (INITIAL)	16,212	16,212
21	MSL SPRS/REPAIR PARTS (REPLEN)	63,547	63,547
22	INITIAL SPARES/REPAIR PARTS	4,045	4,045
	SPECIAL PROGRAMS		
27	SPECIAL UPDATE PROGRAMS	30,352	30,352
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	570,240	570,240
	TOTAL MISSILE PROCUREMENT, AIR FORCE	**2,669,811**	**2,669,811**
	PROCUREMENT, SPACE FORCE		
	SPACE PROCUREMENT, SF		
2	AF SATELLITE COMM SYSTEM	43,655	43,655
3	COUNTERSPACE SYSTEMS	64,804	64,804
4	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS	39,444	39,444
5	GENERAL INFORMATION TECH—SPACE	3,316	13,116
	Space Force UFR—Long duration propulsive national security space launch secondary payload adapter		[8,000]
	Space Force UFR—Modernize space aggressor equipment		[1,800]
6	GPSIII FOLLOW ON	601,418	601,418
7	GPS III SPACE SEGMENT	84,452	84,452
8	GLOBAL POSTIONING (SPACE)	2,274	2,274
9	HERITAGE TRANSITION	13,529	13,529
10	SPACEBORNE EQUIP (COMSEC)	26,245	48,945
	Space Force UFR—Space-rated crypto devices to support launch		[22,700]
11	MILSATCOM	24,333	24,333
12	SBIR HIGH (SPACE)	154,526	154,526
13	SPECIAL SPACE ACTIVITIES	142,188	142,188
14	MOBILE USER OBJECTIVE SYSTEM	45,371	45,371
15	NATIONAL SECURITY SPACE LAUNCH	1,337,347	1,337,347
16	NUDET DETECTION SYSTEM	6,690	6,690
17	PTES HUB	7,406	7,406
18	ROCKET SYSTEMS LAUNCH PROGRAM	10,429	10,429
20	SPACE MODS	64,371	64,371
21	SPACELIFT RANGE SYSTEM SPACE	93,774	93,774
	SPARES		
22	SPARES AND REPAIR PARTS	1,282	1,282
	TOTAL PROCUREMENT, SPACE FORCE	**2,766,854**	**2,799,354**
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	ROCKETS		
1	ROCKETS	36,597	36,597
	CARTRIDGES		
2	CARTRIDGES	169,163	169,163
	BOMBS		
3	PRACTICE BOMBS	48,745	48,745
4	GENERAL PURPOSE BOMBS	176,565	176,565

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Senate Authorized
5	MASSIVE ORDNANCE PENETRATOR (MOP)	15,500	15,500
6	JOINT DIRECT ATTACK MUNITION	124,102	124,102
7	B–61	2,709	2,709
	OTHER ITEMS		
8	CAD/PAD	47,210	47,210
9	EXPLOSIVE ORDNANCE DISPOSAL (EOD)	6,151	6,151
10	SPARES AND REPAIR PARTS	535	535
11	MODIFICATIONS	292	292
12	ITEMS LESS THAN $5,000,000	9,164	9,164
	FLARES		
13	FLARES	95,297	95,297
	FUZES		
14	FUZES	50,795	50,795
	SMALL ARMS		
15	SMALL ARMS	12,343	12,343
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	**795,168**	**795,168**
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
1	PASSENGER CARRYING VEHICLES	8,448	8,448
	CARGO AND UTILITY VEHICLES		
2	MEDIUM TACTICAL VEHICLE	5,804	5,804
3	CAP VEHICLES	1,066	1,066
4	CARGO AND UTILITY VEHICLES	57,459	61,959
	CNGB UFR—Security forces utility task vehicle		[4,500]
	SPECIAL PURPOSE VEHICLES		
5	JOINT LIGHT TACTICAL VEHICLE	97,326	97,326
6	SECURITY AND TACTICAL VEHICLES	488	488
7	SPECIAL PURPOSE VEHICLES	75,694	81,094
	CNGB UFR—Temperature control trailers		[5,400]
	FIRE FIGHTING EQUIPMENT		
8	FIRE FIGHTING/CRASH RESCUE VEHICLES	12,525	12,525
	MATERIALS HANDLING EQUIPMENT		
9	MATERIALS HANDLING VEHICLES	34,933	34,933
	BASE MAINTENANCE SUPPORT		
10	RUNWAY SNOW REMOV AND CLEANING EQU	9,134	9,134
11	BASE MAINTENANCE SUPPORT VEHICLES	111,820	111,820
	COMM SECURITY EQUIPMENT(COMSEC)		
13	COMSEC EQUIPMENT	66,022	66,022
14	STRATEGIC MICROELECTRONIC SUPPLY SYSTEM	885,051	885,051
	INTELLIGENCE PROGRAMS		
15	INTERNATIONAL INTEL TECH & ARCHITECTURES	5,809	5,809
16	INTELLIGENCE TRAINING EQUIPMENT	5,719	5,719
17	INTELLIGENCE COMM EQUIPMENT	25,844	25,844
	ELECTRONICS PROGRAMS		
18	AIR TRAFFIC CONTROL & LANDING SYS	44,516	52,516
	Air Force UFR—Build command and control framework		[8,000]
19	BATTLE CONTROL SYSTEM—FIXED	2,940	2,940
20	THEATER AIR CONTROL SYS IMPROVEMEN	43,442	47,842
	EUCOM UFR—Air base air defens ops center		[4,400]
21	3D EXPEDITIONARY LONG-RANGE RADAR	96,186	248,186
	Air Force UFR—Build command and control framework		[152,000]
22	WEATHER OBSERVATION FORECAST	32,376	32,976
	Space Force UFR—Thule Air Base wind profiler		[600]
23	STRATEGIC COMMAND AND CONTROL	37,950	37,950
24	CHEYENNE MOUNTAIN COMPLEX	8,258	8,258
25	MISSION PLANNING SYSTEMS	14,717	14,717
	SPCL COMM-ELECTRONICS PROJECTS		
27	GENERAL INFORMATION TECHNOLOGY	43,917	88,247
	EUCOM UFR—Mission Partner Environment		[13,800]
	INDOPACOM UFR—Mission Partner Environment		[30,530]
28	AF GLOBAL COMMAND & CONTROL SYS	414	414
30	MOBILITY COMMAND AND CONTROL	10,619	10,619
31	AIR FORCE PHYSICAL SECURITY SYSTEM	101,896	116,797
	EUCOM UFR—Counter-UAS for UASFE installations		[1,241]
	EUCOM UFR—Sensors for air base air defense		[11,660]
	Space Force UFR—Maui Optical Site security system		[2,000]
32	COMBAT TRAINING RANGES	222,598	222,598
33	COMBAT TRAINING RANGES	14,730	14,730
34	MINIMUM ESSENTIAL EMERGENCY COMM N	77,119	77,119
35	WIDE AREA SURVEILLANCE (WAS)	38,794	38,794
36	C3 COUNTERMEASURES	131,238	131,238
37	INTEGRATED PERSONNEL AND PAY SYSTEM	15,240	15,240
38	GCSS-AF FOS	3,959	3,959
40	MAINTENANCE REPAIR & OVERHAUL INITIATIVE	4,387	4,387
41	THEATER BATTLE MGT C2 SYSTEM	4,052	4,052
42	AIR & SPACE OPERATIONS CENTER (AOC)	2,224	2,224
	AIR FORCE COMMUNICATIONS		
43	BASE INFORMATION TRANSPT INFRAST (BITI) WIRED	58,499	58,499
44	AFNET	65,354	65,354
45	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	4,377	4,377
46	USCENTCOM	18,101	18,101

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Senate Authorized
47	USSTRATCOM	4,226	4,226
	ORGANIZATION AND BASE		
48	TACTICAL C-E EQUIPMENT	162,955	162,955
49	RADIO EQUIPMENT	14,232	15,732
	Space Force UFR—radio equipment		[1,500]
51	BASE COMM INFRASTRUCTURE	200,797	264,297
	EUCOM UFR—Modernize IT infrastructure		[55,000]
	Space Force UFR—Emergency 911 rech refresh		[1,200]
	Space Force UFR—Lifecycle SIPR/NIP replacement		[7,000]
	Space Force UFR—Maui Optical Site resilient comms		[300]
	MODIFICATIONS		
52	COMM ELECT MODS	18,607	18,607
	PERSONAL SAFETY & RESCUE EQUIP		
53	PERSONAL SAFETY AND RESCUE EQUIPMENT	106,449	131,449
	CNGB UFR—Critical care air transport team		[9,500]
	CNGB UFR—Tactical combat casualty care medical kit		[15,500]
	DEPOT PLANT+MTRLS HANDLING EQ		
54	POWER CONDITIONING EQUIPMENT	11,274	11,274
55	MECHANIZED MATERIAL HANDLING EQUIP	8,594	8,594
	BASE SUPPORT EQUIPMENT		
56	BASE PROCURED EQUIPMENT	1	83,251
	CNGB UFR—Modular small arms ranges		[75,000]
	EUCOM UFR—Tactical decoy devices		[8,250]
57	ENGINEERING AND EOD EQUIPMENT	32,139	32,139
58	MOBILITY EQUIPMENT	63,814	131,014
	CNGB UFR—Aeromedical evacuation equipment kit		[3,200]
	CNGB UFR—Disaster relief mobile kitchen trailers		[22,500]
	CNGB UFR—Oxygen generation system		[3,000]
	CNGB UFR—Rapid response shelters		[7,500]
	CNGB UFR—Security forces modular ballistic protection system		[31,000]
59	FUELS SUPPORT EQUIPMENT (FSE)	17,928	17,928
60	BASE MAINTENANCE AND SUPPORT EQUIPMENT	48,534	48,534
	SPECIAL SUPPORT PROJECTS		
62	DARP RC135	27,359	27,359
63	DCGS-AF	261,070	261,070
65	SPECIAL UPDATE PROGRAM	777,652	777,652
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	20,983,908	20,983,908
	SPARES AND REPAIR PARTS		
66	SPARES AND REPAIR PARTS (CYBER)	978	978
67	SPARES AND REPAIR PARTS	9,575	10,575
	Air Force UFR—Build command and control framework		[1,000]
	TOTAL OTHER PROCUREMENT, AIR FORCE	**25,251,137**	**25,726,718**
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, DCSA		
2	MAJOR EQUIPMENT	3,014	3,014
	MAJOR EQUIPMENT, DHRA		
4	PERSONNEL ADMINISTRATION	4,042	4,042
	MAJOR EQUIPMENT, DISA		
10	INFORMATION SYSTEMS SECURITY	18,923	18,923
11	TELEPORT PROGRAM	34,908	34,908
12	JOINT FORCES HEADQUARTERS—DODIN	1,968	1,968
13	ITEMS LESS THAN $5 MILLION	42,270	42,270
14	DEFENSE INFORMATION SYSTEM NETWORK	18,025	18,025
15	WHITE HOUSE COMMUNICATION AGENCY	44,522	44,522
16	SENIOR LEADERSHIP ENTERPRISE	54,592	54,592
17	JOINT REGIONAL SECURITY STACKS (JRSS)	62,657	62,657
18	JOINT SERVICE PROVIDER	102,039	102,039
19	FOURTH ESTATE NETWORK OPTIMIZATION (4ENO)	80,645	80,645
	MAJOR EQUIPMENT, DLA		
21	MAJOR EQUIPMENT	530,896	530,896
	MAJOR EQUIPMENT, DMACT		
22	MAJOR EQUIPMENT	8,498	8,498
	MAJOR EQUIPMENT, DODEA		
23	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS	2,963	2,963
	MAJOR EQUIPMENT, DPAA		
24	MAJOR EQUIPMENT, DPAA	494	494
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
26	VEHICLES	118	118
27	OTHER MAJOR EQUIPMENT	12,681	12,681
	MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY		
29	THAAD	251,543	361,122
	MDA UFR—Additional interceptors		[109,579]
31	AEGIS BMD	334,621	334,621
32	AEGIS BMD	17,493	17,493
33	BMDS AN/TPY–2 RADARS	2,738	2,738
34	SM–3 IIAS	295,322	336,322
	MDA UFR—Additional AURs		[41,000]
35	ARROW 3 UPPER TIER SYSTEMS	62,000	62,000
36	SHORT RANGE BALLISTIC MISSILE DEFENSE (SRBMD)	30,000	30,000
37	DEFENSE OF GUAM PROCUREMENT	40,000	117,220

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Senate Authorized
	INDOPACOM UFR—Guam Defense System		[77,220]
38	AEGIS ASHORE PHASE III	25,866	25,866
39	IRON DOME	108,000	108,000
40	AEGIS BMD HARDWARE AND SOFTWARE	81,791	81,791
	MAJOR EQUIPMENT, NSA		
46	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)	315	315
	MAJOR EQUIPMENT, OSD		
47	MAJOR EQUIPMENT, OSD	31,420	31,420
	MAJOR EQUIPMENT, SDA		
48	JOINT CAPABILITY TECH DEMONSTRATION (JCTD)	74,060	74,060
	MAJOR EQUIPMENT, TJS		
49	MAJOR EQUIPMENT, TJS	7,830	7,830
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	635,338	635,338
	AVIATION PROGRAMS		
52	ARMED OVERWATCH/TARGETING	170,000	170,000
53	MANNED ISR	2,500	2,500
54	MC–12	2,250	2,250
55	MH–60 BLACKHAWK	29,900	29,900
56	ROTARY WING UPGRADES AND SUSTAINMENT	202,278	202,278
57	UNMANNED ISR	55,951	55,951
58	NON-STANDARD AVIATION	3,282	3,282
59	U–28	4,176	4,176
60	MH–47 CHINOOK	130,485	130,485
61	CV–22 MODIFICATION	41,762	47,572
	SOCOM UFR—CV–22 reliability acceleration		[5,810]
62	MQ–9 UNMANNED AERIAL VEHICLE	8,020	8,020
63	PRECISION STRIKE PACKAGE	165,224	165,224
64	AC/MC–130J	205,216	205,216
65	C–130 MODIFICATIONS	13,373	13,373
	SHIPBUILDING		
66	UNDERWATER SYSTEMS	17,227	23,327
	SOCOM UFR—Combat diving advanced equipment acceleration		[5,200]
	SOCOM UFR—Modernized forward look sonar		[900]
	AMMUNITION PROGRAMS		
67	ORDNANCE ITEMS <$5M	168,072	168,072
	OTHER PROCUREMENT PROGRAMS		
68	INTELLIGENCE SYSTEMS	131,889	131,889
69	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	5,991	5,991
70	OTHER ITEMS <$5M	62,722	62,722
71	COMBATANT CRAFT SYSTEMS	17,080	17,080
72	SPECIAL PROGRAMS	44,351	75,531
	SOCOM UFR—Medium fixed wing mobility modifications		[31,180]
73	TACTICAL VEHICLES	26,806	26,806
74	WARRIOR SYSTEMS <$5M	284,548	284,548
75	COMBAT MISSION REQUIREMENTS	27,513	27,513
77	OPERATIONAL ENHANCEMENTS INTELLIGENCE	20,252	20,252
78	OPERATIONAL ENHANCEMENTS	328,569	389,872
	SOCOM UFR—Armored ground mobility systems acceleration		[33,303]
	SOCOM UFR—Fused panoramic night vision goggles acceleration		[28,000]
	CBDP		
79	CHEMICAL BIOLOGICAL SITUATIONAL AWARENESS	167,918	167,918
80	CB PROTECTION & HAZARD MITIGATION	189,265	189,265
	TOTAL PROCUREMENT, DEFENSE-WIDE	**5,548,212**	**5,880,404**
	TOTAL PROCUREMENT	**132,205,078**	**144,054,529**

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	Senate Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
		BASIC RESEARCH		
1	0601102A	DEFENSE RESEARCH SCIENCES	297,241	297,241
2	0601103A	UNIVERSITY RESEARCH INITIATIVES	66,981	103,481
		Smart thread data exchange		[5,000]
		UAS propulsion research		[1,500]
		University research programs		[30,000]
3	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	94,003	94,003
4	0601121A	CYBER COLLABORATIVE RESEARCH ALLIANCE	5,067	5,067
5	0601601A	ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING BASIC RESEARCH	10,183	10,183
		SUBTOTAL BASIC RESEARCH	**473,475**	**509,975**
		APPLIED RESEARCH		

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	Senate Authorized
6	0602115A	BIOMEDICAL TECHNOLOGY	11,925	11,925
7	0602134A	COUNTER IMPROVISED-THREAT ADVANCED STUDIES	1,976	1,976
8	0602141A	LETHALITY TECHNOLOGY	64,126	66,626
		Ceramic material systems for extreme environments		[2,500]
9	0602142A	ARMY APPLIED RESEARCH	28,654	28,654
10	0602143A	SOLDIER LETHALITY TECHNOLOGY	105,168	105,168
11	0602144A	GROUND TECHNOLOGY	56,400	67,400
		Earthen structures research		[3,000]
		Graphene applications for military engineering		[2,000]
		Polar research and testing		[4,000]
		Verified inherent control		[2,000]
12	0602145A	NEXT GENERATION COMBAT VEHICLE TECHNOLOGY	172,166	174,666
		Light detection and ranging (LiDAR) technology		[2,500]
13	0602146A	NETWORK C3I TECHNOLOGY	84,606	86,606
		UAS sensor research		[2,000]
14	0602147A	LONG RANGE PRECISION FIRES TECHNOLOGY	64,285	64,285
15	0602148A	FUTURE VERTICLE LIFT TECHNOLOGY	91,411	91,411
16	0602150A	AIR AND MISSILE DEFENSE TECHNOLOGY	19,316	47,316
		Counter-UAS applied research		[5,000]
		High energy laser research		[5,000]
		High energy laser support technology		[5,000]
		Kill chain automation for air and missile defense systems		[8,000]
		Secure computing capabilities		[5,000]
17	0602180A	ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING TECHNOLOGIES	15,034	15,034
18	0602181A	ALL DOMAIN CONVERGENCE APPLIED RESEARCH	25,967	25,967
19	0602182A	C3I APPLIED RESEARCH	12,406	12,406
20	0602183A	AIR PLATFORM APPLIED RESEARCH	6,597	6,597
21	0602184A	SOLDIER APPLIED RESEARCH	11,064	18,564
		Military footwear research		[2,500]
		Pathfinder air assault		[5,000]
22	0602213A	C3I APPLIED CYBER	12,123	12,123
23	0602386A	BIOTECHNOLOGY FOR MATERIALS—APPLIED RESEARCH	20,643	20,643
24	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	18,701	18,701
25	0602787A	MEDICAL TECHNOLOGY	91,720	91,720
		SUBTOTAL APPLIED RESEARCH	**914,288**	**967,788**
		ADVANCED TECHNOLOGY DEVELOPMENT		
26	0603002A	MEDICAL ADVANCED TECHNOLOGY	43,804	43,804
27	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY	14,273	14,273
28	0603025A	ARMY AGILE INNOVATION AND DEMONSTRATION	22,231	22,231
29	0603040A	ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING ADVANCED TECHNOLOGIES	909	909
30	0603041A	ALL DOMAIN CONVERGENCE ADVANCED TECHNOLOGY	17,743	17,743
31	0603042A	C3I ADVANCED TECHNOLOGY	3,151	3,151
32	0603043A	AIR PLATFORM ADVANCED TECHNOLOGY	754	754
33	0603044A	SOLDIER ADVANCED TECHNOLOGY	890	890
34	0603115A	MEDICAL DEVELOPMENT	26,521	26,521
35	0603116A	LETHALITY ADVANCED TECHNOLOGY	8,066	8,066
36	0603117A	ARMY ADVANCED TECHNOLOGY DEVELOPMENT	76,815	76,815
37	0603118A	SOLDIER LETHALITY ADVANCED TECHNOLOGY	107,966	107,966
38	0603119A	GROUND ADVANCED TECHNOLOGY	23,403	41,403
		Additive manufacturing capabilities for austere operating environments		[15,000]
		Permafrost research		[3,000]
39	0603134A	COUNTER IMPROVISED-THREAT SIMULATION	24,747	24,747
40	0603386A	BIOTECHNOLOGY FOR MATERIALS—ADVANCED RESEARCH	53,736	53,736
41	0603457A	C3I CYBER ADVANCED DEVELOPMENT	31,426	31,426
42	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM	189,123	194,123
		High performance computing modernization program		[5,000]
43	0603462A	NEXT GENERATION COMBAT VEHICLE ADVANCED TECHNOLOGY	164,951	174,951
		Combat vehicle lithium battery development		[1,500]
		Cyber and connected vehicle integration research		[3,500]
		Robotics development		[5,000]
44	0603463A	NETWORK C3I ADVANCED TECHNOLOGY	155,867	142,867
		Command post modernization		[2,000]
		Network technology research		[–15,000]
45	0603464A	LONG RANGE PRECISION FIRES ADVANCED TECHNOLOGY	93,909	98,909
		Advanced guidance technology		[5,000]
46	0603465A	FUTURE VERTICAL LIFT ADVANCED TECHNOLOGY	179,677	188,177
		Future Long Range Assault Aircraft		[3,500]
		Future vertical lift 20mm chain gun		[5,000]
47	0603466A	AIR AND MISSILE DEFENSE ADVANCED TECHNOLOGY	48,826	48,826
48	0603920A	HUMANITARIAN DEMINING	8,649	8,649
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	**1,297,437**	**1,330,937**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
49	0603305A	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION	11,702	11,702
50	0603308A	ARMY SPACE SYSTEMS INTEGRATION	18,755	18,755
52	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV	50,314	50,314
53	0603639A	TANK AND MEDIUM CALIBER AMMUNITION	79,873	79,873
54	0603645A	ARMORED SYSTEM MODERNIZATION—ADV DEV	170,590	170,590
55	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	2,897	2,897
56	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV	113,365	113,365
57	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT	18,000	21,804

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	Senate Authorized
		Army UFR—Soldier Maneuver Sensors		[3,804]
58	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY—DEM/VAL	11,921	11,921
59	0603790A	NATO RESEARCH AND DEVELOPMENT	3,777	3,777
60	0603801A	AVIATION—ADV DEV	1,125,641	1,125,641
61	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV	7,055	7,055
62	0603807A	MEDICAL SYSTEMS—ADV DEV	22,071	22,071
63	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT	17,459	20,359
		Development of anthropomorphic armor for female servicemembers		[2,900]
64	0604017A	ROBOTICS DEVELOPMENT	87,198	87,198
65	0604019A	EXPANDED MISSION AREA MISSILE (EMAM)	50,674	50,674
67	0604035A	LOW EARTH ORBIT (LEO) SATELLITE CAPABILITY	19,638	19,638
68	0604036A	MULTI-DOMAIN SENSING SYSTEM (MDSS) ADV DEV	50,548	50,548
69	0604037A	TACTICAL INTEL TARGETING ACCESS NODE (TITAN) ADV DEV	28,347	28,347
70	0604100A	ANALYSIS OF ALTERNATIVES	10,091	10,091
71	0604101A	SMALL UNMANNED AERIAL VEHICLE (SUAV) (6.4)	926	926
72	0604113A	FUTURE TACTICAL UNMANNED AIRCRAFT SYSTEM (FTUAS)	69,697	75,697
		Army UFR—Acceleration of FTUAS		[6,000]
73	0604114A	LOWER TIER AIR MISSILE DEFENSE (LTAMD) SENSOR	327,690	327,690
74	0604115A	TECHNOLOGY MATURATION INITIATIVES	270,124	270,124
75	0604117A	MANEUVER—SHORT RANGE AIR DEFENSE (M-SHORAD)	39,376	39,376
76	0604119A	ARMY ADVANCED COMPONENT DEVELOPMENT & PROTOTYPING	189,483	189,483
77	0604120A	ASSURED POSITIONING, NAVIGATION AND TIMING (PNT)	96,679	96,679
78	0604121A	SYNTHETIC TRAINING ENVIRONMENT REFINEMENT & PROTOTYPING	194,195	198,795
		Synthetic training enviroment		[4,600]
79	0604134A	COUNTER IMPROVISED-THREAT DEMONSTRATION, PROTOTYPE DEVELOPMENT, AND TESTING.	13,379	13,379
80	0604182A	HYPERSONICS	300,928	300,928
81	0604403A	FUTURE INTERCEPTOR	7,895	7,895
82	0604531A	COUNTER—SMALL UNMANNED AIRCRAFT SYSTEMS ADVANCED DEVELOPMENT	19,148	19,148
83	0604541A	UNIFIED NETWORK TRANSPORT	35,409	35,409
84	0604644A	MOBILE MEDIUM RANGE MISSILE	286,457	286,457
85	0604785A	INTEGRATED BASE DEFENSE (BUDGET ACTIVITY 4)	2,040	2,040
86	0305251A	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT	52,988	52,988
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**3,806,330**	**3,823,634**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
89	0604201A	AIRCRAFT AVIONICS	6,654	6,654
90	0604270A	ELECTRONIC WARFARE DEVELOPMENT	30,840	30,840
91	0604601A	INFANTRY SUPPORT WEAPONS	67,873	67,873
92	0604604A	MEDIUM TACTICAL VEHICLES	11,374	11,374
93	0604611A	JAVELIN	7,094	7,094
94	0604622A	FAMILY OF HEAVY TACTICAL VEHICLES	31,602	31,602
95	0604633A	AIR TRAFFIC CONTROL	4,405	4,405
96	0604642A	LIGHT TACTICAL WHEELED VEHICLES	2,055	7,655
		Army UFR—Electric light reconnaissance vehicle		[5,600]
97	0604645A	ARMORED SYSTEMS MODERNIZATION (ASM)—ENG DEV	137,256	137,256
98	0604710A	NIGHT VISION SYSTEMS—ENG DEV	62,690	62,690
99	0604713A	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	1,658	1,658
100	0604715A	NON-SYSTEM TRAINING DEVICES—ENG DEV	26,540	26,540
101	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV	59,518	59,518
102	0604742A	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT	22,331	22,331
103	0604746A	AUTOMATIC TEST EQUIPMENT DEVELOPMENT	8,807	8,807
104	0604760A	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—ENG DEV	7,453	7,453
107	0604798A	BRIGADE ANALYSIS, INTEGRATION AND EVALUATION	21,534	21,534
108	0604802A	WEAPONS AND MUNITIONS—ENG DEV	309,778	309,778
109	0604804A	LOGISTICS AND ENGINEER EQUIPMENT—ENG DEV	59,261	59,261
110	0604805A	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—ENG DEV	20,121	20,121
111	0604807A	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—ENG DEV	44,424	44,424
112	0604808A	LANDMINE WARFARE/BARRIER—ENG DEV	14,137	14,137
113	0604818A	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE	162,704	162,704
114	0604820A	RADAR DEVELOPMENT	127,919	127,919
115	0604822A	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS)	17,623	17,623
117	0604827A	SOLDIER SYSTEMS—WARRIOR DEM/VAL	6,454	6,454
118	0604852A	SUITE OF SURVIVABILITY ENHANCEMENT SYSTEMS—EMD	106,354	127,354
		Army UFR—Active protection systems for Bradley and Stryker		[21,000]
120	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT	122,168	122,168
121	0605018A	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A)	76,936	76,936
122	0605028A	ARMORED MULTI-PURPOSE VEHICLE (AMPV)	35,560	35,560
124	0605030A	JOINT TACTICAL NETWORK CENTER (JTNC)	16,364	16,364
125	0605031A	JOINT TACTICAL NETWORK (JTN)	28,954	28,954
128	0605035A	COMMON INFRARED COUNTERMEASURES (CIRCM)	16,630	16,630
130	0605038A	NUCLEAR BIOLOGICAL CHEMICAL RECONNAISSANCE VEHICLE (NBCRV) SENSOR SUITE.	7,618	7,618
131	0605041A	DEFENSIVE CYBER TOOL DEVELOPMENT	18,892	13,892
		Cyber situational understanding reduction		[–5,000]
132	0605042A	TACTICAL NETWORK RADIO SYSTEMS (LOW-TIER)	28,849	28,849
133	0605047A	CONTRACT WRITING SYSTEM	22,960	12,960
		Program reduction		[–10,000]
135	0605051A	AIRCRAFT SURVIVABILITY DEVELOPMENT	65,603	65,603
136	0605052A	INDIRECT FIRE PROTECTION CAPABILITY INC 2—BLOCK 1	233,512	233,512
137	0605053A	GROUND ROBOTICS	18,241	18,241
138	0605054A	EMERGING TECHNOLOGY INITIATIVES	254,945	254,945

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	Senate Authorized
139	0605143A	BIOMETRICS ENABLING CAPABILITY (BEC)	4,326	4,326
140	0605144A	NEXT GENERATION LOAD DEVICE—MEDIUM	15,616	15,616
141	0605145A	MEDICAL PRODUCTS AND SUPPORT SYSTEMS DEVELOPMENT	962	962
142	0605148A	TACTICAL INTEL TARGETING ACCESS NODE (TITAN) EMD	54,972	54,972
143	0605203A	ARMY SYSTEM DEVELOPMENT & DEMONSTRATION	122,175	122,175
144	0605205A	SMALL UNMANNED AERIAL VEHICLE (SUAV) (6.5)	2,275	2,275
145	0605224A	MULTI-DOMAIN INTELLIGENCE	9,313	9,313
146	0605225A	SIO CAPABILITY DEVELOPMENT	22,713	22,713
147	0605231A	PRECISION STRIKE MISSILE (PRSM)	188,452	188,452
148	0605232A	HYPERSONICS EMD	111,473	111,473
149	0605233A	ACCESSIONS INFORMATION ENVIRONMENT (AIE)	18,790	18,790
150	0605450A	JOINT AIR-TO-GROUND MISSILE (JAGM)	2,134	2,134
151	0605457A	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD)	157,873	157,873
152	0605531A	COUNTER—SMALL UNMANNED AIRCRAFT SYSTEMS SYS DEV & DEMONSTRATION	33,386	33,386
153	0605625A	MANNED GROUND VEHICLE	225,106	225,106
154	0605766A	NATIONAL CAPABILITIES INTEGRATION (MIP)	14,454	14,454
155	0605812A	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH.	2,564	2,564
156	0605830A	AVIATION GROUND SUPPORT EQUIPMENT	1,201	1,201
157	0303032A	TROJAN—RH12	3,362	3,362
161	0304270A	ELECTRONIC WARFARE DEVELOPMENT	75,520	92,360
		Army UFR—Terrestrial Layer System (TLS) Echelon Above Brigade (EAB)		[16,840]
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**3,392,358**	**3,420,798**
		MANAGEMENT SUPPORT		
162	0604256A	THREAT SIMULATOR DEVELOPMENT	18,439	18,439
163	0604258A	TARGET SYSTEMS DEVELOPMENT	17,404	17,404
164	0604759A	MAJOR T&E INVESTMENT	68,139	68,139
165	0605103A	RAND ARROYO CENTER	33,126	33,126
166	0605301A	ARMY KWAJALEIN ATOLL	240,877	267,877
		Army UFR—Preserve Kwajalein Atoll quality of life		[27,000]
167	0605326A	CONCEPTS EXPERIMENTATION PROGRAM	79,710	79,710
169	0605601A	ARMY TEST RANGES AND FACILITIES	354,227	354,227
170	0605602A	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS	49,253	49,253
171	0605604A	SURVIVABILITY/LETHALITY ANALYSIS	36,389	36,389
172	0605606A	AIRCRAFT CERTIFICATION	2,489	2,489
173	0605702A	METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES	6,689	6,689
174	0605706A	MATERIEL SYSTEMS ANALYSIS	21,558	21,558
175	0605709A	EXPLOITATION OF FOREIGN ITEMS	13,631	13,631
176	0605712A	SUPPORT OF OPERATIONAL TESTING	55,122	55,122
177	0605716A	ARMY EVALUATION CENTER	65,854	65,854
178	0605718A	ARMY MODELING & SIM X-CMD COLLABORATION & INTEG	2,633	2,633
179	0605801A	PROGRAMWIDE ACTIVITIES	96,589	96,589
180	0605803A	TECHNICAL INFORMATION ACTIVITIES	26,808	26,808
181	0605805A	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY	43,042	43,042
182	0605857A	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT	1,789	1,789
183	0605898A	ARMY DIRECT REPORT HEADQUARTERS—R&D - MHA	52,108	52,108
185	0606002A	RONALD REAGAN BALLISTIC MISSILE DEFENSE TEST SITE	80,952	80,952
186	0606003A	COUNTERINTEL AND HUMAN INTEL MODERNIZATION	5,363	5,363
187	0606105A	MEDICAL PROGRAM-WIDE ACTIVITIES	39,041	39,041
188	0606942A	ASSESSMENTS AND EVALUATIONS CYBER VULNERABILITIES	5,466	5,466
		SUBTOTAL MANAGEMENT SUPPORT	**1,416,698**	**1,443,698**
		OPERATIONAL SYSTEMS DEVELOPMENT		
190	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM	12,314	12,314
191	0605024A	ANTI-TAMPER TECHNOLOGY SUPPORT	8,868	8,868
192	0607131A	WEAPONS AND MUNITIONS PRODUCT IMPROVEMENT PROGRAMS	22,828	22,828
194	0607136A	BLACKHAWK PRODUCT IMPROVEMENT PROGRAM	4,773	4,773
195	0607137A	CHINOOK PRODUCT IMPROVEMENT PROGRAM	52,372	70,372
		CH–47 Chinook cargo on/off loading system		[8,000]
		Program increase		[10,000]
196	0607139A	IMPROVED TURBINE ENGINE PROGRAM	275,024	275,024
197	0607142A	AVIATION ROCKET SYSTEM PRODUCT IMPROVEMENT AND DEVELOPMENT	12,417	12,417
198	0607143A	UNMANNED AIRCRAFT SYSTEM UNIVERSAL PRODUCTS	4,594	4,594
199	0607145A	APACHE FUTURE DEVELOPMENT	10,067	25,067
		Program increase		[15,000]
200	0607148A	AN/TPQ–53 COUNTERFIRE TARGET ACQUISITION RADAR SYSTEM	56,681	56,681
201	0607150A	INTEL CYBER DEVELOPMENT	3,611	12,471
		Army UFR—Cyber-Info Dominance Center		[8,860]
202	0607312A	ARMY OPERATIONAL SYSTEMS DEVELOPMENT	28,029	28,029
203	0607313A	ELECTRONIC WARFARE DEVELOPMENT	5,673	5,673
204	0607665A	FAMILY OF BIOMETRICS	1,178	1,178
205	0607865A	PATRIOT PRODUCT IMPROVEMENT	125,932	125,932
206	0203728A	JOINT AUTOMATED DEEP OPERATION COORDINATION SYSTEM (JADOCS)	25,547	25,547
207	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS	211,523	275,623
		Abrams tank modernization		[64,100]
208	0203743A	155MM SELF-PROPELLED HOWITZER IMPROVEMENTS	213,281	213,281
210	0203752A	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	132	132
211	0203758A	DIGITIZATION	3,936	3,936
212	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM	127	127
213	0203802A	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS	10,265	10,265
214	0205412A	ENVIRONMENTAL QUALITY TECHNOLOGY—OPERATIONAL SYSTEM DEV	262	262

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	Senate Authorized
215	0205456A	LOWER TIER AIR AND MISSILE DEFENSE (AMD) SYSTEM	182	182
216	0205778A	GUIDED MULTIPLE-LAUNCH ROCKET SYSTEM (GMLRS)	63,937	63,937
217	0208053A	JOINT TACTICAL GROUND SYSTEM	13,379	13,379
219	0303028A	SECURITY AND INTELLIGENCE ACTIVITIES	24,531	24,531
220	0303140A	INFORMATION SYSTEMS SECURITY PROGRAM	15,720	10,720
		Identity, credentialing, and access management reduction		[–5,000]
221	0303141A	GLOBAL COMBAT SUPPORT SYSTEM	52,739	61,739
		Army UFR—ERP convergence/modernization		[9,000]
222	0303142A	SATCOM GROUND ENVIRONMENT (SPACE)	15,247	15,247
226	0305179A	INTEGRATED BROADCAST SERVICE (IBS)	5,430	5,430
227	0305204A	TACTICAL UNMANNED AERIAL VEHICLES	8,410	8,410
228	0305206A	AIRBORNE RECONNAISSANCE SYSTEMS	24,460	24,460
233	0307665A	BIOMETRICS ENABLED INTELLIGENCE	2,066	2,066
234	0708045A	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES	61,720	61,720
999	9999999999	CLASSIFIED PROGRAMS	2,993	2,993
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**1,380,248**	**1,490,208**
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
237	0608041A	DEFENSIVE CYBER—SOFTWARE PROTOTYPE DEVELOPMENT	118,811	118,811
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS	**118,811**	**118,811**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	**12,799,645**	**13,105,849**
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		BASIC RESEARCH		
1	0601103N	UNIVERSITY RESEARCH INITIATIVES	117,448	150,448
		High-performance computation and data equipment		[3,000]
		University research programs		[30,000]
3	0601153N	DEFENSE RESEARCH SCIENCES	484,421	484,421
		SUBTOTAL BASIC RESEARCH	**601,869**	**634,869**
		APPLIED RESEARCH		
4	0602114N	POWER PROJECTION APPLIED RESEARCH	23,013	26,013
		Graphene electro-active metamaterials		[3,000]
5	0602123N	FORCE PROTECTION APPLIED RESEARCH	122,888	127,888
		Relative positioning of autonomous platforms		[3,000]
		Resilient Innovative Sustainable Economies via University Partnerships (RISE-UP)		[2,000]
6	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY	51,112	51,112
7	0602235N	COMMON PICTURE APPLIED RESEARCH	51,477	51,477
8	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	70,547	76,047
		Anti-corrosion nanotechnologies		[3,000]
		Humanoid robotics research		[2,500]
9	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH	85,157	85,157
10	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	70,086	70,086
11	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	6,405	6,405
12	0602747N	UNDERSEA WARFARE APPLIED RESEARCH	57,484	79,484
		Undersea vehicle research academic partnerships		[12,000]
		Undersea warfare applied research		[10,000]
13	0602750N	FUTURE NAVAL CAPABILITIES APPLIED RESEARCH	173,356	173,356
14	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH	32,160	32,160
15	0602792N	INNOVATIVE NAVAL PROTOTYPES (INP) APPLIED RESEARCH	152,976	152,976
16	0602861N	SCIENCE AND TECHNOLOGY MANAGEMENT—ONR FIELD ACITIVITIES	79,254	79,254
		SUBTOTAL APPLIED RESEARCH	**975,915**	**1,011,415**
		ADVANCED TECHNOLOGY DEVELOPMENT		
17	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY	21,661	21,661
18	0603271N	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY	8,146	8,146
19	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	224,155	244,455
		Marine Corps UFR—Maritime Targeting Cell-Expeditionary		[5,300]
		Marine Corps UFR—Unmanned adversary technology investment		[10,000]
		Unmanned systems interoperability		[5,000]
20	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT	13,429	13,429
21	0603673N	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT	265,299	265,299
22	0603680N	MANUFACTURING TECHNOLOGY PROGRAM	57,236	57,236
23	0603729N	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	4,935	4,935
24	0603758N	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS	47,167	47,167
25	0603782N	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY	1,981	1,981
26	0603801N	INNOVATIVE NAVAL PROTOTYPES (INP) ADVANCED TECHNOLOGY DEVELOPMENT	133,779	113,779
		Naval prototypes reduction		[–20,000]
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	**777,788**	**778,088**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
27	0603128N	UNMANNED AERIAL SYSTEM	16,879	61,879
		Marine Corps UFR—MQ–9 payload upgrade		[20,000]
		Medium-altitude, long-endurance manned-unmanned experimentation		[25,000]
28	0603178N	MEDIUM AND LARGE UNMANNED SURFACE VEHICLES (USVS)	144,846	144,846
29	0603207N	AIR/OCEAN TACTICAL APPLICATIONS	27,849	27,849
30	0603216N	AVIATION SURVIVABILITY	16,815	16,815
31	0603239N	NAVAL CONSTRUCTION FORCES	5,290	5,290
33	0603254N	ASW SYSTEMS DEVELOPMENT	17,612	17,612
34	0603261N	TACTICAL AIRBORNE RECONNAISSANCE	3,111	3,111
35	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY	32,310	32,310

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	Senate Authorized
36	0603502N	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES	58,013	58,013
37	0603506N	SURFACE SHIP TORPEDO DEFENSE	1,862	1,862
38	0603512N	CARRIER SYSTEMS DEVELOPMENT	7,182	7,182
39	0603525N	PILOT FISH	408,087	484,687
		Navy UFR—Classified		[76,600]
40	0603527N	RETRACT LARCH	44,197	44,197
41	0603536N	RETRACT JUNIPER	144,541	144,541
42	0603542N	RADIOLOGICAL CONTROL	761	761
43	0603553N	SURFACE ASW	1,144	1,144
44	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	99,782	99,782
45	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS	14,059	14,059
46	0603563N	SHIP CONCEPT ADVANCED DESIGN	111,590	111,590
47	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	106,957	106,957
48	0603570N	ADVANCED NUCLEAR POWER SYSTEMS	203,572	203,572
49	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS	78,122	78,122
50	0603576N	CHALK EAGLE	80,270	80,270
51	0603581N	LITTORAL COMBAT SHIP (LCS)	84,924	84,924
52	0603582N	COMBAT SYSTEM INTEGRATION	17,322	17,322
53	0603595N	OHIO REPLACEMENT	296,231	296,231
54	0603596N	LCS MISSION MODULES	75,995	75,995
55	0603597N	AUTOMATED TEST AND RE-TEST (ATRT)	7,805	7,805
56	0603599N	FRIGATE DEVELOPMENT	109,459	109,459
57	0603609N	CONVENTIONAL MUNITIONS	7,296	7,296
58	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	77,065	77,065
59	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	34,785	34,785
60	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	8,774	8,774
61	0603721N	ENVIRONMENTAL PROTECTION	20,677	20,677
62	0603724N	NAVY ENERGY PROGRAM	33,824	33,824
63	0603725N	FACILITIES IMPROVEMENT	6,327	6,327
64	0603734N	CHALK CORAL	579,389	579,389
65	0603739N	NAVY LOGISTIC PRODUCTIVITY	669	669
66	0603746N	RETRACT MAPLE	295,295	295,295
67	0603748N	LINK PLUMERIA	692,280	692,280
68	0603751N	RETRACT ELM	83,904	83,904
69	0603764M	LINK EVERGREEN	221,253	264,453
		Marine Corps UFR—Additional development		[43,200]
71	0603790N	NATO RESEARCH AND DEVELOPMENT	5,805	5,805
72	0603795N	LAND ATTACK TECHNOLOGY	4,017	4,017
73	0603851M	JOINT NON-LETHAL WEAPONS TESTING	29,589	29,589
74	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL	24,450	24,450
75	0603925N	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS	81,803	170,103
		Navy UFR—HELIOS SNLWS Increment1.5		[88,300]
76	0604014N	F/A –18 INFRARED SEARCH AND TRACK (IRST)	48,793	48,793
77	0604027N	DIGITAL WARFARE OFFICE	46,769	58,269
		Navy UFR—Accelerate Naval Tactical Grid Development for Joint All-Domain Command and Control (JADC2).		[11,500]
78	0604028N	SMALL AND MEDIUM UNMANNED UNDERSEA VEHICLES	84,676	84,676
79	0604029N	UNMANNED UNDERSEA VEHICLE CORE TECHNOLOGIES	59,299	59,299
81	0604031N	LARGE UNMANNED UNDERSEA VEHICLES	88,063	88,063
82	0604112N	GERALD R. FORD CLASS NUCLEAR AIRCRAFT CARRIER (CVN 78—80)	121,509	121,509
83	0604126N	LITTORAL AIRBORNE MCM	18,669	18,669
84	0604127N	SURFACE MINE COUNTERMEASURES	13,655	13,655
85	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM)	33,246	33,246
86	0604289M	NEXT GENERATION LOGISTICS	1,071	1,071
87	0604292N	FUTURE VERTICAL LIFT (MARITIME STRIKE)	9,825	9,825
88	0604320M	RAPID TECHNOLOGY CAPABILITY PROTOTYPE	6,555	6,555
89	0604454N	LX (R)	3,344	3,344
90	0604536N	ADVANCED UNDERSEA PROTOTYPING	58,473	58,473
91	0604636N	COUNTER UNMANNED AIRCRAFT SYSTEMS (C-UAS)	5,529	5,529
92	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM	97,944	97,944
93	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINEERING SUPPORT	9,340	9,340
94	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOPMENT	127,756	127,756
95	0605512N	MEDIUM UNMANNED SURFACE VEHICLES (MUSVS))	60,028	60,028
96	0605513N	UNMANNED SURFACE VEHICLE ENABLING CAPABILITIES	170,838	170,838
97	0605514M	GROUND BASED ANTI-SHIP MISSILE (MARFORRES)	102,716	102,716
98	0605516M	LONG RANGE FIRES (MARFORRES)	88,479	88,479
99	0605518N	CONVENTIONAL PROMPT STRIKE (CPS)	1,372,340	1,498,340
		Navy UFR—Additional CPS development		[126,000]
100	0303354N	ASW SYSTEMS DEVELOPMENT—MIP	8,571	8,571
101	0304240M	ADVANCED TACTICAL UNMANNED AIRCRAFT SYSTEM	16,204	16,204
102	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP	506	506
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**7,077,987**	**7,468,587**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
103	0603208N	TRAINING SYSTEM AIRCRAFT	5,864	5,864
104	0604212N	OTHER HELO DEVELOPMENT	56,444	56,444
105	0604214M	AV–8B AIRCRAFT—ENG DEV	10,146	10,146
106	0604215N	STANDARDS DEVELOPMENT	4,082	4,082
107	0604216N	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT	46,418	46,418
108	0604221N	P–3 MODERNIZATION PROGRAM	579	579
109	0604230N	WARFARE SUPPORT SYSTEM	10,167	10,167
110	0604231N	COMMAND AND CONTROL SYSTEMS	122,913	162,113

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	Senate Authorized
		Navy UFR—Naval Operational Business Logistics Enterprise (NOBLE)		[39,200]
111	0604234N	ADVANCED HAWKEYE	386,860	386,860
112	0604245M	H–1 UPGRADES	50,158	50,158
113	0604261N	ACOUSTIC SEARCH SENSORS	46,066	46,066
114	0604262N	V–22A	107,984	107,984
115	0604264N	AIR CREW SYSTEMS DEVELOPMENT	22,746	22,746
116	0604269N	EA–18	68,425	68,425
117	0604270N	ELECTRONIC WARFARE DEVELOPMENT	139,535	151,535
		Marine Corps UFR—Integration of EM spectrum ops into AN/ALQ–231(V)		[6,500]
		Marine Corps UFR—Integration of multi-domain capabilities into AN/ALQ–231(V)		[5,500]
118	0604273M	EXECUTIVE HELO DEVELOPMENT	45,932	45,932
119	0604274N	NEXT GENERATION JAMMER (NGJ)	243,923	243,923
120	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY)	234,434	242,734
		Navy UFR—Accelerate Naval Tactical Grid Development for Joint All-Domain Command and Control (JADC2).		[8,300]
121	0604282N	NEXT GENERATION JAMMER (NGJ) INCREMENT II	248,096	248,096
122	0604307N	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	371,575	371,575
123	0604311N	LPD–17 CLASS SYSTEMS INTEGRATION	904	904
124	0604329N	SMALL DIAMETER BOMB (SDB)	46,769	46,769
125	0604366N	STANDARD MISSILE IMPROVEMENTS	343,511	343,511
126	0604373N	AIRBORNE MCM	10,881	10,881
127	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING	46,121	59,121
		Stratospheric balloon research		[13,000]
128	0604419N	ADVANCED SENSORS APPLICATION PROGRAM (ASAP)	0	15,000
		Program increase		[15,000]
129	0604501N	ADVANCED ABOVE WATER SENSORS	77,852	77,852
130	0604503N	SSN–688 AND TRIDENT MODERNIZATION	95,693	95,693
131	0604504N	AIR CONTROL	27,499	27,499
132	0604512N	SHIPBOARD AVIATION SYSTEMS	8,924	8,924
133	0604518N	COMBAT INFORMATION CENTER CONVERSION	11,631	11,631
134	0604522N	AIR AND MISSILE DEFENSE RADAR (AMDR) SYSTEM	96,556	96,556
135	0604530N	ADVANCED ARRESTING GEAR (AAG)	147	147
136	0604558N	NEW DESIGN SSN	503,252	503,252
137	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM	62,115	62,115
138	0604567N	SHIP CONTRACT DESIGN/ LIVE FIRE T&E	54,829	54,829
139	0604574N	NAVY TACTICAL COMPUTER RESOURCES	4,290	4,290
140	0604601N	MINE DEVELOPMENT	76,027	76,027
141	0604610N	LIGHTWEIGHT TORPEDO DEVELOPMENT	94,386	94,386
142	0604654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	8,348	8,348
143	0604657M	USMC GROUND COMBAT/SUPPORTING ARMS SYSTEMS—ENG DEV	42,144	42,144
144	0604703N	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS	7,375	7,375
146	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL)	149,433	149,433
147	0604756N	SHIP SELF DEFENSE (ENGAGE: HARD KILL)	87,862	87,862
148	0604757N	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW)	69,006	69,006
149	0604761N	INTELLIGENCE ENGINEERING	20,684	20,684
150	0604771N	MEDICAL DEVELOPMENT	3,967	3,967
151	0604777N	NAVIGATION/ID SYSTEM	48,837	48,837
152	0604800M	JOINT STRIKE FIGHTER (JSF)—EMD	577	577
153	0604800N	JOINT STRIKE FIGHTER (JSF)—EMD	262	262
154	0604850N	SSN(X)	29,829	55,629
		Navy UFR—SSN(X) non-propulsion development		[25,800]
155	0605013M	INFORMATION TECHNOLOGY DEVELOPMENT	11,277	11,277
156	0605013N	INFORMATION TECHNOLOGY DEVELOPMENT	243,828	233,828
		Contract writing systems reduction		[–10,000]
157	0605024N	ANTI-TAMPER TECHNOLOGY SUPPORT	8,426	8,426
158	0605180N	TACAMO MODERNIZATION	150,592	517,792
		Navy UFR—Acceleration of EC–130J–30 TACAMO Recapitalization		[367,200]
159	0605212M	CH–53K RDTE	256,903	256,903
160	0605215N	MISSION PLANNING	88,128	88,128
161	0605217N	COMMON AVIONICS	60,117	92,017
		Marine Corps UFR—MANGL Digital Interoperability		[31,900]
162	0605220N	SHIP TO SHORE CONNECTOR (SSC)	6,320	6,320
163	0605327N	T-AO 205 CLASS	4,336	4,336
164	0605414N	UNMANNED CARRIER AVIATION (UCA)	268,937	355,937
		Navy UFR—MQ–25 Emissions Control and Manned-Unmanned Teaming		[87,000]
165	0605450M	JOINT AIR-TO-GROUND MISSILE (JAGM)	356	356
166	0605500N	MULTI-MISSION MARITIME AIRCRAFT (MMA)	27,279	27,279
167	0605504N	MULTI-MISSION MARITIME (MMA) INCREMENT III	173,784	173,784
168	0605611M	MARINE CORPS ASSAULT VEHICLES SYSTEM DEVELOPMENT & DEMONSTRATION	80,709	80,709
169	0605813M	JOINT LIGHT TACTICAL VEHICLE (JLTV) SYSTEM DEVELOPMENT & DEMONSTRATION.	2,005	2,005
170	0204202N	DDG–1000	112,576	112,576
174	0304785N	ISR & INFO OPERATIONS	136,140	136,140
175	0306250M	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT	26,318	26,318
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**5,910,089**	**6,499,489**
		MANAGEMENT SUPPORT		
176	0604256N	THREAT SIMULATOR DEVELOPMENT	20,862	20,862
177	0604258N	TARGET SYSTEMS DEVELOPMENT	12,113	12,113
178	0604759N	MAJOR T&E INVESTMENT	84,617	84,617
179	0605152N	STUDIES AND ANALYSIS SUPPORT—NAVY	3,108	3,108
180	0605154N	CENTER FOR NAVAL ANALYSES	38,590	38,590

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	Senate Authorized
183	0605804N	TECHNICAL INFORMATION SERVICES	934	934
184	0605853N	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	93,966	93,966
185	0605856N	STRATEGIC TECHNICAL SUPPORT	3,538	3,538
186	0605863N	RDT&E SHIP AND AIRCRAFT SUPPORT	135,149	135,149
187	0605864N	TEST AND EVALUATION SUPPORT	429,277	429,277
188	0605865N	OPERATIONAL TEST AND EVALUATION CAPABILITY	24,872	24,872
189	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	17,653	17,653
190	0605867N	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT	8,065	8,065
191	0605873M	MARINE CORPS PROGRAM WIDE SUPPORT	47,042	47,042
192	0605898N	MANAGEMENT HQ—R&D	35,614	35,614
193	0606355N	WARFARE INNOVATION MANAGEMENT	38,958	38,958
194	0305327N	INSIDER THREAT	2,581	2,581
195	0902498N	MANAGEMENT HEADQUARTERS (DEPARTMENTAL SUPPORT ACTIVITIES)	1,747	1,747
		SUBTOTAL MANAGEMENT SUPPORT	**998,686**	**998,686**
		OPERATIONAL SYSTEMS DEVELOPMENT		
199	0604840M	F–35 C2D2	515,746	515,746
200	0604840N	F–35 C2D2	481,962	481,962
201	0605520M	MARINE CORPS AIR DEFENSE WEAPONS SYSTEMS (MARFORRES)	65,381	65,381
202	0607658N	COOPERATIVE ENGAGEMENT CAPABILITY (CEC)	176,486	176,486
203	0101221N	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	177,098	185,098
		Strategic weapons system shipboard navigation modernization		[8,000]
204	0101224N	SSBN SECURITY TECHNOLOGY PROGRAM	45,775	45,775
205	0101226N	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	64,752	64,752
206	0101402N	NAVY STRATEGIC COMMUNICATIONS	35,451	35,451
207	0204136N	F/A–18 SQUADRONS	189,224	192,224
		Neural network algorithms on advanced processors		[3,000]
208	0204228N	SURFACE SUPPORT	13,733	13,733
209	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC)	132,181	132,181
210	0204311N	INTEGRATED SURVEILLANCE SYSTEM	84,276	84,276
211	0204313N	SHIP-TOWED ARRAY SURVEILLANCE SYSTEMS	6,261	6,261
212	0204413N	AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT)	1,657	1,657
213	0204460M	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	21,367	68,367
		Marine Corps UFR—Air traffic control Block IV development		[23,000]
		Marine Corps UFR—Radar signal processor refresh		[12,000]
		Marine Corps UFR—Software mods to implement NIFC		[12,000]
214	0204571N	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	56,741	56,741
215	0204575N	ELECTRONIC WARFARE (EW) READINESS SUPPORT	62,006	62,006
216	0205601N	ANTI-RADIATION MISSILE IMPROVEMENT	133,520	133,520
217	0205620N	SURFACE ASW COMBAT SYSTEM INTEGRATION	28,804	28,804
218	0205632N	MK–48 ADCAP	114,492	114,492
219	0205633N	AVIATION IMPROVEMENTS	132,486	132,486
220	0205675N	OPERATIONAL NUCLEAR POWER SYSTEMS	113,760	113,760
221	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS	89,897	92,697
		Marine Corps UFR—CEC DDS antenna enhancements		[2,800]
222	0206335M	COMMON AVIATION COMMAND AND CONTROL SYSTEM (CAC2S)	9,324	12,824
		Marine Corps UFR—Software development for NIFC integration		[3,500]
223	0206623M	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS	108,235	108,235
224	0206624M	MARINE CORPS COMBAT SERVICES SUPPORT	13,185	13,185
225	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP)	37,695	44,295
		Marine Corps UFR—G-BOSS High Definition modernization		[3,700]
		Marine Corps UFR—SCINet transition		[2,900]
226	0206629M	AMPHIBIOUS ASSAULT VEHICLE	7,551	7,551
227	0207161N	TACTICAL AIM MISSILES	23,881	23,881
228	0207163N	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	32,564	32,564
229	0208043N	PLANNING AND DECISION AID SYSTEM (PDAS)	3,101	3,101
234	0303138N	AFLOAT NETWORKS	30,890	35,690
		Navy UFR—Accelerate Naval Tactical Grid Development for Joint All-Domain Command and Control (JADC2).		[4,800]
235	0303140N	INFORMATION SYSTEMS SECURITY PROGRAM	33,311	33,311
236	0305192N	MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES	7,514	7,514
237	0305204N	TACTICAL UNMANNED AERIAL VEHICLES	9,837	9,837
238	0305205N	UAS INTEGRATION AND INTEROPERABILITY	9,797	9,797
239	0305208M	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	38,800	38,800
240	0305220N	MQ–4C TRITON	13,029	13,029
241	0305231N	MQ–8 UAV	26,543	26,543
242	0305232M	RQ–11 UAV	533	533
243	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASL0)	1,772	1,772
245	0305241N	MULTI-INTELLIGENCE SENSOR DEVELOPMENT	59,252	59,252
246	0305242M	UNMANNED AERIAL SYSTEMS (UAS) PAYLOADS (MIP)	9,274	9,274
247	0305251N	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT	36,378	36,378
248	0305421N	RQ–4 MODERNIZATION	134,323	134,323
249	0307577N	INTELLIGENCE MISSION DATA (IMD)	907	907
250	0308601N	MODELING AND SIMULATION SUPPORT	9,772	9,772
251	0702207N	DEPOT MAINTENANCE (NON-IF)	36,880	36,880
252	0708730N	MARITIME TECHNOLOGY (MARITECH)	3,329	3,329
999	9999999999	CLASSIFIED PROGRAMS	1,872,586	1,872,586
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**5,313,319**	**5,389,019**
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
254	0608013N	RISK MANAGEMENT INFORMATION—SOFTWARE PILOT PROGRAM	13,703	13,703
255	0608113N	NAVY NEXT GENERATION ENTERPRISE NETWORK (NGEN)—SOFTWARE PILOT PROGRAM.	955,151	955,151

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	Senate Authorized
256	0608231N	MARITIME TACTICAL COMMAND AND CONTROL (MTC2)—SOFTWARE PILOT PROGRAM	14,855	14,855
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS	**983,709**	**983,709**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	**22,639,362**	**23,763,862**
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF		
		BASIC RESEARCH		
1	0601102F	DEFENSE RESEARCH SCIENCES	328,303	328,303
2	0601103F	UNIVERSITY RESEARCH INITIATIVES	162,403	192,403
		University research programs		[30,000]
		SUBTOTAL BASIC RESEARCH	**490,706**	**520,706**
		APPLIED RESEARCH		
4	0602020F	FUTURE AF CAPABILITIES APPLIED RESEARCH	79,901	79,901
5	0602102F	MATERIALS	113,460	125,460
		Continuous composites 3D printing		[7,000]
		High energy synchrotron x-ray research		[5,000]
6	0602201F	AEROSPACE VEHICLE TECHNOLOGIES	163,032	173,032
		Ground test and development of hypersonic engines		[5,000]
		Hypersonic flight test services		[5,000]
7	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH	136,273	136,273
8	0602203F	AEROSPACE PROPULSION	174,683	181,683
		Low-cost small turbine engine research		[7,000]
9	0602204F	AEROSPACE SENSORS	198,918	448,918
		Microelectronics research network		[250,000]
11	0602298F	SCIENCE AND TECHNOLOGY MANAGEMENT— MAJOR HEADQUARTERS ACTIVITIES	8,891	8,891
12	0602602F	CONVENTIONAL MUNITIONS	151,757	151,757
13	0602605F	DIRECTED ENERGY TECHNOLOGY	111,052	111,052
14	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS	169,110	169,110
		SUBTOTAL APPLIED RESEARCH	**1,307,077**	**1,586,077**
		ADVANCED TECHNOLOGY DEVELOPMENT		
17	0603032F	FUTURE AF INTEGRATED TECHNOLOGY DEMOS	131,643	128,743
		Procure Valkyrie aircraft		[75,000]
		Program reduction		[–77,900]
18	0603112F	ADVANCED MATERIALS FOR WEAPON SYSTEMS	31,905	31,905
19	0603199F	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T)	21,057	21,057
20	0603203F	ADVANCED AEROSPACE SENSORS	45,464	45,464
21	0603211F	AEROSPACE TECHNOLOGY DEV/DEMO	70,486	72,486
		B–52 engine pylon fairings		[2,000]
22	0603216F	AEROSPACE PROPULSION AND POWER TECHNOLOGY	75,273	75,273
23	0603270F	ELECTRONIC COMBAT TECHNOLOGY	46,591	46,591
26	0603456F	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT	24,589	24,589
27	0603601F	CONVENTIONAL WEAPONS TECHNOLOGY	157,423	157,423
28	0603605F	ADVANCED WEAPONS TECHNOLOGY	28,258	28,258
29	0603680F	MANUFACTURING TECHNOLOGY PROGRAM	45,259	54,259
		Hypersonics materials manufacturing		[2,000]
		Sustainment and modernization research and development program		[7,000]
30	0603788F	BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION	56,772	56,772
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	**734,720**	**742,820**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
31	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT	5,795	5,795
32	0603742F	COMBAT IDENTIFICATION TECHNOLOGY	21,939	21,939
33	0603790F	NATO RESEARCH AND DEVELOPMENT	4,114	4,114
34	0603851F	INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL	49,621	49,621
36	0604001F	NC3 ADVANCED CONCEPTS	6,900	6,900
37	0604002F	AIR FORCE WEATHER SERVICES RESEARCH	986	986
38	0604003F	ADVANCED BATTLE MANAGEMENT SYSTEM (ABMS)	203,849	203,849
39	0604004F	ADVANCED ENGINE DEVELOPMENT	123,712	210,712
		Air Force UFR—Complete two prototype engines		[57,000]
		Program increase		[30,000]
40	0604006F	ARCHITECTURE INITIATIVES	82,438	162,438
		Acceleration of tactical datalink waveform		[80,000]
41	0604015F	LONG RANGE STRIKE—BOMBER	2,872,624	2,872,624
42	0604032F	DIRECTED ENERGY PROTOTYPING	10,820	10,820
43	0604033F	HYPERSONICS PROTOTYPING	438,378	438,378
44	0604201F	PNT RESILIENCY, MODS, AND IMPROVEMENTS	39,742	39,742
45	0604257F	ADVANCED TECHNOLOGY AND SENSORS	23,745	28,745
		Air Force automatic target recognition		[5,000]
46	0604288F	SURVIVABLE AIRBORNE OPERATIONS CENTER	95,788	95,788
47	0604317F	TECHNOLOGY TRANSFER	15,768	23,268
		Academic technology transfer partnerships		[7,500]
48	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM	15,886	15,886
49	0604414F	CYBER RESILIENCY OF WEAPON SYSTEMS-ACS	71,229	71,229
50	0604776F	DEPLOYMENT & DISTRIBUTION ENTERPRISE R&D	40,103	40,103
51	0604858F	TECH TRANSITION PROGRAM	343,545	460,345
		Blended wing body prototype phase 1		[15,000]
		C–17 active winglets phase 1		[5,000]
		Cold spray technologies		[5,000]
		Engine compressor blade coatings		[2,000]
		KC–135 winglets		[10,000]

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	Senate Authorized
		NORTHCOM UFR—Proliferated low earth orbit Arctic communications		[79,800]
52	0605230F	GROUND BASED STRATEGIC DETERRENT	2,553,541	2,553,541
54	0207110F	NEXT GENERATION AIR DOMINANCE	1,524,667	1,524,667
56	0207522F	AIRBASE AIR DEFENSE SYSTEMS (ABADS)	10,905	10,905
57	0208030F	WAR RESERVE MATERIEL—AMMUNITION	3,943	3,943
59	0305236F	COMMON DATA LINK EXECUTIVE AGENT (CDL EA)	43,881	43,881
61	0305601F	MISSION PARTNER ENVIRONMENTS	16,420	16,420
62	0306250F	CYBER OPERATIONS TECHNOLOGY SUPPORT	242,499	282,499
		Coordination with private sector to protect against foreign malicious cyber actors		[15,000]
		CYBERCOM enhanced attribution transition		[25,000]
63	0306415F	ENABLED CYBER ACTIVITIES	16,578	16,578
66	0901410F	CONTRACTING INFORMATION TECHNOLOGY SYSTEM	20,343	10,343
		Contract writing systems reduction		[–10,000]
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**8,899,759**	**9,226,059**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
78	0604200F	FUTURE ADVANCED WEAPON ANALYSIS & PROGRAMS	23,499	23,499
79	0604201F	PNT RESILIENCY, MODS, AND IMPROVEMENTS	167,520	167,520
80	0604222F	NUCLEAR WEAPONS SUPPORT	30,050	30,050
81	0604270F	ELECTRONIC WARFARE DEVELOPMENT	2,110	2,110
82	0604281F	TACTICAL DATA NETWORKS ENTERPRISE	169,836	169,836
83	0604287F	PHYSICAL SECURITY EQUIPMENT	8,469	8,469
85	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT	9,047	9,047
86	0604604F	SUBMUNITIONS	2,954	2,954
87	0604617F	AGILE COMBAT SUPPORT	16,603	16,603
89	0604706F	LIFE SUPPORT SYSTEMS	25,437	25,437
90	0604735F	COMBAT TRAINING RANGES	23,980	37,180
		Air Force combat training ranges		[7,200]
		GPS denied training		[3,000]
		Gulf test range improvement		[3,000]
92	0604932F	LONG RANGE STANDOFF WEAPON	609,042	609,042
93	0604933F	ICBM FUZE MODERNIZATION	129,709	129,709
95	0605056F	OPEN ARCHITECTURE MANAGEMENT	37,109	37,109
97	0605223F	ADVANCED PILOT TRAINING	188,898	188,898
98	0605229F	HH–60W	66,355	66,355
101	0207171F	F–15 EPAWSS	112,012	112,012
102	0207328F	STAND IN ATTACK WEAPON	166,570	166,570
103	0207701F	FULL COMBAT MISSION TRAINING	7,064	7,064
105	0401221F	KC–46A TANKER SQUADRONS	73,459	67,459
		Future tanker development		[–6,000]
107	0401319F	VC–25B	680,665	680,665
108	0701212F	AUTOMATED TEST SYSTEMS	15,445	15,445
109	0804772F	TRAINING DEVELOPMENTS	4,482	4,482
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**2,570,315**	**2,577,515**
		MANAGEMENT SUPPORT		
124	0604256F	THREAT SIMULATOR DEVELOPMENT	41,909	41,909
125	0604759F	MAJOR T&E INVESTMENT	130,766	130,766
126	0605101F	RAND PROJECT AIR FORCE	36,017	36,017
128	0605712F	INITIAL OPERATIONAL TEST & EVALUATION	12,582	12,582
129	0605807F	TEST AND EVALUATION SUPPORT	811,032	811,032
131	0605827F	ACQ WORKFORCE- GLOBAL VIG & COMBAT SYS	243,796	243,796
132	0605828F	ACQ WORKFORCE- GLOBAL REACH	435,930	435,930
133	0605829F	ACQ WORKFORCE- CYBER, NETWORK, & BUS SYS	435,274	435,274
135	0605831F	ACQ WORKFORCE- CAPABILITY INTEGRATION	243,806	243,806
136	0605832F	ACQ WORKFORCE- ADVANCED PRGM TECHNOLOGY	103,041	103,041
137	0605833F	ACQ WORKFORCE- NUCLEAR SYSTEMS	226,055	226,055
138	0605898F	MANAGEMENT HQ—R&D	4,079	4,079
139	0605976F	FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT	70,788	70,788
140	0605978F	FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT	30,057	30,057
141	0606017F	REQUIREMENTS ANALYSIS AND MATURATION	85,799	85,799
142	0606398F	MANAGEMENT HQ—T&E	6,163	6,163
143	0303166F	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES	537	537
144	0303255F	COMMAND, CONTROL, COMMUNICATION, AND COMPUTERS (C4)—STRATCOM	25,340	42,340
		Air Force UFR—Build command and control framework		[12,000]
		Rapid engineering architecture collaboration hub		[5,000]
145	0308602F	ENTERPRISE INFORMATION SERVICES (EIS)	28,720	28,720
146	0702806F	ACQUISITION AND MANAGEMENT SUPPORT	37,211	37,211
147	0804731F	GENERAL SKILL TRAINING	1,506	1,506
148	0804772F	TRAINING DEVELOPMENTS	2,957	2,957
150	1001004F	INTERNATIONAL ACTIVITIES	2,420	2,420
156	1206864F	SPACE TEST PROGRAM (STP)	3	3
		SUBTOTAL MANAGEMENT SUPPORT	**3,015,788**	**3,032,788**
		OPERATIONAL SYSTEMS DEVELOPMENT		
157	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	5,509	5,509
158	0604445F	WIDE AREA SURVEILLANCE	2,760	2,760
160	0604840F	F–35 C2D2	985,404	1,005,404
		Program increase		[20,000]
161	0605018F	AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS)	22,010	22,010
162	0605024F	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY	51,492	51,492
163	0605117F	FOREIGN MATERIEL ACQUISITION AND EXPLOITATION	71,391	66,391

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	Senate Authorized
		Program reduction		[–5,000]
164	0605278F	HC/MC–130 RECAP RDT&E	46,796	46,796
165	0606018F	NC3 INTEGRATION	26,532	26,532
167	0101113F	B–52 SQUADRONS	715,811	715,811
168	0101122F	AIR-LAUNCHED CRUISE MISSILE (ALCM)	453	453
169	0101126F	B–1B SQUADRONS	29,127	29,127
170	0101127F	B–2 SQUADRONS	144,047	144,047
171	0101213F	MINUTEMAN SQUADRONS	113,622	113,622
172	0101316F	WORLDWIDE JOINT STRATEGIC COMMUNICATIONS	15,202	15,202
174	0101328F	ICBM REENTRY VEHICLES	96,313	96,313
176	0102110F	UH–1N REPLACEMENT PROGRAM	16,132	16,132
177	0102326F	REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION PROGRAM	771	771
178	0102412F	NORTH WARNING SYSTEM (NWS)	99	30,199
		NORTHCOM UFR—Over the horizon radar		[25,100]
		NORTHCOM UFR—Polar over the horizon radar		[5,000]
179	0102417F	OVER-THE-HORIZON BACKSCATTER RADAR	42,300	42,300
180	0202834F	VEHICLES AND SUPPORT EQUIPMENT—GENERAL	5,889	5,889
181	0205219F	MQ–9 UAV	85,135	85,135
182	0205671F	JOINT COUNTER RCIED ELECTRONIC WARFARE	3,111	3,111
183	0207040F	MULTI-PLATFORM ELECTRONIC WARFARE EQUIPMENT	36,607	36,607
184	0207131F	A–10 SQUADRONS	39,224	39,224
185	0207133F	F–16 SQUADRONS	224,573	224,573
186	0207134F	F–15E SQUADRONS	239,616	239,616
187	0207136F	MANNED DESTRUCTIVE SUPPRESSION	15,855	15,855
188	0207138F	F–22A SQUADRONS	647,296	647,296
189	0207142F	F–35 SQUADRONS	69,365	69,365
190	0207146F	F–15EX	118,126	118,126
191	0207161F	TACTICAL AIM MISSILES	32,974	32,974
192	0207163F	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	51,288	51,288
193	0207227F	COMBAT RESCUE—PARARESCUE	852	852
194	0207247F	AF TENCAP	23,685	23,685
195	0207249F	PRECISION ATTACK SYSTEMS PROCUREMENT	12,083	12,083
196	0207253F	COMPASS CALL	91,266	91,266
197	0207268F	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	103,715	106,715
		Additive manufacturing		[3,000]
198	0207325F	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	117,325	117,325
199	0207327F	SMALL DIAMETER BOMB (SDB)	27,109	27,109
201	0207412F	CONTROL AND REPORTING CENTER (CRC)	9,875	9,875
202	0207417F	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS)	171,014	171,014
203	0207418F	AFSPECWAR—TACP	4,598	4,598
205	0207431F	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES	21,863	21,863
206	0207438F	THEATER BATTLE MANAGEMENT (TBM) C4I	7,905	7,905
207	0207439F	ELECTRONIC WARFARE INTEGRATED REPROGRAMMING (EWIR)	15,000	15,000
208	0207444F	TACTICAL AIR CONTROL PARTY-MOD	13,081	13,081
209	0207452F	DCAPES	4,305	4,305
210	0207521F	AIR FORCE CALIBRATION PROGRAMS	1,984	1,984
211	0207522F	AIRBASE AIR DEFENSE SYSTEMS (ABADS)	7,392	7,392
212	0207573F	NATIONAL TECHNICAL NUCLEAR FORENSICS	1,971	1,971
213	0207590F	SEEK EAGLE	30,539	30,539
214	0207601F	USAF MODELING AND SIMULATION	17,110	17,110
215	0207605F	WARGAMING AND SIMULATION CENTERS	7,535	7,535
216	0207610F	BATTLEFIELD ABN COMM NODE (BACN)	32,008	32,008
217	0207697F	DISTRIBUTED TRAINING AND EXERCISES	4,007	4,007
218	0208006F	MISSION PLANNING SYSTEMS	92,557	92,557
219	0208007F	TACTICAL DECEPTION	489	489
220	0208064F	OPERATIONAL HQ—CYBER	2,115	2,115
221	0208087F	DISTRIBUTED CYBER WARFARE OPERATIONS	72,487	72,487
222	0208088F	AF DEFENSIVE CYBERSPACE OPERATIONS	18,449	18,449
223	0208097F	JOINT CYBER COMMAND AND CONTROL (JCC2)	79,079	79,079
224	0208099F	UNIFIED PLATFORM (UP)	101,893	101,893
228	0208288F	INTEL DATA APPLICATIONS	493	493
229	0301025F	GEOBASE	2,782	2,782
231	0301113F	CYBER SECURITY INTELLIGENCE SUPPORT	5,224	5,224
238	0301401F	AIR FORCE SPACE AND CYBER NON-TRADITIONAL ISR FOR BATTLESPACE AWARENESS.	2,463	2,463
239	0302015F	E–4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC)	26,331	26,331
240	0303131F	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	58,165	58,165
242	0303140F	INFORMATION SYSTEMS SECURITY PROGRAM	8,032	3,032
		Identity, credentialing, and access management reduction		[–5,000]
243	0303142F	GLOBAL FORCE MANAGEMENT—DATA INITIATIVE	452	452
244	0303248F	ALL DOMAIN COMMON PLATFORM	64,000	64,000
246	0304260F	AIRBORNE SIGINT ENTERPRISE	97,546	97,546
247	0304310F	COMMERCIAL ECONOMIC ANALYSIS	3,770	3,770
251	0305020F	CCMD INTELLIGENCE INFORMATION TECHNOLOGY	1,663	1,663
252	0305022F	ISR MODERNIZATION & AUTOMATION DVMT (IMAD)	18,888	18,888
253	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	4,672	4,672
254	0305103F	CYBER SECURITY INITIATIVE	290	290
255	0305111F	WEATHER SERVICE	26,228	27,228
		Weather forecasting using machine learning		[1,000]
256	0305114F	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCALS)	8,749	8,749
257	0305116F	AERIAL TARGETS	1,528	126,528
		Unmanned adversary air platforms		[125,000]

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	Senate Authorized
260	0305128F	SECURITY AND INVESTIGATIVE ACTIVITIES	223	223
262	0305146F	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	8,733	8,733
264	0305179F	INTEGRATED BROADCAST SERVICE (IBS)	21,335	21,335
265	0305202F	DRAGON U–2	17,146	74,146
		Air Force UFR—Antenna replacement		[57,000]
267	0305206F	AIRBORNE RECONNAISSANCE SYSTEMS	71,791	138,791
		Air Force UFR—ASARS processor and antenna development		[67,000]
268	0305207F	MANNED RECONNAISSANCE SYSTEMS	14,799	14,799
269	0305208F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	24,568	24,568
270	0305220F	RQ–4 UAV	83,124	83,124
271	0305221F	NETWORK-CENTRIC COLLABORATIVE TARGETING	17,224	17,224
272	0305238F	NATO AGS	19,473	19,473
273	0305240F	SUPPORT TO DCGS ENTERPRISE	40,421	40,421
274	0305600F	INTERNATIONAL INTELLIGENCE TECHNOLOGY AND ARCHITECTURES	14,473	14,473
275	0305881F	RAPID CYBER ACQUISITION	4,326	4,326
276	0305984F	PERSONNEL RECOVERY COMMAND & CTRL (PRC2)	2,567	2,567
277	0307577F	INTELLIGENCE MISSION DATA (IMD)	6,169	6,169
278	0401115F	C–130 AIRLIFT SQUADRON	9,752	9,752
279	0401119F	C–5 AIRLIFT SQUADRONS (IF)	17,507	17,507
280	0401130F	C–17 AIRCRAFT (IF)	16,360	16,360
281	0401132F	C–130J PROGRAM	14,112	14,112
282	0401134F	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM)	5,540	5,540
283	0401218F	KC–135S	3,564	3,564
285	0401318F	CV–22	17,189	17,189
286	0408011F	SPECIAL TACTICS / COMBAT CONTROL	6,640	6,640
288	0708055F	MAINTENANCE, REPAIR & OVERHAUL SYSTEM	26,921	26,921
289	0708610F	LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	7,071	7,071
291	0804743F	OTHER FLIGHT TRAINING	1,999	1,999
293	0901202F	JOINT PERSONNEL RECOVERY AGENCY	1,841	1,841
294	0901218F	CIVILIAN COMPENSATION PROGRAM	3,560	3,560
295	0901220F	PERSONNEL ADMINISTRATION	3,368	3,368
296	0901226F	AIR FORCE STUDIES AND ANALYSIS AGENCY	1,248	1,248
297	0901538F	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT	4,852	4,852
301	1202140F	SERVICE SUPPORT TO SPACECOM ACTIVITIES	6,737	6,737
999	9999999999	CLASSIFIED PROGRAMS	15,868,973	15,823,973
		Program reduction		[–150,000]
		Project A		[–5,000]
		Project B		[–5,000]
		Project C		[–10,000]
		Project D		[75,000]
		Project E		[50,000]
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**21,743,003**	**21,991,103**
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
317	0608158F	STRATEGIC MISSION PLANNING AND EXECUTION SYSTEM—SOFTWARE PILOT PROGRAM.	96,100	96,100
318	0608410F	AIR & SPACE OPERATIONS CENTER (AOC)—SOFTWARE PILOT PROGRAM	186,918	186,918
319	0608920F	DEFENSE ENTERPRISE ACCOUNTING AND MANAGEMENT SYSTEM (DEAMS)—SOFTWARE PILOT PRO.	135,263	135,263
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS	**418,281**	**418,281**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF	**39,179,649**	**40,095,349**
		RDTE, SPACE FORCE		
		APPLIED RESEARCH		
1	1206601SF	SPACE TECHNOLOGY	181,209	204,909
		Battery cycle life improvements		[3,000]
		Radiation hardened microelectronics		[5,000]
		Space Force UFR—Innovation applications		[15,700]
		SUBTOTAL APPLIED RESEARCH	**181,209**	**204,909**
		ADVANCED TECHNOLOGY DEVELOPMENT		
2	1206616SF	SPACE ADVANCED TECHNOLOGY DEVELOPMENT/DEMO	75,919	146,919
		Space Force UFR—Accelerate Cislunar flight experiment		[61,000]
		SPACECOM UFR—Joint space rapid experimentation and demonstration		[10,000]
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	**75,919**	**146,919**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
3	1203164SF	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE)	434,194	434,194
4	1203710SF	EO/IR WEATHER SYSTEMS	162,274	162,274
5	1203905SF	SPACE SYSTEM SUPPORT	37,000	37,000
6	1206422SF	WEATHER SYSTEM FOLLOW-ON	61,521	61,521
7	1206425SF	SPACE SITUATION AWARENESS SYSTEMS	123,262	130,262
		Space Force UFR—Maui optical site		[7,000]
8	1206427SF	SPACE SYSTEMS PROTOTYPE TRANSITIONS (SSPT)	101,851	129,851
		Space Force UFR—Expand Blackjack radio frequency payloads		[28,000]
9	1206438SF	SPACE CONTROL TECHNOLOGY	32,931	32,931
10	1206730SF	SPACE SECURITY AND DEFENSE PROGRAM	56,546	56,546
11	1206760SF	PROTECTED TACTICAL ENTERPRISE SERVICE (PTES)	100,320	109,320
		Space Force UFR—PTES Prototype Development		[9,000]
12	1206761SF	PROTECTED TACTICAL SERVICE (PTS)	243,285	243,285
13	1206855SF	EVOLVED STRATEGIC SATCOM (ESS)	160,056	160,056

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	Senate Authorized
14	1206857SF	SPACE RAPID CAPABILITIES OFFICE	66,193	66,193
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**1,579,433**	**1,623,433**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
15	1203269SF	GPS III FOLLOW-ON (GPS IIIF)	264,265	264,265
16	1203940SF	SPACE SITUATION AWARENESS OPERATIONS	56,279	56,279
17	1206421SF	COUNTERSPACE SYSTEMS	38,063	38,063
18	1206422SF	WEATHER SYSTEM FOLLOW-ON	1,438	1,438
19	1206425SF	SPACE SITUATION AWARENESS SYSTEMS	127,026	136,026
		Space Force UFR—Add space domain rapid innovation pathfinders		[9,000]
20	1206431SF	ADVANCED EHF MILSATCOM (SPACE)	28,218	28,218
21	1206432SF	POLAR MILSATCOM (SPACE)	127,870	127,870
22	1206442SF	NEXT GENERATION OPIR	2,451,256	2,451,256
23	1206445SF	COMMERCIAL SATCOM (COMSATCOM) INTEGRATION	23,400	23,400
24	1206853SF	NATIONAL SECURITY SPACE LAUNCH PROGRAM (SPACE)—EMD	221,510	230,710
		Space Force UFR—Liquid oxygen explosive tests		[9,200]
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**3,339,325**	**3,357,525**
		MANAGEMENT SUPPORT		
25	1206116SF	SPACE TEST AND TRAINING RANGE DEVELOPMENT	19,319	52,619
		Space Force UFR—Signal emulation generation subsystem		[33,300]
26	1206392SF	ACQ WORKFORCE—SPACE & MISSILE SYSTEMS	214,051	214,051
27	1206398SF	SPACE & MISSILE SYSTEMS CENTER—MHA	12,119	12,119
28	1206759SF	MAJOR T&E INVESTMENT—SPACE	71,503	71,503
29	1206860SF	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	17,769	27,769
		Tactically responsive launch		[10,000]
31	1206864SF	SPACE TEST PROGRAM (STP)	20,881	20,881
		SUBTOTAL MANAGEMENT SUPPORT	**355,642**	**398,942**
		OPERATIONAL SYSTEM DEVELOPMENT		
33	1201017SF	GLOBAL SENSOR INTEGRATED ON NETWORK (GSIN)	4,731	4,731
34	1203001SF	FAMILY OF ADVANCED BLOS TERMINALS (FAB-T)	156,788	156,788
35	1203040SF	DCO-SPACE	2,150	13,050
		Space Force UFR—Cyber defense platforms for SBIRs and ground-based radar		[10,900]
36	1203109SF	NARROWBAND SATELLITE COMMUNICATIONS	112,012	112,012
37	1203110SF	SATELLITE CONTROL NETWORK (SPACE)	36,810	36,810
38	1203165SF	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTROL SEGMENTS)	1,966	1,966
39	1203173SF	SPACE AND MISSILE TEST AND EVALUATION CENTER	1,699	5,699
		Space Force UFR—Improve operations of payload adapter		[4,000]
40	1203174SF	SPACE INNOVATION, INTEGRATION AND RAPID TECHNOLOGY DEVELOPMENT	18,054	38,054
		Space Force UFR—Digitial core services for distributed space test and training		[20,000]
41	1203182SF	SPACELIFT RANGE SYSTEM (SPACE)	11,115	11,115
42	1203265SF	GPS III SPACE SEGMENT	7,207	7,207
43	1203330SF	SPACE SUPERIORITY ISR	18,109	18,109
44	1203620SF	NATIONAL SPACE DEFENSE CENTER	1,280	1,280
45	1203873SF	BALLISTIC MISSILE DEFENSE RADARS	12,292	12,292
46	1203906SF	NCMC—TW/AA SYSTEM	9,858	9,858
47	1203913SF	NUDET DETECTION SYSTEM (SPACE)	45,887	45,887
48	1203940SF	SPACE SITUATION AWARENESS OPERATIONS	64,763	64,763
49	1206423SF	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT	413,766	413,766
53	1206770SF	ENTERPRISE GROUND SERVICES	191,713	191,713
999	9999999999	CLASSIFIED PROGRAMS	4,474,809	4,763,809
		Program increase		[10,000]
		Space Force UFR—classified		[279,000]
		SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT	**5,585,009**	**5,908,909**
		SOFTWARE & DIGITAL TECHNOLOGY PILOT PROGRAMS		
54	1203614SF	JSPOC MISSION SYSTEM	154,529	154,529
		SUBTOTAL SOFTWARE & DIGITAL TECHNOLOGY PILOT PROGRAMS	**154,529**	**154,529**
		TOTAL RDTE, SPACE FORCE	**11,271,066**	**11,795,166**
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		BASIC RESEARCH		
1	0601000BR	DTRA BASIC RESEARCH	11,828	11,828
2	0601101E	DEFENSE RESEARCH SCIENCES	395,781	410,781
		Increase for DARPA-funded university research activities		[15,000]
3	0601108D8Z	HIGH ENERGY LASER RESEARCH INITIATIVES	15,390	15,390
4	0601110D8Z	BASIC RESEARCH INITIATIVES	39,828	72,328
		DEPSCoR		[10,000]
		Minerva management and social science research		[22,500]
5	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE	76,018	81,018
		Traumatic brain injury research		[5,000]
6	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM	112,195	113,695
		DOD laboratory workforce development program		[1,500]
7	0601228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES/MINORITY INSTITUTIONS	31,136	31,136
8	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	34,708	34,708
		SUBTOTAL BASIC RESEARCH	**716,884**	**770,884**
		APPLIED RESEARCH		
9	0602000D8Z	JOINT MUNITIONS TECHNOLOGY	19,591	19,591
10	0602115E	BIOMEDICAL TECHNOLOGY	108,698	123,698

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	Senate Authorized
		Program increase		[15,000]
12	0602230D8Z	DEFENSE TECHNOLOGY INNOVATION	22,918	72,918
		6G and beyond experimentation efforts		[50,000]
13	0602234D8Z	LINCOLN LABORATORY RESEARCH PROGRAM	55,692	55,692
14	0602251D8Z	APPLIED RESEARCH FOR THE ADVANCEMENT OF S&T PRIORITIES	65,015	65,015
15	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY	430,363	745,363
		National Security Commission on Artificial Intelligence implementation		[200,000]
		Program increase		[15,000]
		Quantum computing acceleration		[100,000]
16	0602383E	BIOLOGICAL WARFARE DEFENSE	31,421	31,421
17	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	206,956	206,956
18	0602668D8Z	CYBER SECURITY RESEARCH	15,380	15,380
19	0602702E	TACTICAL TECHNOLOGY	202,515	202,515
20	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY	317,024	332,024
		Program increase		[15,000]
21	0602716E	ELECTRONICS TECHNOLOGY	357,384	372,384
		Program increase		[15,000]
22	0602718BR	COUNTER WEAPONS OF MASS DESTRUCTION APPLIED RESEARCH	197,011	197,011
23	0602751D8Z	SOFTWARE ENGINEERING INSTITUTE (SEI) APPLIED RESEARCH	9,601	9,601
24	0602890D8Z	HIGH ENERGY LASER RESEARCH	45,997	45,997
25	1160401BB	SOF TECHNOLOGY DEVELOPMENT	44,829	44,829
		SUBTOTAL APPLIED RESEARCH	**2,130,395**	**2,540,395**
		ADVANCED TECHNOLOGY DEVELOPMENT		
26	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY	23,213	23,213
27	0603121D8Z	SO/LIC ADVANCED DEVELOPMENT	4,665	4,665
28	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	69,376	69,376
29	0603133D8Z	FOREIGN COMPARATIVE TESTING	25,432	45,432
		Domestic comparative testing program		[20,000]
31	0603160BR	COUNTER WEAPONS OF MASS DESTRUCTION ADVANCED TECHNOLOGY DEVELOPMENT.	399,362	399,362
32	0603176C	ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT	15,800	21,000
		MDA UFR—Cybersecurity improvements		[5,200]
33	0603180C	ADVANCED RESEARCH	21,466	26,466
		High speed flight experiment testing		[5,000]
34	0603183D8Z	JOINT HYPERSONIC TECHNOLOGY DEVELOPMENT &TRANSITION	51,340	51,340
35	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT	19,063	19,063
36	0603286E	ADVANCED AEROSPACE SYSTEMS	174,043	174,043
37	0603287E	SPACE PROGRAMS AND TECHNOLOGY	101,524	101,524
38	0603288D8Z	ANALYTIC ASSESSMENTS	24,012	24,012
39	0603289D8Z	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS	51,513	51,513
42	0603338D8Z	DEFENSE MODERNIZATION AND PROTOTYPING	115,443	190,443
		Rapid Innovation Program		[75,000]
43	0603342D8Z	DEFENSE INNOVATION UNIT (DIU)	31,873	31,873
44	0603375D8Z	TECHNOLOGY INNOVATION	54,433	54,433
45	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT	197,824	197,824
46	0603527D8Z	RETRACT LARCH	99,175	99,175
47	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY	18,221	18,221
48	0603648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	102,669	102,669
49	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES	2,984	2,984
50	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM	134,022	145,522
		Certification-based workforce training programs for manufacturing		[3,000]
		Cybersecurity for industrial control systems		[3,000]
		Data analytics and visual system		[3,000]
		Integrated silicon-based lasers		[2,500]
51	0603680S	MANUFACTURING TECHNOLOGY PROGRAM	37,543	46,543
		HPC-enabled large-scale advanced manufacturing		[4,000]
		Steel Performance Initiative		[5,000]
53	0603712S	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	12,418	12,418
54	0603716D8Z	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	51,863	51,863
55	0603720S	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT	160,821	160,821
56	0603727D8Z	JOINT WARFIGHTING PROGRAM	2,169	2,169
57	0603739E	ADVANCED ELECTRONICS TECHNOLOGIES	116,716	131,716
		Program increase		[15,000]
58	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	251,794	266,794
		Program increase		[15,000]
59	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY	584,771	689,771
		Artificial intelligence research activities		[100,000]
		Deep water active technologies		[5,000]
60	0603767E	SENSOR TECHNOLOGY	294,792	259,792
		Program reduction		[–35,000]
61	0603769D8Z	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT	6,398	6,398
62	0603781D8Z	SOFTWARE ENGINEERING INSTITUTE	14,677	14,677
65	0603924D8Z	HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM	107,397	107,397
66	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY	267,161	267,161
67	0603950D8Z	NATIONAL SECURITY INNOVATION NETWORK	21,270	21,270
68	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT	74,300	74,300
74	1160402BB	SOF ADVANCED TECHNOLOGY DEVELOPMENT	93,415	93,415
75	1206310SDA	SPACE SCIENCE AND TECHNOLOGY RESEARCH AND DEVELOPMENT	172,638	172,638
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	**4,007,596**	**4,233,296**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	Senate Authorized
76	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P	28,687	28,687
77	0603600D8Z	WALKOFF	108,652	108,652
79	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM	71,429	71,429
80	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT	277,949	279,949
		Survivability planning and intercept evaluation tool		[2,000]
81	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT	745,144	745,144
82	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEM/VAL	129,445	129,445
83	0603884C	BALLISTIC MISSILE DEFENSE SENSORS	224,750	227,762
		MDA UFR—Cybersecurity improvements		[3,012]
84	0603890C	BMD ENABLING PROGRAMS	595,301	714,497
		MDA UFR—Cybersecurity improvements		[44,830]
		MDA UFR—System survivability in radiation environments		[20,166]
		MDA UFR—Tower-based fire control sensor for cruise missile defense		[27,000]
		NORTHCOM UFR—NCR elevated radar		[27,200]
85	0603891C	SPECIAL PROGRAMS—MDA	413,374	413,374
86	0603892C	AEGIS BMD	732,512	780,912
		MDA UFR—Radar upgrades		[48,400]
87	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI.	603,448	609,924
		MDA UFR—Cybersecurity improvements		[2,000]
		MDA UFR—JADC2 integration		[4,476]
88	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT	50,594	50,594
89	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC)	52,403	52,403
90	0603906C	REGARDING TRENCH	11,952	11,952
91	0603907C	SEA BASED X-BAND RADAR (SBX)	147,241	147,241
92	0603913C	ISRAELI COOPERATIVE PROGRAMS	300,000	300,000
93	0603914C	BALLISTIC MISSILE DEFENSE TEST	362,906	362,906
94	0603915C	BALLISTIC MISSILE DEFENSE TARGETS	553,334	553,334
96	0603923D8Z	COALITION WARFARE	5,103	5,103
97	0604011D8Z	NEXT GENERATION INFORMATION COMMUNICATIONS TECHNOLOGY (5G)	374,665	474,665
		5G acceleration activities		[100,000]
98	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM	3,259	3,259
99	0604102C	GUAM DEFENSE DEVELOPMENT	78,300	232,750
		INDOPACOM UFR—Guam Defense System		[154,450]
103	0604181C	HYPERSONIC DEFENSE	247,931	309,796
		MDA UFR—Accelerate hypersonic defensive systems		[61,865]
104	0604250D8Z	ADVANCED INNOVATIVE TECHNOLOGIES	716,456	681,456
		Program increase—Project B		[60,000]
		Program reduction—Project A		[–10,000]
		Program reduction—strategic capabilities research and prototyping		[–100,000]
		Thermionic energy generation		[15,000]
105	0604294D8Z	TRUSTED & ASSURED MICROELECTRONICS	509,195	509,195
106	0604331D8Z	RAPID PROTOTYPING PROGRAM	103,575	53,575
		Program reduction—joint affordable kill chain		[–50,000]
107	0604341D8Z	DEFENSE INNOVATION UNIT (DIU) PROTOTYPING	11,213	11,213
108	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED SYSTEM COMMON DEVELOPMENT	2,778	2,778
109	0604551BR	CATAPULT	7,166	7,166
110	0604555D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT—NON S&T	23,200	23,200
111	0604672C	HOMELAND DEFENSE RADAR—HAWAII (HDR-H)	0	76,000
		INDOPACOM UFR—Restoration of HDR-H		[76,000]
113	0604682D8Z	WARGAMING AND SUPPORT FOR STRATEGIC ANALYSIS (SSA)	3,519	3,519
114	0604826J	JOINT C5 CAPABILITY DEVELOPMENT, INTEGRATION AND INTEROPERABILITY ASSESSMENTS.	17,439	42,439
		Joint All-Domain Command and Control experimentation		[25,000]
115	0604873C	LONG RANGE DISCRIMINATION RADAR (LRDR)	133,335	133,335
116	0604874C	IMPROVED HOMELAND DEFENSE INTERCEPTORS	926,125	926,125
117	0604876C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT TEST	32,697	32,697
118	0604878C	AEGIS BMD TEST	117,055	117,055
119	0604879C	BALLISTIC MISSILE DEFENSE SENSOR TEST	77,428	77,428
120	0604880C	LAND-BASED SM–3 (LBSM3)	43,158	43,158
121	0604887C	BALLISTIC MISSILE DEFENSE MIDCOURSE SEGMENT TEST	61,424	61,424
122	0202057C	SAFETY PROGRAM MANAGEMENT	2,323	2,323
123	0300206R	ENTERPRISE INFORMATION TECHNOLOGY SYSTEMS	2,568	2,568
125	0305103C	CYBER SECURITY INITIATIVE	1,142	1,142
126	1206410SDA	SPACE TECHNOLOGY DEVELOPMENT AND PROTOTYPING	636,179	649,179
		Laser communication ground terminals		[5,000]
		Space laser communications		[8,000]
127	1206893C	SPACE TRACKING & SURVEILLANCE SYSTEM	15,176	15,176
128	1206895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS	292,811	292,811
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**9,854,341**	**10,378,740**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
129	0604161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD	5,682	5,682
131	0604384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—EMD	299,848	299,848
132	0604771D8Z	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS)	9,345	9,345
133	0605000BR	COUNTER WEAPONS OF MASS DESTRUCTION SYSTEMS DEVELOPMENT	14,063	14,063
134	0605013BL	INFORMATION TECHNOLOGY DEVELOPMENT	4,265	4,265
135	0605021SE	HOMELAND PERSONNEL SECURITY INITIATIVE	7,205	7,205
136	0605022D8Z	DEFENSE EXPORTABILITY PROGRAM	5,447	5,447
137	0605027D8Z	OUSD(C) IT DEVELOPMENT INITIATIVES	16,892	16,892
138	0605070S	DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION	679	679
140	0605080S	DEFENSE AGENCY INITIATIVES (DAI)—FINANCIAL SYSTEM	32,254	32,254

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	Senate Authorized
142	0605141BR	MISSION ASSURANCE RISK MANAGEMENT SYSTEM (MARMS)	5,500	5,500
143	0605210D8Z	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES	7,148	7,148
144	0605294D8Z	TRUSTED & ASSURED MICROELECTRONICS	113,895	113,895
146	0605772D8Z	NUCLEAR COMMAND, CONTROL, & COMMUNICATIONS	3,991	3,991
149	0305304D8Z	DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EEIM)	2,227	2,227
150	0305310D8Z	CWMD SYSTEMS: SYSTEM DEVELOPMENT AND DEMONSTRATION	20,246	20,246
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**548,687**	**548,687**
		MANAGEMENT SUPPORT		
151	0603829J	JOINT CAPABILITY EXPERIMENTATION	8,444	8,444
152	0604774D8Z	DEFENSE READINESS REPORTING SYSTEM (DRRS)	7,508	7,508
153	0604875D8Z	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	7,859	7,859
154	0604940D8Z	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP)	550,140	554,140
		Wave glider development		[4,000]
155	0604942D8Z	ASSESSMENTS AND EVALUATIONS	17,980	17,980
156	0605001E	MISSION SUPPORT	73,145	73,145
157	0605100D8Z	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC)	71,410	71,410
159	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO)	52,671	52,671
161	0605142D8Z	SYSTEMS ENGINEERING	40,030	25,030
		Program reduction		[–15,000]
162	0605151D8Z	STUDIES AND ANALYSIS SUPPORT—OSD	4,612	9,612
		Acquisition Innovation Research Center		[5,000]
163	0605161D8Z	NUCLEAR MATTERS-PHYSICAL SECURITY	14,429	14,429
164	0605170D8Z	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION	4,759	4,759
165	0605200D8Z	GENERAL SUPPORT TO USD (INTELLIGENCE)	1,952	1,952
166	0605384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	110,503	110,503
172	0605790D8Z	SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSINESS TECHNOLOGY TRANSFER.	3,639	3,639
173	0605797D8Z	MAINTAINING TECHNOLOGY ADVANTAGE	25,889	25,889
174	0605798D8Z	DEFENSE TECHNOLOGY ANALYSIS	39,774	39,774
175	0605801KA	DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	61,453	11,453
		Program reduction		[–50,000]
176	0605803SE	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION	18,762	18,762
177	0605804D8Z	DEVELOPMENT TEST AND EVALUATION	27,366	27,366
178	0605898E	MANAGEMENT HQ—R&D	12,740	12,740
179	0605998KA	MANAGEMENT HQ—DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	3,549	3,549
180	0606100D8Z	BUDGET AND PROGRAM ASSESSMENTS	15,438	15,438
181	0606225D8Z	ODNA TECHNOLOGY AND RESOURCE ANALYSIS	2,897	2,897
182	0606589D8W	DEFENSE DIGITAL SERVICE (DDS) DEVELOPMENT SUPPORT	918	918
183	0606771D8Z	CYBER RESILIENCY AND CYBERSECURITY POLICY	31,638	31,638
184	0203345D8Z	DEFENSE OPERATIONS SECURITY INITIATIVE (DOSI)	2,925	2,925
185	0204571J	JOINT STAFF ANALYTICAL SUPPORT	977	977
186	0208045K	C4I INTEROPERABILITY	55,361	55,361
189	0303140SE	INFORMATION SYSTEMS SECURITY PROGRAM	853	853
191	0303260D8Z	DEFENSE MILITARY DECEPTION PROGRAM OFFICE (DMDPO)	969	969
192	0305172K	COMBINED ADVANCED APPLICATIONS	15,696	15,696
194	0305208K	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	3,073	3,073
197	0804768J	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2)—NON-MHA.	29,530	29,530
198	0808709SE	DEFENSE EQUAL OPPORTUNITY MANAGEMENT INSTITUTE (DEOMI)	689	689
199	0901598C	MANAGEMENT HQ—MDA	24,102	24,102
200	0903235K	JOINT SERVICE PROVIDER (JSP)	2,645	2,645
999	9999999999	CLASSIFIED PROGRAMS	37,520	37,520
		SUBTOTAL MANAGEMENT SUPPORT	**1,383,845**	**1,327,845**
		OPERATIONAL SYSTEMS DEVELOPMENT		
202	0604130V	ENTERPRISE SECURITY SYSTEM (ESS)	5,355	5,355
203	0604532K	JOINT ARTIFICIAL INTELLIGENCE	10,033	10,033
206	0607210D8Z	INDUSTRIAL BASE ANALYSIS AND SUSTAINMENT SUPPORT	58,189	97,439
		Defense industrial skills and technology training systems		[4,000]
		Demonstration program on domestic production of rare earth elements from coal byproducts		[3,000]
		Digital manufacturing		[1,500]
		Industrial skills training		[2,500]
		Rare earth element separation technologies		[7,500]
		Submarine construction workforce training pipeline		[20,750]
207	0607310D8Z	CWMD SYSTEMS: OPERATIONAL SYSTEMS DEVELOPMENT	18,721	18,721
208	0607327T	GLOBAL THEATER SECURITY COOPERATION MANAGEMENT INFORMATION SYSTEMS (G-TSCMIS).	7,398	7,398
209	0607384BP	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT)	58,261	58,261
215	0302019K	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION	16,233	16,233
216	0303126K	LONG-HAUL COMMUNICATIONS—DCS	10,275	10,275
217	0303131K	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	4,892	4,892
218	0303136G	KEY MANAGEMENT INFRASTRUCTURE (KMI)	83,751	83,751
219	0303140D8Z	INFORMATION SYSTEMS SECURITY PROGRAM	49,191	69,191
		Workforce transformation cyber initiative pilot program		[20,000]
220	0303140G	INFORMATION SYSTEMS SECURITY PROGRAM	423,745	463,745
		Additional cybersecurity support for the defense industrial base		[25,000]
		Pilot program on public-private partnership with internet ecosystem companies		[25,000]
		Program reduction		[–10,000]
221	0303140K	INFORMATION SYSTEMS SECURITY PROGRAM	5,707	5,707
222	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	4,150	4,150
223	0303153K	DEFENSE SPECTRUM ORGANIZATION	19,302	19,302

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	Senate Authorized
224	0303228K	JOINT REGIONAL SECURITY STACKS (JRSS)	9,342	9,342
226	0303430V	FEDERAL INVESTIGATIVE SERVICES INFORMATION TECHNOLOGY	15,326	15,326
232	0305128V	SECURITY AND INVESTIGATIVE ACTIVITIES	8,800	8,800
235	0305146V	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	3,820	3,820
237	0305186D8Z	POLICY R&D PROGRAMS	4,843	4,843
238	0305199D8Z	NET CENTRICITY	13,471	13,471
240	0305208BB	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	5,994	5,994
247	0305387D8Z	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM	1,273	1,273
255	0708012K	LOGISTICS SUPPORT ACTIVITIES	1,690	1,690
256	0708012S	PACIFIC DISASTER CENTERS	1,799	1,799
257	0708047S	DEFENSE PROPERTY ACCOUNTABILITY SYSTEM	6,390	6,390
259	1105219BB	MQ–9 UAV	19,065	19,065
261	1160403BB	AVIATION SYSTEMS	173,537	173,537
262	1160405BB	INTELLIGENCE SYSTEMS DEVELOPMENT	32,766	32,766
263	1160408BB	OPERATIONAL ENHANCEMENTS	145,830	145,830
264	1160431BB	WARRIOR SYSTEMS	78,592	82,803
		SOCOM UFR—Maritime scalable effects acceleration		[4,211]
265	1160432BB	SPECIAL PROGRAMS	6,486	6,486
266	1160434BB	UNMANNED ISR	18,006	18,006
267	1160480BB	SOF TACTICAL VEHICLES	7,703	7,703
268	1160483BB	MARITIME SYSTEMS	58,430	58,430
270	1160490BB	OPERATIONAL ENHANCEMENTS INTELLIGENCE	10,990	10,990
999	9999999999	CLASSIFIED PROGRAMS	5,208,029	5,198,029
		Project A		[–10,000]
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**6,607,385**	**6,700,846**
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
272	0604532K	JOINT ARTIFICIAL INTELLIGENCE	186,639	186,639
273	0608197V	NATIONAL BACKGROUND INVESTIGATION SERVICES—SOFTWARE PILOT PROGRAM	123,570	123,570
274	0608648D8Z	ACQUISITION VISIBILITY—SOFTWARE PILOT PROGRAM	18,307	18,307
275	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	32,774	32,774
276	0308588D8Z	ALGORITHMIC WARFARE CROSS FUNCTIONAL TEAMS—SOFTWARE PILOT PROGRAM	247,452	247,452
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS	**608,742**	**608,742**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW	**25,857,875**	**27,109,435**
		OPERATIONAL TEST & EVAL, DEFENSE		
		MANAGEMENT SUPPORT		
1	0605118OTE	OPERATIONAL TEST AND EVALUATION	105,394	105,394
2	0605131OTE	LIVE FIRE TEST AND EVALUATION	68,549	68,549
3	0605814OTE	OPERATIONAL TEST ACTIVITIES AND ANALYSES	42,648	62,648
		Joint Test and Evaluation restoration		[20,000]
		SUBTOTAL MANAGEMENT SUPPORT	**216,591**	**236,591**
		TOTAL OPERATIONAL TEST & EVAL, DEFENSE	**216,591**	**236,591**
		TOTAL RDT&E	**111,964,188**	**116,106,252**

TITLE XLIII—OPERATION AND MAINTENANCE

SEC. 4301. OPERATION AND MAINTENANCE.

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Senate Authorized
	OPERATION & MAINTENANCE, ARMY		
	OPERATING FORCES		
010	MANEUVER UNITS	3,563,856	3,563,856
020	MODULAR SUPPORT BRIGADES	142,082	142,082
030	ECHELONS ABOVE BRIGADE	758,174	758,174
040	THEATER LEVEL ASSETS	2,753,783	2,867,212
	Army UFR—PM WIN-T SNAP & GRRIP for OIR		[1,654]
	Army UFR—PM WIN-T SNAP & GRRIP for OSS		[5,775]
	CENTCOM UFR—PATRIOT support		[106,000]
050	LAND FORCES OPERATIONS SUPPORT	1,110,156	1,110,156
060	AVIATION ASSETS	1,795,522	1,795,522
070	FORCE READINESS OPERATIONS SUPPORT	7,442,976	7,982,801
	Army UFR—Arctic cold weather gloves		[13,867]
	Army UFR—Arctic OCIE		[65,050]
	Army UFR—ECWCS procurement		[8,999]
	Army UFR—Female/small stature body armor		[81,750]
	Army UFR—Garrison Installation Facilities-Related Control Systems (FRCS)		[13,071]
	Army UFR—Heavylift transportation for OIR		[33,854]
	Army UFR—Industrial base special installation control systems		[14,824]
	Army UFR—Medical sustainment level maintenance		[16,400]
	Army UFR—Mission Partner Environment		[6,300]
	Army UFR—Support to Homeland Contingency Operatons		[228,410]
	Army UFR—TADSS maintenance		[17,000]

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Senate Authorized
	CENTCOM UFR—Heavylift logistics		[40,300]
080	LAND FORCES SYSTEMS READINESS	580,921	614,921
	CENTCOM UFR—COMSAT air time		[34,000]
090	LAND FORCES DEPOT MAINTENANCE	1,257,959	1,590,055
	Army UFR—Aerial-Intelligence, Surveillance, Reconnaissance (A-ISR) Sustainment		[38,900]
	Army UFR—Communications & Electronics Repair Cycle Float		[3,200]
	Army UFR—Tactical Combat Vehicle Repair Cycle Float		[89,017]
	Army UFR—UH–60 L-L Repair Cycle Float		[125,565]
	Army UFR—Weapon system software readiness		[75,414]
100	MEDICAL READINESS	1,102,964	1,102,964
110	BASE OPERATIONS SUPPORT	8,878,603	8,946,132
	Army UFR—Accelerate food service modernization		[25,129]
	Army UFR—Army Climate Assessment Tool (ACAT)		[1,000]
	Army UFR—Electrical grid improvements for electric vehicle charging stations		[20,000]
	Army UFR—GSA leased vehicles		[14,700]
	Army UFR—Monitoring and predicting desertification		[1,200]
	Army UFR—Multi-Domain Operations-Live		[1,500]
	Army UFR—Natural infrastructure and range lands, climate resilence at Ft. Huachuca		[4,000]
120	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	4,051,869	4,891,954
	Army UFR—Critical organic industrial base production capacity		[7,400]
	Army UFR—Fort Belvoir CDC Restoration and Modernization		[1,380]
	Army UFR—Fort Polk CDC Restoration and Modernization		[2,305]
	Program increase FSRM to 100%		[829,000]
130	MANAGEMENT AND OPERATIONAL HEADQUARTERS	289,891	289,891
140	ADDITIONAL ACTIVITIES	526,517	578,517
	Army UFR—EDI ADOS		[52,000]
160	RESET	397,196	397,196
170	US AFRICA COMMAND	384,791	518,337
	AFRICOM UFR—Commercial SATCOM		[16,500]
	AFRICOM UFR—ISR improvements		[67,000]
	Army UFR—MQ–9 COCO Support to AFRICOM		[50,046]
180	US EUROPEAN COMMAND	293,932	335,910
	EUCOM UFR—Information Operations		[26,765]
	EUCOM UFR—Mission Partner Environment		[15,213]
190	US SOUTHERN COMMAND	196,726	196,726
200	US FORCES KOREA	67,052	67,052
210	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	621,836	685,898
	Army UFR—Autonomic Security Operations Center		[1,150]
	Army UFR—Critical infrastructure risk management cyber resiliency mitigations		[13,630]
	Army UFR—MRCT / Cyber I&W / Ops Cell		[4,655]
	Army UFR—Security Operations Center as a Service (SOCaaS)		[44,627]
220	CYBERSPACE ACTIVITIES—CYBERSECURITY	629,437	726,176
	Army UFR—C-SCRM supplier vetting and equipment inspection		[1,200]
	Army UFR—Cybersecurity control systems assessments		[89,889]
	Army UFR—Cyber-Supply Chain Risk Mgmt (C-SCRM) program		[2,750]
	Army UFR—Defensive cyber sensors		[2,900]
	SUBTOTAL OPERATING FORCES	**36,846,243**	**39,161,532**
	MOBILIZATION		
230	STRATEGIC MOBILITY	353,967	485,063
	Army UFR—APS–3 Afloat ship use rate cost increases		[114,495]
	Army UFR—Medical CBRN equipment		[16,601]
240	ARMY PREPOSITIONED STOCKS	381,192	701,139
	Army UFR—APS–1 CONUS Operational Project Care of Supplies in Storage		[10,271]
	Army UFR—APS–2 Europe Care of Supplies In Storage		[193,746]
	Army UFR—APS–4 South Humanitarian Assistance Disaster Relief Site		[31,487]
	Army UFR—Medical equipment		[84,443]
250	INDUSTRIAL PREPAREDNESS	3,810	3,810
	SUBTOTAL MOBILIZATION	**738,969**	**1,190,012**
	TRAINING AND RECRUITING		
260	OFFICER ACQUISITION	163,568	163,568
270	RECRUIT TRAINING	75,140	75,140
280	ONE STATION UNIT TRAINING	81,274	81,274
290	SENIOR RESERVE OFFICERS TRAINING CORPS	520,973	520,973
300	SPECIALIZED SKILL TRAINING	998,869	998,869
310	FLIGHT TRAINING	1,309,556	1,309,556
320	PROFESSIONAL DEVELOPMENT EDUCATION	218,651	218,651
330	TRAINING SUPPORT	616,380	634,480
	Army UFR—ATRRS Modernization		[18,100]
340	RECRUITING AND ADVERTISING	683,569	684,963
	Army UFR—Enterprise Technology Integration, Governance, and Engineering Requirements (ETIGER)		[1,394]
350	EXAMINING	169,442	169,442
360	OFF-DUTY AND VOLUNTARY EDUCATION	214,923	231,078
	Army UFR—Tuition assistance		[16,155]
370	CIVILIAN EDUCATION AND TRAINING	220,589	220,589
380	JUNIOR RESERVE OFFICER TRAINING CORPS	187,569	187,569
	SUBTOTAL TRAINING AND RECRUITING	**5,460,503**	**5,496,152**
	ADMIN & SRVWIDE ACTIVITIES		
400	SERVICEWIDE TRANSPORTATION	684,562	776,778
	Army UFR—Second destination transportation		[70,716]

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Senate Authorized
	Army UFR—Transportation management system		[21,500]
410	CENTRAL SUPPLY ACTIVITIES	808,895	898,795
	Army UFR—Advanced additive manufacturing		[89,900]
420	LOGISTIC SUPPORT ACTIVITIES	767,053	873,517
	Army UFR—AMC LITeS		[29,104]
	Army UFR—Deployments and mobilizations for Operation Spartan Shield (OSS)		[77,360]
430	AMMUNITION MANAGEMENT	469,038	469,038
440	ADMINISTRATION	488,535	492,535
	Joint Counter-UAS Office training support		[4,000]
450	SERVICEWIDE COMMUNICATIONS	1,952,742	2,018,125
	Army UFR—CHRA IT Cloud		[5,300]
	Army UFR—ERP convergence/modernization		[49,420]
	Army UFR—Harden CSS VSAT network		[10,663]
460	MANPOWER MANAGEMENT	323,273	323,273
470	OTHER PERSONNEL SUPPORT	663,602	730,041
	Army UFR—Enterprise Technology Integration, Governance, and Engineering Requirements (ETIGER)		[1,393]
	Army UFR—HR cloud and IT modernization		[29,675]
	Army UFR—integrated Personnel Electronic Records Management System (iPERMS)		[5,371]
	Army UFR—Personnel security investigations		[30,000]
480	OTHER SERVICE SUPPORT	2,004,981	2,071,057
	Army UFR—DFAS cost estimation		[49,983]
	Army UFR—Presidential and DOD support		[16,093]
490	ARMY CLAIMS ACTIVITIES	180,178	180,178
500	REAL ESTATE MANAGEMENT	269,009	274,009
	Army real estate inventory system		[5,000]
510	FINANCIAL MANAGEMENT AND AUDIT READINESS	437,940	437,940
520	INTERNATIONAL MILITARY HEADQUARTERS	482,571	482,571
530	MISC. SUPPORT OF OTHER NATIONS	29,670	29,670
9999	CLASSIFIED PROGRAMS	2,008,633	2,063,571
	Army UFR—Helios Dagger		[14,710]
	SOUTHCOM UFR—Additional non-traditional ISR operations		[22,228]
	SOUTHCOM UFR—Additional traditional ISR operations		[18,000]
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	**11,570,682**	**12,121,098**
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	–826,660
	Bulk fuel adjustment		[–25,560]
	Foreign currency fluctuations		[–81,000]
	Printing costs reduction		[–5,100]
	Unobligated balances		[–715,000]
	SUBTOTAL UNDISTRIBUTED	**0**	**–826,660**
	TOTAL OPERATION & MAINTENANCE, ARMY	**54,616,397**	**57,142,134**
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		
010	MODULAR SUPPORT BRIGADES	10,465	10,465
020	ECHELONS ABOVE BRIGADE	554,992	554,992
030	THEATER LEVEL ASSETS	120,892	120,892
040	LAND FORCES OPERATIONS SUPPORT	597,718	597,718
050	AVIATION ASSETS	111,095	111,095
060	FORCE READINESS OPERATIONS SUPPORT	385,506	385,506
070	LAND FORCES SYSTEMS READINESS	98,021	98,021
080	LAND FORCES DEPOT MAINTENANCE	34,368	34,368
090	BASE OPERATIONS SUPPORT	584,513	620,513
	Army UFR—Repair Transient Training Officer Barracks Bldg 5406, ASA Dix		[18,000]
	Army UFR—Repair Transient Training Officer Barracks Bldg 5502, ASA Dix		[18,000]
100	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	342,433	342,433
110	MANAGEMENT AND OPERATIONAL HEADQUARTERS	22,472	22,472
120	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	2,764	2,764
130	CYBERSPACE ACTIVITIES—CYBERSECURITY	7,476	7,476
	SUBTOTAL OPERATING FORCES	**2,872,715**	**2,908,715**
	ADMIN & SRVWD ACTIVITIES		
140	SERVICEWIDE TRANSPORTATION	15,400	15,400
150	ADMINISTRATION	19,611	19,611
160	SERVICEWIDE COMMUNICATIONS	37,458	37,458
170	MANPOWER MANAGEMENT	7,162	7,162
180	RECRUITING AND ADVERTISING	48,289	48,289
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**127,920**	**127,920**
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	–42,995
	Bulk fuel adjustment		[–3,195]
	Unobligated balances		[–39,800]
	SUBTOTAL UNDISTRIBUTED	**0**	**–42,995**
	TOTAL OPERATION & MAINTENANCE, ARMY RES	**3,000,635**	**2,993,640**
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
010	MANEUVER UNITS	799,854	799,854

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Senate Authorized
020	MODULAR SUPPORT BRIGADES	211,561	211,561
030	ECHELONS ABOVE BRIGADE	835,709	835,709
040	THEATER LEVEL ASSETS	101,179	101,179
050	LAND FORCES OPERATIONS SUPPORT	34,436	34,436
060	AVIATION ASSETS	1,110,416	1,110,416
070	FORCE READINESS OPERATIONS SUPPORT	704,827	709,827
	CNGB UFR—Weapons of Mass Destruction Civil Support Teams Equipment Sustainment		[5,000]
080	LAND FORCES SYSTEMS READINESS	47,886	47,886
090	LAND FORCES DEPOT MAINTENANCE	244,439	244,439
100	BASE OPERATIONS SUPPORT	1,097,960	1,097,960
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	956,988	1,007,813
	Army UFR—Force Projection Outload Facility		[2,520]
	Army UFR—Operational Readiness Training Complex		[48,305]
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	1,047,870	1,047,870
130	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	8,071	8,071
140	CYBERSPACE ACTIVITIES—CYBERSECURITY	7,828	7,828
	SUBTOTAL OPERATING FORCES	**7,209,024**	**7,264,849**
	ADMIN & SRVWD ACTIVITIES		
150	SERVICEWIDE TRANSPORTATION	8,017	8,017
160	ADMINISTRATION	76,993	106,987
	CNGB UFR—Joint information exchange environment		[6,300]
	State Partnership Program—restore to FY21 levels		[23,694]
170	SERVICEWIDE COMMUNICATIONS	101,113	101,113
180	MANPOWER MANAGEMENT	8,920	8,920
190	OTHER PERSONNEL SUPPORT	240,292	240,292
200	REAL ESTATE MANAGEMENT	2,850	2,850
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**438,185**	**468,179**
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	–113,795
	Bulk fuel adjustment		[–3,195]
	Unobligated balances		[–110,600]
	SUBTOTAL UNDISTRIBUTED	**0**	**–113,795**
	TOTAL OPERATION & MAINTENANCE, ARNG	**7,647,209**	**7,619,233**
	AFGHANISTAN SECURITY FORCES FUND		
	AFGHAN NATIONAL ARMY		
010	SUSTAINMENT	1,053,668	1,053,668
020	INFRASTRUCTURE	1,818	1,818
030	EQUIPMENT AND TRANSPORTATION	22,911	22,911
040	TRAINING AND OPERATIONS	31,837	31,837
	SUBTOTAL AFGHAN NATIONAL ARMY	**1,110,234**	**1,110,234**
	AFGHAN NATIONAL POLICE		
050	SUSTAINMENT	440,628	440,628
070	EQUIPMENT AND TRANSPORTATION	38,551	38,551
080	TRAINING AND OPERATIONS	38,152	38,152
	SUBTOTAL AFGHAN NATIONAL POLICE	**517,331**	**517,331**
	AFGHAN AIR FORCE		
090	SUSTAINMENT	562,056	562,056
110	EQUIPMENT AND TRANSPORTATION	26,600	26,600
120	TRAINING AND OPERATIONS	169,684	169,684
	SUBTOTAL AFGHAN AIR FORCE	**758,340**	**758,340**
	AFGHAN SPECIAL SECURITY FORCES		
130	SUSTAINMENT	685,176	685,176
150	EQUIPMENT AND TRANSPORTATION	78,962	78,962
160	TRAINING AND OPERATIONS	177,767	177,767
	SUBTOTAL AFGHAN SPECIAL SECURITY FORCES	**941,905**	**941,905**
	TOTAL AFGHANISTAN SECURITY FORCES FUND	**3,327,810**	**3,327,810**
	COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)		
	COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)		
010	IRAQ	345,000	345,000
020	SYRIA	177,000	177,000
	SUBTOTAL COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)	**522,000**	**522,000**
	TOTAL COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)	**522,000**	**522,000**
	OPERATION & MAINTENANCE, NAVY		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	6,264,654	6,545,054
	Navy UFR—Flying hour program - fleet operations		[280,400]
020	FLEET AIR TRAINING	2,465,007	2,621,907
	Navy UFR—Flying hour program - fleet replacement squadron		[156,900]
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	55,140	55,140
040	AIR OPERATIONS AND SAFETY SUPPORT	197,904	197,904
050	AIR SYSTEMS SUPPORT	1,005,932	1,005,932

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Senate Authorized
060	AIRCRAFT DEPOT MAINTENANCE	1,675,356	1,897,556
	Navy UFR—Additional aircraft depot maintenance events		[222,200]
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	65,518	65,518
080	AVIATION LOGISTICS	1,460,546	1,460,546
090	MISSION AND OTHER SHIP OPERATIONS	5,858,028	5,934,028
	Navy UFR—Resilient Communications and PNT for Combat Logistics Fleet (CLF)		[34,000]
	Navy UFR—Submarine Tender Overhaul		[42,000]
100	SHIP OPERATIONS SUPPORT & TRAINING	1,154,696	1,168,196
	Navy UFR—Accelerate Naval Tactical Grid Development for Joint All-Domain Command and Control (JADC2)		[200]
	Navy UFR—Naval Operational Business Logistics Enterprise (NOBLE)		[13,300]
110	SHIP DEPOT MAINTENANCE	10,300,078	10,339,878
	Navy UFR—A–120 availability		[39,800]
120	SHIP DEPOT OPERATIONS SUPPORT	2,188,454	2,224,454
	Navy UFR—CG Modernization Pricing		[36,000]
130	COMBAT COMMUNICATIONS AND ELECTRONIC WARFARE	1,551,846	1,551,846
140	SPACE SYSTEMS AND SURVEILLANCE	327,251	339,251
	Navy UFR—T-AGOS maintenance and repair		[12,000]
150	WARFARE TACTICS	798,082	798,082
160	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	447,486	447,486
170	COMBAT SUPPORT FORCES	2,250,756	2,297,856
	CENTCOM UFR—Naval patrol craft support		[47,100]
180	EQUIPMENT MAINTENANCE AND DEPOT OPERATIONS SUPPORT	192,968	192,968
190	COMBATANT COMMANDERS CORE OPERATIONS	61,614	61,614
200	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	198,596	449,436
	INDOPACOM UFR—Critical HQ manpower positions		[4,620]
	INDOPACOM UFR—Future fusion centers		[3,300]
	INDOPACOM UFR—ISR augmentation		[41,000]
	INDOPACOM UFR—Mission Partner Environment		[54,010]
	INDOPACOM UFR—Multi-Domain Training and Experimentation Capability		[59,410]
	INDOPACOM UFR—Pacific Movement Coordination Center		[500]
	INDOPACOM UFR—Wargaming analytical tools		[88,000]
210	MILITARY INFORMATION SUPPORT OPERATIONS	8,984	36,984
	INDOPACOM UFR—Military Information Support Ops		[28,000]
220	CYBERSPACE ACTIVITIES	565,926	560,926
	Identity, credentialing, and access management reduction		[–5,000]
230	FLEET BALLISTIC MISSILE	1,476,247	1,476,247
240	WEAPONS MAINTENANCE	1,538,743	1,538,743
250	OTHER WEAPON SYSTEMS SUPPORT	592,357	592,357
260	ENTERPRISE INFORMATION	734,970	734,970
270	SUSTAINMENT, RESTORATION AND MODERNIZATION	2,961,937	3,536,937
	Program increase FSRM to 100%		[575,000]
280	BASE OPERATING SUPPORT	4,826,314	4,826,314
	SUBTOTAL OPERATING FORCES	**51,225,390**	**52,958,130**
	MOBILIZATION		
290	SHIP PREPOSITIONING AND SURGE	457,015	506,315
	Navy UFR—Maritime Prepositioning Force (MPF) Engine Overhauls		[49,300]
300	READY RESERVE FORCE	645,522	645,522
310	SHIP ACTIVATIONS/INACTIVATIONS	353,530	353,530
320	EXPEDITIONARY HEALTH SERVICES SYSTEMS	149,384	164,184
	Navy UFR—Expeditionary medical readiness		[14,800]
330	COAST GUARD SUPPORT	20,639	20,639
	SUBTOTAL MOBILIZATION	**1,626,090**	**1,690,190**
	TRAINING AND RECRUITING		
340	OFFICER ACQUISITION	172,913	172,913
350	RECRUIT TRAINING	13,813	13,813
360	RESERVE OFFICERS TRAINING CORPS	167,152	167,152
370	SPECIALIZED SKILL TRAINING	1,053,104	1,053,104
380	PROFESSIONAL DEVELOPMENT EDUCATION	311,209	311,209
390	TRAINING SUPPORT	306,302	306,302
400	RECRUITING AND ADVERTISING	205,219	205,219
410	OFF-DUTY AND VOLUNTARY EDUCATION	79,053	79,053
420	CIVILIAN EDUCATION AND TRAINING	109,754	109,754
430	JUNIOR ROTC	57,323	57,323
	SUBTOTAL TRAINING AND RECRUITING	**2,475,842**	**2,475,842**
	ADMIN & SRVWD ACTIVITIES		
440	ADMINISTRATION	1,268,961	1,268,961
450	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	212,952	212,952
460	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	562,546	562,546
470	MEDICAL ACTIVITIES	285,436	285,436
480	SERVICEWIDE TRANSPORTATION	217,782	217,782
500	PLANNING, ENGINEERING, AND PROGRAM SUPPORT	479,480	479,480
510	ACQUISITION, LOGISTICS, AND OVERSIGHT	741,045	741,045
520	INVESTIGATIVE AND SECURITY SERVICES	738,187	738,187
9999	CLASSIFIED PROGRAMS	607,517	607,517
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**5,113,906**	**5,113,906**
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	–377,115

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Senate Authorized
	Bulk fuel adjustment		[–54,315]
	Foreign currency fluctuations		[–96,000]
	Printing costs reduction		[–5,100]
	Unobligated balances		[–221,700]
	SUBTOTAL UNDISTRIBUTED	**0**	**–377,115**
	TOTAL OPERATION & MAINTENANCE, NAVY	**60,441,228**	**61,860,953**
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
010	OPERATIONAL FORCES	1,587,456	1,632,756
	Marine Corps UFR—Plate Carrier Gen III		[45,300]
020	FIELD LOGISTICS	1,532,630	1,532,630
030	DEPOT MAINTENANCE	215,949	215,949
040	MARITIME PREPOSITIONING	107,969	107,969
050	CYBERSPACE ACTIVITIES	233,486	233,486
060	SUSTAINMENT, RESTORATION & MODERNIZATION	1,221,117	1,445,117
	Program increase FSRM to 100%		[224,000]
070	BASE OPERATING SUPPORT	2,563,278	2,563,278
	SUBTOTAL OPERATING FORCES	**7,461,885**	**7,731,185**
	TRAINING AND RECRUITING		
080	RECRUIT TRAINING	24,729	24,729
090	OFFICER ACQUISITION	1,208	1,208
100	SPECIALIZED SKILL TRAINING	110,752	110,752
110	PROFESSIONAL DEVELOPMENT EDUCATION	61,539	61,539
120	TRAINING SUPPORT	490,975	490,975
130	RECRUITING AND ADVERTISING	223,643	223,643
140	OFF-DUTY AND VOLUNTARY EDUCATION	49,369	49,369
150	JUNIOR ROTC	26,065	26,065
	SUBTOTAL TRAINING AND RECRUITING	**988,280**	**988,280**
	ADMIN & SRVWD ACTIVITIES		
160	SERVICEWIDE TRANSPORTATION	100,475	100,475
170	ADMINISTRATION	410,729	410,729
9999	CLASSIFIED PROGRAMS	63,422	63,422
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**574,626**	**574,626**
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	–108,815
	Bulk fuel adjustment		[–54,315]
	Foreign currency fluctuations		[–12,000]
	Printing costs reduction		[–5,100]
	Unobligated balances		[–37,400]
	SUBTOTAL UNDISTRIBUTED	**0**	**–108,815**
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	**9,024,791**	**9,185,276**
	OPERATION & MAINTENANCE, NAVY RES		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	628,522	628,522
020	INTERMEDIATE MAINTENANCE	9,593	9,593
030	AIRCRAFT DEPOT MAINTENANCE	135,280	135,280
040	AIRCRAFT DEPOT OPERATIONS SUPPORT	497	497
050	AVIATION LOGISTICS	29,435	29,435
070	COMBAT COMMUNICATIONS	18,469	18,469
080	COMBAT SUPPORT FORCES	136,710	136,710
090	CYBERSPACE ACTIVITIES	440	440
100	ENTERPRISE INFORMATION	26,628	26,628
110	SUSTAINMENT, RESTORATION AND MODERNIZATION	42,311	42,311
120	BASE OPERATING SUPPORT	103,606	103,606
	SUBTOTAL OPERATING FORCES	**1,131,491**	**1,131,491**
	ADMIN & SRVWD ACTIVITIES		
130	ADMINISTRATION	1,943	1,943
140	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	12,191	12,191
150	ACQUISITION AND PROGRAM MANAGEMENT	3,073	3,073
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**17,207**	**17,207**
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	–17,495
	Bulk fuel adjustment		[–3,195]
	Unobligated balances		[–14,300]
	SUBTOTAL UNDISTRIBUTED	**0**	**–17,495**
	TOTAL OPERATION & MAINTENANCE, NAVY RES	**1,148,698**	**1,131,203**
	OPERATION & MAINTENANCE, MC RESERVE		
	OPERATING FORCES		
010	OPERATING FORCES	102,271	148,171
	Marine Corps UFR—Individual combat clothing and equipment		[45,900]
020	DEPOT MAINTENANCE	16,811	16,811

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Senate Authorized
030	SUSTAINMENT, RESTORATION AND MODERNIZATION	42,702	42,702
040	BASE OPERATING SUPPORT	109,210	109,210
	SUBTOTAL OPERATING FORCES	**270,994**	**316,894**
	ADMIN & SRVWD ACTIVITIES		
050	ADMINISTRATION	14,056	14,056
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**14,056**	**14,056**
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	–7,695
	Bulk fuel adjustment		[–3,195]
	Unobligated balances		[–4,500]
	SUBTOTAL UNDISTRIBUTED	**0**	**–7,695**
	TOTAL OPERATION & MAINTENANCE, MC RESERVE	**285,050**	**323,255**
	OPERATION & MAINTENANCE, AIR FORCE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	706,860	706,860
020	COMBAT ENHANCEMENT FORCES	2,382,448	2,478,948
	Air Force UFR—Build command and control framework		[5,000]
	Air Force UFR—Weapon system sustainment		[37,000]
	CENTCOM UFR—Additional ISR		[53,000]
	EUCOM UFR—Air Base Air Defense Operations Center		[1,500]
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	1,555,320	1,840,320
	Air Force UFR—FSRM		[285,000]
040	DEPOT PURCHASE EQUIPMENT MAINTENANCE	3,661,762	3,870,762
	Air Force UFR—Weapon system sustainment		[209,000]
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	3,867,114	4,611,114
	Program increase FSRM to 100%		[744,000]
060	CYBERSPACE SUSTAINMENT	179,568	295,568
	Air Force UFR—Weapon system sustainment		[116,000]
070	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	8,457,653	9,186,653
	A–10/F–35 contract maintenance		[156,000]
	Air Force UFR—Build command and control framework		[112,000]
	Air Force UFR—F–35 weapon system sustainment		[185,000]
	Air Force UFR—Weapon system sustainment		[276,000]
080	FLYING HOUR PROGRAM	5,646,730	6,115,730
	Air Force UFR—Weapon system sustainment		[114,000]
	Restore A10s divestment		[272,000]
	Restore C130s divestment		[83,000]
090	BASE SUPPORT	9,846,037	9,931,037
	Air Force UFR—Build command and control framework		[85,000]
100	GLOBAL C3I AND EARLY WARNING	979,705	979,705
110	OTHER COMBAT OPS SPT PROGRAMS	1,418,515	1,424,825
	Commercial economic analysis program reduction		[–3,000]
	EUCOM UFR—Air base air defense		[110]
	EUCOM UFR—Mission Partner Environment		[9,200]
120	CYBERSPACE ACTIVITIES	864,761	864,761
150	SPACE CONTROL SYSTEMS	13,223	13,223
160	US NORTHCOM/NORAD	196,774	196,774
170	US STRATCOM	475,015	475,015
180	US CYBERCOM	389,663	420,963
	CYBERCOM UFR—Acceleration of cyber intelligence		[3,200]
	CYBERCOM UFR—Acquisition personnel		[4,800]
	CYBERCOM UFR—Advanced cyber training		[23,300]
190	US CENTCOM	372,354	391,354
	CENTCOM UFR—MISO program		[24,000]
	Program reduction to OSCI		[–5,000]
200	US SOCOM	28,733	28,733
220	CENTCOM CYBERSPACE SUSTAINMENT	1,289	1,289
230	USSPACECOM	272,601	329,601
	SPACECOM UFR—Bridging space protection gaps		[30,200]
	SPACECOM UFR—Pathway to full operational capability		[26,800]
9999	CLASSIFIED PROGRAMS	1,454,383	1,443,883
	Capabilities Management Office reduction		[–5,000]
	CCMD Intelligence Information Technology reduction		[–3,000]
	Strategy Coordination reduction		[–2,500]
	SUBTOTAL OPERATING FORCES	**42,770,508**	**45,607,118**
	MOBILIZATION		
240	AIRLIFT OPERATIONS	2,422,784	2,422,784
250	MOBILIZATION PREPAREDNESS	667,851	667,851
	SUBTOTAL MOBILIZATION	**3,090,635**	**3,090,635**
	TRAINING AND RECRUITING		
260	OFFICER ACQUISITION	156,193	156,193
270	RECRUIT TRAINING	26,072	26,072
280	RESERVE OFFICERS TRAINING CORPS (ROTC)	127,693	127,693
290	SPECIALIZED SKILL TRAINING	491,286	491,286
300	FLIGHT TRAINING	718,742	718,742
310	PROFESSIONAL DEVELOPMENT EDUCATION	302,092	302,092

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Senate Authorized
320	TRAINING SUPPORT	162,165	162,165
330	RECRUITING AND ADVERTISING	171,339	171,339
340	EXAMINING	8,178	8,178
350	OFF-DUTY AND VOLUNTARY EDUCATION	236,760	236,760
360	CIVILIAN EDUCATION AND TRAINING	306,602	306,602
370	JUNIOR ROTC	65,940	65,940
	SUBTOTAL TRAINING AND RECRUITING	**2,773,062**	**2,773,062**
	ADMIN & SRVWD ACTIVITIES		
380	LOGISTICS OPERATIONS	1,062,709	1,062,709
390	TECHNICAL SUPPORT ACTIVITIES	169,957	169,957
400	ADMINISTRATION	1,005,827	1,005,827
410	SERVICEWIDE COMMUNICATIONS	31,054	31,054
420	OTHER SERVICEWIDE ACTIVITIES	1,470,757	1,476,757
	Air Force UFR—Build command and control framework		[6,000]
430	CIVIL AIR PATROL	29,128	29,128
450	INTERNATIONAL SUPPORT	81,118	81,118
9999	CLASSIFIED PROGRAMS	1,391,720	1,391,720
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**5,242,270**	**5,248,270**
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	–594,865
	Bulk fuel adjustment		[–150,165]
	Foreign currency fluctuations		[–81,000]
	Printing costs reduction		[–5,100]
	Unobligated balances		[–358,600]
	SUBTOTAL UNDISTRIBUTED	**0**	**–594,865**
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	**53,876,475**	**56,124,220**
	OPERATION & MAINTENANCE, SPACE FORCE		
	OPERATING FORCES		
010	GLOBAL C3I & EARLY WARNING	495,615	521,315
	Space Force UFR—Maintenance contracts for missile warning and defense systems		[25,700]
020	SPACE LAUNCH OPERATIONS	185,700	185,700
030	SPACE OPERATIONS	611,269	620,769
	Space Force UFR—Increase opeational support to SPACECOM		[5,500]
	Space Force UFR—Space Commercially Augmented Mission Platform		[4,000]
040	EDUCATION & TRAINING	22,887	108,887
	Space Force UFR—Accelerate Space Force PME		[86,000]
060	DEPOT MAINTENANCE	280,165	306,365
	Space Force UFR—Weapon system sustainment		[26,200]
070	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	213,347	281,147
	Space Force UFR—Aircraft fire training mock-up		[1,500]
	Space Force UFR—FSRM Cheyenne Mountain Complex		[66,300]
080	CONTRACTOR LOGISTICS AND SYSTEM SUPPORT	1,158,707	1,254,707
	Space Force UFR—Weapon system sustainment		[96,000]
090	SPACE OPERATIONS -BOS	143,520	143,520
9999	CLASSIFIED PROGRAMS	172,755	172,755
	SUBTOTAL OPERATING FORCES	**3,283,965**	**3,595,165**
	ADMINISTRATION AND SERVICE WIDE ACTIVITIES		
100	ADMINISTRATION	156,747	156,747
	SUBTOTAL ADMINISTRATION AND SERVICE WIDE ACTIVITIES	**156,747**	**156,747**
	TOTAL OPERATION & MAINTENANCE, SPACE FORCE	**3,440,712**	**3,751,912**
	OPERATION & MAINTENANCE, AF RESERVE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	1,665,015	1,665,015
020	MISSION SUPPORT OPERATIONS	179,486	179,486
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	530,540	530,540
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	114,987	123,987
	Air Force UFR—FSRM		[9,000]
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	254,831	254,831
060	BASE SUPPORT	470,801	470,801
070	CYBERSPACE ACTIVITIES	1,372	1,372
	SUBTOTAL OPERATING FORCES	**3,217,032**	**3,226,032**
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
080	ADMINISTRATION	91,289	91,289
090	RECRUITING AND ADVERTISING	23,181	23,181
100	MILITARY MANPOWER AND PERS MGMT (ARPC)	13,966	13,966
110	OTHER PERS SUPPORT (DISABILITY COMP)	6,196	6,196
120	AUDIOVISUAL	442	442
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES	**135,074**	**135,074**
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	–43,295
	Bulk fuel adjustment		[–3,195]
	Unobligated balances		[–40,100]
	SUBTOTAL UNDISTRIBUTED	**0**	**–43,295**

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Senate Authorized
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	**3,352,106**	**3,317,811**
	OPERATION & MAINTENANCE, ANG		
	OPERATING FORCES		
010	AIRCRAFT OPERATIONS	2,281,432	2,281,432
020	MISSION SUPPORT OPERATIONS	582,848	588,748
	CNGB UFR—HRF/CERFP sustainment		[5,900]
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	1,241,318	1,241,318
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	353,193	379,193
	Air Force UFR—FSRM		[26,000]
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	1,077,654	1,077,654
060	BASE SUPPORT	908,198	925,598
	CNGB UFR—Security forces hearing and comm package		[17,400]
070	CYBERSPACE SUSTAINMENT	23,895	23,895
080	CYBERSPACE ACTIVITIES	17,263	17,263
	SUBTOTAL OPERATING FORCES	**6,485,801**	**6,535,101**
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		
090	ADMINISTRATION	46,455	46,455
100	RECRUITING AND ADVERTISING	41,764	41,764
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	**88,219**	**88,219**
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	–66,275
	Bulk fuel adjustment		[–15,975]
	Unobligated balances		[–50,300]
	SUBTOTAL UNDISTRIBUTED	**0**	**–66,275**
	TOTAL OPERATION & MAINTENANCE, ANG	**6,574,020**	**6,557,045**
	OPERATION AND MAINTENANCE, DEFENSE-WIDE		
	OPERATING FORCES		
010	JOINT CHIEFS OF STAFF	407,240	407,240
020	JOINT CHIEFS OF STAFF—CE2T2	554,634	677,734
	AFRICOM UFR—Joint Exercise Program		[18,000]
	CENTCOM UFR—EAGER LION		[20,000]
	INDOPACOM UFR—Joint Exercise Program		[35,100]
	Joint Exercise Program—restore to FY21 levels		[50,000]
030	JOINT CHIEFS OF STAFF—CYBER	8,098	8,098
050	SPECIAL OPERATIONS COMMAND COMBAT DEVELOPMENT ACTIVITIES	2,044,479	2,047,789
	SOCOM UFR—Armored ground mobility systems acceleration		[3,310]
060	SPECIAL OPERATIONS COMMAND CYBERSPACE ACTIVITIES	45,851	45,851
070	SPECIAL OPERATIONS COMMAND INTELLIGENCE	1,614,757	1,614,757
080	SPECIAL OPERATIONS COMMAND MAINTENANCE	1,081,869	1,088,210
	SOCOM UFR—Modernized forward look sonar		[900]
	SOCOM UFR—Personal signature management acceleration		[5,441]
090	SPECIAL OPERATIONS COMMAND MANAGEMENT/OPERATIONAL HEADQUARTERS	180,042	180,042
100	SPECIAL OPERATIONS COMMAND OPERATIONAL SUPPORT	1,202,060	1,202,060
110	SPECIAL OPERATIONS COMMAND THEATER FORCES	3,175,789	3,175,789
	SUBTOTAL OPERATING FORCES	**10,314,819**	**10,447,570**
	TRAINING AND RECRUITING		
130	DEFENSE ACQUISITION UNIVERSITY	171,607	171,607
140	JOINT CHIEFS OF STAFF	92,905	92,905
150	PROFESSIONAL DEVELOPMENT EDUCATION	31,669	31,669
	SUBTOTAL TRAINING AND RECRUITING	**296,181**	**296,181**
	ADMIN & SRVWIDE ACTIVITIES		
170	CIVIL MILITARY PROGRAMS	137,311	157,311
	Innovative readiness training increase		[5,000]
	STARBASE		[15,000]
190	DEFENSE CONTRACT AUDIT AGENCY	618,526	618,526
200	DEFENSE CONTRACT AUDIT AGENCY—CYBER	3,984	3,984
220	DEFENSE CONTRACT MANAGEMENT AGENCY	1,438,296	1,438,296
230	DEFENSE CONTRACT MANAGEMENT AGENCY—CYBER	11,999	11,999
240	DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY	941,488	946,488
	DCSA Analytic tools for assessing FOCI		[5,000]
260	DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY—CYBER	9,859	9,859
270	DEFENSE HUMAN RESOURCES ACTIVITY	816,168	831,168
	Troops-to-Teachers		[15,000]
280	DEFENSE HUMAN RESOURCES ACTIVITY—CYBER	17,655	17,655
290	DEFENSE INFORMATION SYSTEMS AGENCY	1,913,734	1,955,734
	milCloud 2.0 migration		[42,000]
310	DEFENSE INFORMATION SYSTEMS AGENCY—CYBER	530,278	615,378
	Automated C2, orchestration, other increased capabilities for JFHQ-DODIN		[25,000]
	CYBERCOM UFR—Hardening of DODIN		[60,100]
350	DEFENSE LEGAL SERVICES AGENCY	229,498	229,498
360	DEFENSE LOGISTICS AGENCY	402,864	402,864
370	DEFENSE MEDIA ACTIVITY	222,655	222,655
380	DEFENSE PERSONNEL ACCOUNTING AGENCY	130,174	130,174
390	DEFENSE SECURITY COOPERATION AGENCY	2,067,446	2,405,736

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Senate Authorized
	AFRICOM UFR—AFRICOM security cooperation program increase		[60,000]
	Increase to Ukraine Security Assistance Initiative		[50,000]
	INDOPACOM UFR—INDOPACOM security cooperation program increase		[130,600]
	Joint Combined Exchange Training—restore to FY21 levels		[3,190]
	SOUTHCOM UFR—Air Mobility Initiative		[85,000]
	SOUTHCOM UFR—Central America Border Security Initiative		[9,500]
420	DEFENSE TECHNOLOGY SECURITY ADMINISTRATION	39,305	39,305
440	DEFENSE THREAT REDUCTION AGENCY	885,749	885,749
460	DEFENSE THREAT REDUCTION AGENCY—CYBER	36,736	36,736
470	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	3,138,345	3,208,345
	Impact Aid for children with severe disabilities		[20,000]
	Impact Aid for schools with military dependent students		[50,000]
490	MISSILE DEFENSE AGENCY	502,450	502,450
530	OFFICE OF THE LOCAL DEFENSE COMMUNITY COOPERATION—OSD	89,686	89,686
540	OFFICE OF THE SECRETARY OF DEFENSE	1,766,614	1,864,114
	Analytical tools in evaluating energy resilience measures		[2,000]
	Bien Hoa dioxin cleanup		[15,000]
	Centers for Disease Control and Prevention nation-wide human health assessment		[15,000]
	Congressional Hearings and Reporting Requirements Tracking System modernization		[2,000]
	Cost Assessment Data Enterprise		[3,500]
	Defense Environmental International Cooperation program increase		[2,000]
	Interstate compacts on licensed occupations		[4,000]
	Joint Aviation Safety Council		[4,000]
	Office of the Secretary of Defense civilian workforce		[25,000]
	Personnel in the Office of Assistant Secretary of Defense Sustainment and Environment, Safety, and Occupational Health		[5,000]
	Strategic competition initiative		[20,000]
550	OFFICE OF THE SECRETARY OF DEFENSE—CYBER	32,851	32,851
560	SPACE DEVELOPMENT AGENCY	53,851	53,851
570	WASHINGTON HEADQUARTERS SERVICES	369,698	369,698
999	CLASSIFIED PROGRAMS	17,900,146	17,900,146
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	**34,307,366**	**34,980,256**
	TOTAL OPERATION AND MAINTENANCE, DEFENSE-WIDE	**44,918,366**	**45,079,862**
	UNDISTRIBUTED		
	OPERATION & MAINTENANCE, DEFENSE-WIDE		
998	UNDISTRIBUTED	0	–644,145
	Bulk fuel adjustment		[–3,195]
	Foreign currency fluctuations		[–30,000]
	Printing costs reduction		[–5,100]
	Program reduction—SOCOM unjustified increase in management and headquarters expenses		[–28,650]
	Unobligated balances		[–577,200]
	SUBTOTAL UNDISTRIBUTED	**0**	**–644,145**
	TOTAL OPERATION & MAINTENANCE, DEFENSE-WIDE	**0**	**161,496**
	MISCELLANEOUS APPROPRIATIONS		
	US COURT OF APPEALS FOR THE ARMED FORCES, DEF		
010	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE	15,589	15,589
	SUBTOTAL US COURT OF APPEALS FOR THE ARMED FORCES, DEF	**15,589**	**15,589**
	TOTAL MISCELLANEOUS APPROPRIATIONS	**15,589**	**15,589**
	MISCELLANEOUS APPROPRIATIONS		
	OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID		
010	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID	110,051	135,051
	Program increase		[25,000]
	SUBTOTAL OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID	**110,051**	**135,051**
	TOTAL MISCELLANEOUS APPROPRIATIONS	**110,051**	**135,051**
	MISCELLANEOUS APPROPRIATIONS		
	COOPERATIVE THREAT REDUCTION ACCOUNT		
010	COOPERATIVE THREAT REDUCTION	239,849	239,849
	SUBTOTAL COOPERATIVE THREAT REDUCTION ACCOUNT	**239,849**	**239,849**
	TOTAL MISCELLANEOUS APPROPRIATIONS	**239,849**	**239,849**
	MISCELLANEOUS APPROPRIATIONS		
	ACQUISITION WORKFORCE DEVELOPMENT		
010	ACQ WORKFORCE DEV FD	54,679	54,679
	SUBTOTAL ACQUISITION WORKFORCE DEVELOPMENT	**54,679**	**54,679**
	TOTAL MISCELLANEOUS APPROPRIATIONS	**54,679**	**54,679**
	MISCELLANEOUS APPROPRIATIONS		
	ENVIRONMENTAL RESTORATION, ARMY		
050	ENVIRONMENTAL RESTORATION, ARMY	200,806	200,806
	SUBTOTAL ENVIRONMENTAL RESTORATION, ARMY	**200,806**	**200,806**
	TOTAL MISCELLANEOUS APPROPRIATIONS	**200,806**	**200,806**

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Senate Authorized
	MISCELLANEOUS APPROPRIATIONS		
	ENVIRONMENTAL RESTORATION, NAVY		
060	ENVIRONMENTAL RESTORATION, NAVY	298,250	298,250
	SUBTOTAL ENVIRONMENTAL RESTORATION, NAVY	**298,250**	**298,250**
	TOTAL MISCELLANEOUS APPROPRIATIONS	**298,250**	**298,250**
	MISCELLANEOUS APPROPRIATIONS		
	ENVIRONMENTAL RESTORATION, AIR FORCE		
070	ENVIRONMENTAL RESTORATION, AIR FORCE	301,768	301,768
	SUBTOTAL ENVIRONMENTAL RESTORATION, AIR FORCE	**301,768**	**301,768**
	TOTAL MISCELLANEOUS APPROPRIATIONS	**301,768**	**301,768**
	MISCELLANEOUS APPROPRIATIONS		
	ENVIRONMENTAL RESTORATION, DEFENSE		
080	ENVIRONMENTAL RESTORATION, DEFENSE	8,783	8,783
	SUBTOTAL ENVIRONMENTAL RESTORATION, DEFENSE	**8,783**	**8,783**
	TOTAL MISCELLANEOUS APPROPRIATIONS	**8,783**	**8,783**
	MISCELLANEOUS APPROPRIATIONS		
	ENVIRONMENTAL RESTORATION FORMERLY USED SITES		
090	ENVIRONMENTAL RESTORATION FORMERLY USED SITES	218,580	218,580
	SUBTOTAL ENVIRONMENTAL RESTORATION FORMERLY USED SITES	**218,580**	**218,580**
	TOTAL MISCELLANEOUS APPROPRIATIONS	**218,580**	**218,580**
	TOTAL OPERATION & MAINTENANCE	**253,623,852**	**260,571,205**

TITLE XLIV—MILITARY PERSONNEL

SEC. 4401. MILITARY PERSONNEL.

SEC. 4401. MILITARY PERSONNEL
(In Thousands of Dollars)

Item	FY 2022 Request	Senate Authorized
MILITARY PERSONNEL		
MILITARY PERSONNEL APPROPRIATIONS		
MILITARY PERSONNEL APPROPRIATIONS	157,947,920	157,451,308
A–10/F–35 Active duty maintainers		93,000
Army UFR – JTIMS exercise support		67,435
Army UFR – Reserve Component EDI for Rotational Forces		55,999
Army UFR – Reserve Component Homeland Security Ops		228,410
CNGB UFR – CBRN Response Forces		9,200
Military personnel historical underexecution		[–950,656]
SUBTOTAL MILITARY PERSONNEL APPROPRIATIONS	**157,947,920**	**157,451,308**
MEDICARE-ELIGIBLE RETIREE HEALTH CARE FUND CONTRIBUTIONS		
MEDICARE-ELIGIBLE RETIREE HEALTH CARE FUND CONTRIBUTIONS	9,337,175	9,337,175
SUBTOTAL MEDICARE-ELIGIBLE RETIREE HEALTH CARE FUND CONTRIBUTIONS	**9,337,175**	**9,337,175**
TOTAL MILITARY PERSONNEL	**167,285,095**	**166,788,483**

TITLE XLV—OTHER AUTHORIZATIONS

SEC. 4501. OTHER AUTHORIZATIONS.

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Senate Authorized
	WORKING CAPITAL FUND		
	WORKING CAPITAL FUND, ARMY		
1	INDUSTRIAL OPERATIONS	26,935	26,935
2	SUPPLY MANAGEMENT—ARMY	357,776	357,776
	SUBTOTAL WORKING CAPITAL FUND, ARMY	**384,711**	**384,711**
	WORKING CAPITAL FUND, NAVY		
1	SUPPLY MANAGEMENT, NAVY	150,000	150,000
	SUBTOTAL WORKING CAPITAL FUND, NAVY	**150,000**	**150,000**
	WORKING CAPITAL FUND, AIR FORCE		
2	SUPPLIES AND MATERIALS	77,453	77,453
	SUBTOTAL WORKING CAPITAL FUND, AIR FORCE	**77,453**	**77,453**

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Senate Authorized
	WORKING CAPITAL FUND, DEFENSE-WIDE		
1	ENERGY MANAGEMENT—DEF	40,000	40,000
2	SUPPLY CHAIN MANAGEMENT—DEF	87,765	87,765
	SUBTOTAL WORKING CAPITAL FUND, DEFENSE-WIDE	**127,765**	**127,765**
	WORKING CAPITAL FUND, DECA		
2	WORKING CAPITAL FUND, DECA	1,162,071	1,162,071
	SUBTOTAL WORKING CAPITAL FUND, DECA	**1,162,071**	**1,162,071**
	TOTAL WORKING CAPITAL FUND	**1,902,000**	**1,902,000**
	CHEM AGENTS & MUNITIONS DESTRUCTION		
	OPERATION & MAINTENANCE		
1	CHEM DEMILITARIZATION—O&M	93,121	93,121
	SUBTOTAL OPERATION & MAINTENANCE	**93,121**	**93,121**
	RESEARCH, DEVELOPMENT, TEST, AND EVALUATION		
2	CHEM DEMILITARIZATION—RDT&E	1,001,231	1,001,231
	SUBTOTAL RESEARCH, DEVELOPMENT, TEST, AND EVALUATION	**1,001,231**	**1,001,231**
	TOTAL CHEM AGENTS & MUNITIONS DESTRUCTION	**1,094,352**	**1,094,352**
	DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
	DRUG INTRDCTN		
1	COUNTER-NARCOTICS SUPPORT	593,250	593,250
	SUBTOTAL DRUG INTRDCTN	**593,250**	**593,250**
	DRUG DEMAND REDUCTION PROGRAM		
2	DRUG DEMAND REDUCTION PROGRAM	126,024	126,024
	SUBTOTAL DRUG DEMAND REDUCTION PROGRAM	**126,024**	**126,024**
	NATIONAL GUARD COUNTER-DRUG PROGRAM		
3	NATIONAL GUARD COUNTER-DRUG PROGRAM	96,970	96,970
	SUBTOTAL NATIONAL GUARD COUNTER-DRUG PROGRAM	**96,970**	**96,970**
	NATIONAL GUARD COUNTER-DRUG SCHOOLS		
4	NATIONAL GUARD COUNTER-DRUG SCHOOLS	5,664	5,664
	SUBTOTAL NATIONAL GUARD COUNTER-DRUG SCHOOLS	**5,664**	**5,664**
	TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	**821,908**	**821,908**
	OFFICE OF THE INSPECTOR GENERAL		
	OFFICE OF THE INSPECTOR GENERAL		
1	OPERATION AND MAINTENANCE	434,700	434,700
2	OPERATION AND MAINTENANCE	1,218	1,218
3	RDT&E	2,365	2,365
4	PROCUREMENT	80	80
	SUBTOTAL OFFICE OF THE INSPECTOR GENERAL	**438,363**	**438,363**
	TOTAL OFFICE OF THE INSPECTOR GENERAL	**438,363**	**438,363**
	DEFENSE HEALTH PROGRAM		
	OPERATION & MAINTENANCE		
1	IN-HOUSE CARE	9,720,004	9,750,004
	Anomalous health incidents		[30,000]
2	PRIVATE SECTOR CARE	18,092,679	18,092,679
3	CONSOLIDATED HEALTH SUPPORT	1,541,122	1,541,122
4	INFORMATION MANAGEMENT	2,233,677	2,233,677
5	MANAGEMENT ACTIVITIES	335,138	335,138
6	EDUCATION AND TRAINING	333,234	333,234
7	BASE OPERATIONS/COMMUNICATIONS	1,926,865	1,926,865
	SUBTOTAL OPERATION & MAINTENANCE	**34,182,719**	**34,212,719**
	RDT&E		
10	R&D ADVANCED DEVELOPMENT	235,556	235,556
11	R&D DEMONSTRATION/VALIDATION	142,252	142,252
12	R&D ENGINEERING DEVELOPMENT	101,054	101,054
12	R&D MANAGEMENT AND SUPPORT	49,645	49,645
14	R&D CAPABILITIES ENHANCEMENT	17,619	17,619
8	R&D RESEARCH	9,091	9,091
9	R&D EXPLORATRY DEVELOPMENT	75,463	75,463
	SUBTOTAL RDT&E	**630,680**	**630,680**
	PROCUREMENT		
15	PROC INITIAL OUTFITTING	20,926	20,926
16	PROC REPLACEMENT & MODERNIZATION	250,366	250,366
18	PROC MILITARY HEALTH SYSTEM—DESKTOP TO DATACENTER	72,302	72,302
19	PROC DOD HEALTHCARE MANAGEMENT SYSTEM MODERNIZATION	435,414	435,414
	SUBTOTAL PROCUREMENT	**779,008**	**779,008**
	TOTAL DEFENSE HEALTH PROGRAM	**35,592,407**	**35,622,407**

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Senate Authorized
	TOTAL OTHER AUTHORIZATIONS	**39,849,030**	**39,879,030**

TITLE XLVI—MILITARY CONSTRUCTION

SEC. 4601. MILITARY CONSTRUCTION.

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2022 Request	Senate Authorized
MILITARY CONSTRUCTION				
ARMY				
	Alabama			
Army	Fort Rucker	AIT Barracks Complex	0	66,000
Army	Redstone Arsenal	Propulsion Systems Lab	55,000	55,000
	Belgium			
Army	Shape Headquarters	Command and Control Facility	16,000	16,000
	California			
Army	Fort Irwin	Simulations Center	52,000	52,000
	Georgia			
Army	Fort Gordon	Cyber Instructional Fac (Admin/Cmd) (Inc 2)	69,000	69,000
Army	Fort Stewart	Barracks	0	100,000
	Germany			
Army	East Camp Grafenwoehr	EDI: Barracks and Dining Facility	103,000	103,000
Army	Smith Barracks	Live Fire Exercise Shoothouse	16,000	16,000
Army	Smith Barracks	Indoor Small Arms Range	17,500	17,500
	Hawaii			
Army	Fort Shafter	Cost to Complete, Command & Control Facility	0	55,500
Army	West Loch Naval Magazine Annex	Ammunition Storage	51,000	51,000
Army	Wheeler Army Airfield	Aviation Unit OPS Building	0	84,000
Army	Wheeler Army Airfield	Rotary Wing Parking Apron	0	56,000
	Kansas			
Army	Fort Leavenworth	Child Development Center	0	34,000
	Kentucky			
Army	Fort Knox	Child Development Center	0	27,000
	Kwajalein			
Army	Kwajalein Atoll	Cost to Complete, Family Housing Replacement Construction	0	10,000
	Louisiana			
Army	Camp Minden	Collective Training Unaccompanied Housing	0	13,800
Army	Fort Polk	Barracks	0	56,000
Army	Fort Polk	Joint Operations Center	55,000	55,000
	Maryland			
Army	Fort Meade	Barracks	81,000	81,000
	New York			
Army	Fort Hamilton	Information Systems Facility	26,000	26,000
Army	Watervliet Arsenal	Access Control Point	20,000	20,000
Army	West Point Military Reservation	Cost to Complete, Engineering Center	0	17,200
	Pennsylvania			
Army	Letterkenny Army Depot	Fire Station	21,000	21,000
Army	Tobyhanna Army Depot	Cost to Complete, Family Housing Replacement Construction	0	7,500
	Puerto Rico			
Army	Fort Buchanan	Cost to Complete, Family Housing Replacement Construction	0	14,000
	South Carolina			
Army	Fort Jackson	Cost to Complete, Reception Barracks Complex, Ph 1	0	21,000
Army	Fort Jackson	Reception Barracks Complex, Ph2 (Inc 2)	34,000	34,000
	Texas			
Army	Fort Hood	Barracks	0	61,000
Army	Fort Hood	Barracks	0	69,000
	Virginia			
Army	Jont Base Langley-Eustis	Cost to Complete, AIT Barracks Complex, Ph 4	0	16,000
	Worldwide Classified			
Army	Classified Location	Forward Operating Site	31,000	31,000
	Worldwide Unspecified			
Army	Unspecified Worldwide Locations	Minor Construction	35,543	35,543
Army	Unspecified Worldwide Locations	Planning & Design	124,649	124,649
Army	Unspecified Worldwide Locations	Host Nation Support	27,000	27,000
Army	Worldwide Various Locations	Lab Planning & Design Unfunded Requirement	0	45,000
	SUBTOTAL ARMY		**834,692**	**1,587,692**
NAVY				
	Arizona			
Navy	Marine Corps Air Station Yuma	Bachelor Enlisted Quarters	0	99,600
Navy	Marine Corps Air Station Yuma	Combat Training Tank Complex	0	29,300
	California			
Navy	Camp Pendleton	I MEF Consolidated Information Center (Inc)	19,869	19,869

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2022 Request	Senate Authorized
Navy	Marine Corps Air Ground Combat Center	Wastewater Treatment Plant	0	45,000
Navy	Marine Corps Air Station Miramar	Aircraft Maintenance Hangar	0	209,500
Navy	Marine Corps Air Station Miramar	F–35 Centralized Engine Repair Facility	0	31,400
Navy	Marine Corps Base Camp Pendleton	Basilone Road Realignment	0	85,200
Navy	Marine Corps Base Camp Pendleton	CLB MEU Complex	0	83,900
Navy	Marine Corps Base Camp Pendleton	Warehouse Replacement	0	22,200
Navy	Marine Corps Reserve Depot San Diego	Recruit Mess Hall Replacement	0	8,000
Navy	Naval Air Station Lemoore	F–35C Hangar 6 Phase 2 (Mod 3/4) (Inc)	75,070	75,070
Navy	Naval Base Coronado	CMV–22B Aircraft Maintenance Hangar	0	63,600
Navy	Naval Base San Diego	Pier 6 Replacement (Inc)	50,000	50,000
Navy	Naval Base Ventura County	Combat Vehicle Maintenance Facility	0	48,700
Navy	Naval Base Ventura County	MQ–25 Aircraft Maintenance Hangar	0	148,800
Navy	Naval Weapons Station Seal Beach	Missile Magazines (Inc)	10,840	10,840
Navy	San Nicolas Island	Directed Energy Weapons Test Facilities	19,907	19,907
	El Salvador			
Navy	Cooperative Security Location Comalapa	Hangar and Ramp Expansion	0	28,000
	Florida			
Navy	Marine Corps Support Facility Blount Island	Lighterage and Small Craft Facility	0	69,400
	Greece			
Navy	Naval Support Activity Souda Bay	EDI: Joint Mobility Processing Center	41,650	41,650
	Guam			
Navy	Andersen Air Force Base	Aviation Admin Building	50,890	50,890
Navy	Joint Region Marianas	4th Marines Regiment Facilities	109,507	84,507
Navy	Joint Region Marianas	Combat Logistics Battallion–4 Facility	92,710	64,710
Navy	Joint Region Marianas	Consolidated Armory	43,470	43,470
Navy	Joint Region Marianas	Infantry Battalion Company HQ	44,100	44,100
Navy	Joint Region Marianas	Marine Expeditionary Brigade Enablers	66,830	66,830
Navy	Joint Region Marianas	Principal End Item (PEI) Warehouse	47,110	47,110
Navy	Joint Region Marianas	Bachelor Enlisted Quarters H (Inc)	43,200	43,200
Navy	Joint Region Marianas	X-Ray Wharf Berth 2	103,800	63,800
Navy	Joint Region Marianas	Joint Communication Upgrade (Inc)	84,000	84,000
	Hawaii			
Navy	Marine Corps Base Kaneohe Bay	Bachelor Enlisted Quarters Phase II (Inc)	0	10,000
Navy	Marine Corps Base Kaneohe Bay	Electrical Distribution Modernization	0	64,500
	Japan			
Navy	Fleet Activities Yokosuka	Pier 5 (Berths 2 and 3) (Inc)	15,292	15,292
Navy	Fleet Activities Yokosuka	Ship Handling & Combat Training Facilities	49,900	49,900
	Maine			
Navy	Portsmouth Naval Shipyard	Multi-Mission Dry Dock #1 Extension (Inc)—Navy #1 Ufr	0	100,000
Navy	Portsmouth Naval Shipyard	Multi-Mission Dry Dock #1 Extension (Inc)	250,000	250,000
	Nevada			
Navy	Naval Air Station Fallon	Training Range Land Acquisition—Phase 2	48,250	0
	North Carolina			
Navy	Camp Lejeune	II MEF Operations Center Replacement (Inc)	42,200	42,200
Navy	Marine Corps Air Station Cherry Point	ATC Tower & Airfield Operations	0	18,700
Navy	Marine Corps Air Station Cherry Point	Aircraft Maintenance Hangar	207,897	57,897
Navy	Marine Corps Air Station Cherry Point	F–35 Flightline Utilities Modernization Phase 2	113,520	33,520
Navy	Marine Corps Base Camp Lejeune	Water Treatment Plant Replacement Hadnot Pt	0	64,200
	South Carolina			
Navy	Marine Corps Air Station Beaufort	Aircraft Maintenance Hangar	0	122,600
Navy	Marine Corps Air Station Beaufort	Recycling/Hazardous Waste Facility	0	5,000
	Spain			
Navy	Naval Station Rota	EDI: Explosive Ordnance Disposal (EOD) Mobile Unit Facilities.	0	85,600
	Virginia			
Navy	Marine Corps Base Quantico	Vehicle Inspection and Visitor Control Center	42,850	42,850
Navy	Marine Corps Base Quantico	Wargaming Center (Inc)	30,500	30,500
Navy	Naval Station Norfolk	CMV–22 Aircraft Maintenance Hangar & Airfield Improvement.	0	75,100
Navy	Naval Station Norfolk	Submarine Pier 3 (Inc)	88,923	43,923
Navy	Naval Weapons Station Yorktown	Navy Munitions Command (Nmc) Ordnance Facilities Recap, Phase 2.	0	13,500
Navy	Portsmouth Naval Shipyard	Dry Dock Saltwater System for CVN–78	156,380	56,380
	Worldwide Unspecified			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2022 Request	Senate Authorized
Navy	Unspecified Worldwide Locations	Unspecified Minor Military Construction	56,435	56,435
Navy	Unspecified Worldwide Locations	MCON Design Funds	363,252	363,252
Navy	Worldwide Various Locations	Consolidated RDT&E Systems Facility P&D (Naval Station Newport).	0	1,700
Navy	Worldwide Various Locations	F–35 Joint Strike Fighter Sustainment Center (P–993) P&D (MCAS Cherry Point).	0	10,000
Navy	Worldwide Various Locations	Hdr Hawaii: Planning and Design	0	9,000
Navy	Worldwide Various Locations	Lab Planning & Design Unfunded Requirement	0	110,000
Navy	Worldwide Various Locations	Next Generation Secure Submarine Platform Facility P&D (Naval Station Newport).	0	4,000
Navy	Worldwide Various Locations	Next Generation Torpedo Integration Lab P&D (Naval Station Newport).	0	1,200
Navy	Worldwide Various Locations	PDI: Planning & Design Unfunded Requirement	0	68,200
Navy	Worldwide Various Locations	Planning & Design	0	40,000
Navy	Worldwide Various Locations	Submarine Payloads Integration Laboratory P&D (Naval Station Newport).	0	1,400
Navy	Worldwide Various Locations	Unspecified Minor Construction	0	75,000
SUBTOTAL NAVY			**2,368,352**	**3,704,402**
AIR FORCE				
	Alaska			
Air Force	Eielson Air Force Base	Contaminated Soil Removal	0	44,850
Air Force	Joint Base Elmendorf-Richardson	Extend Runway 16/34 (Inc 1)	79,000	79,000
	Arizona			
Air Force	Davis-Monthan Air Force Base	South Wilmot Gate	13,400	13,400
Air Force	Luke Air Force Base	F–35A ADAL AMU Facility Squadron #6	28,000	28,000
Air Force	Luke Air Force Base	F–35A Squadron Operations Facility #6	21,000	21,000
	Australia			
Air Force	Royal Australian Air Force Base Darwin	Squadron Operations Facility	7,400	7,400
Air Force	Royal Australian Air Force Base Tindal	Aircraft Maintenance Support Facility	6,200	6,200
Air Force	Royal Australian Air Force Base Tindal	Squadron Operations Facility	8,200	8,200
	California			
Air Force	Edwards Air Force Base	Flight Test Engineering Lab Complex	4,000	4,000
Air Force	Vandenberg Space Force Base	GBSD Stage Processing Facility	19,000	19,000
Air Force	Vandenberg Space Force Base	GBSD Re-Entry Vehicle Facility	48,000	48,000
	Colorado			
Air Force	Schriever Space Force Base	ADAL Fitness Center	0	30,000
	District of Columbia			
Air Force	Joint Base Anacostia Bolling	Joint Air Defense Operations Center Phase II	24,000	24,000
	Florida			
Air Force	Eglin Air Force Base	Cost to Complete—Advanced Munitions Technology Complex	0	31,500
Air Force	Eglin Air Force Base	Flightline Fire Station at Duke Field	0	14,000
	Georgia			
Air Force	Moody Air Force Base	41 Rqs Hh-60w Apron	0	12,500
	Germany			
Air Force	Spangdahlem Air Base	F/a–22 LO/Composite Repair Facility	22,625	22,625
	Guam			
Air Force	Joint Region Marianas	Munitions Storage Igloos IV	55,000	55,000
Air Force	Joint Region Marianas	Airfield Damage Repair Warehouse	30,000	30,000
Air Force	Joint Region Marianas	Hayman Munitions Storage Igloos, MSA2	9,824	9,824
	Hungary			
Air Force	Kecskemet Air Base	EDI: Construct Parallel Taxiway	38,650	38,650
Air Force	Kecskemet Air Base	EDI: Construct Airfield Upgrades	20,564	20,564
	Italy			
Air Force	Aviano Air Force Base	Area A1 Entry Control Point	0	10,200
	Japan			
Air Force	Kadena Air Base	Airfield Damage Repair Storage Facility	38,000	38,000
Air Force	Kadena Air Base	Helicopter Rescue OPS Maintenance Hangar	168,000	50,000
Air Force	Kadena Air Base	Replace Munitions Structures	26,100	26,100
Air Force	Misawa Air Base	Airfield Damage Repair Facility	25,000	25,000
Air Force	Yokota Air Base	Airfield Damage Repair Warehouse	0	39,000
Air Force	Yokota Air Base	Construct CATM Facility	25,000	25,000
Air Force	Yokota Air Base	C–130J Corrosion Control Hangar	67,000	67,000
	Louisiana			
Air Force	Barksdale Air Force Base	Cost to Complete—Entrance Road and Gate	0	36,000
Air Force	Barksdale Air Force Base	Weapons Generation Facility (Inc 1)	40,000	40,000
	Maryland			
Air Force	Joint Base Andrews	Cost to Complete—Military Working Dog Kennel	0	7,800
Air Force	Joint Base Andrews	Fire Crash Rescue Station	26,000	26,000
	Massachusetts			
Air Force	Hanscom Air Force Base	NC3 Acquisitions Management Facility	66,000	66,000
	New Mexico			
Air Force	Kirtland Air Force Base	Cost to Complete—Wyoming Gate Antiterrorism Compliance	0	5,600
	Ohio			
Air Force	Wright-Patterson Air Force Base	Child Development Center	0	24,000

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2022 Request	Senate Authorized
	Oklahoma			
Air Force	Tinker Air Force Base	KC–46A 3–Bay Depot Maintenance Hangar	160,000	60,000
	South Carolina			
Air Force	Joint Base Charleston	Fire and Rescue Station	0	30,000
Air Force	Joint Base Charleston	Flightline Support Facility	0	29,000
	South Dakota			
Air Force	Ellsworth Air Force Base	B–21 2–Bay LO Restoration Facility (Inc 2)	91,000	41,000
Air Force	Ellsworth Air Force Base	B–21 Field Training Detachment Facility	47,000	47,000
Air Force	Ellsworth Air Force Base	B–21 Mission Operations Planning Facility	36,000	36,000
Air Force	Ellsworth Air Force Base	B–21 Washrack & Maintenance Hangar	65,000	65,000
Air Force	Ellsworth Air Force Base	B–21 ADAL Flight Simulator	24,000	24,000
Air Force	Ellsworth Air Force Base	B–21 Formal Training Unit/AMU	70,000	70,000
	Spain			
Air Force	Morón Air Base	EDI: Hot Cargo Pad	8,542	8,542
	Tennessee			
Air Force	Arnold Air Force Base	Add/Alter Test Cell Delivery Bay	0	14,600
	Texas			
Air Force	Joint Base San Antonio	BMT Recruit Dormitory 8 (Inc 3)	31,000	31,000
Air Force	Joint Base San Antonio	BMT Recruit Dormitory 7	141,000	141,000
Air Force	Joint Base San Antonio—Fort Sam Houston	Child Development Center – Fsh	0	29,000
Air Force	Joint Base San Antonio—Lackland	Child Development Center – Lackland	0	29,000
Air Force	Sheppard Air Force Base	Child Development Center	20,000	20,000
	United Kingdom			
Air Force	Royal Air Force Fairford	EDI: Construct DABS-FEV Storage	94,000	24,000
Air Force	Royal Air Force Lakenheath	Cost to Complete—F–35 ADAL Conventional Munitions MX	0	4,400
Air Force	Royal Air Force Lakenheath	F-35a Child Development Center	0	24,000
Air Force	Royal Air Force Lakenheath	F–35A Weapons Load Training Facility	49,000	49,000
Air Force	Royal Air Force Lakenheath	F–35A Munition Inspection Facility	31,000	31,000
	Utah			
Air Force	Hill Air Force Base	GBSD Organic Software Sustainment Center (Inc 2)	31,000	31,000
	Virginia			
Air Force	Joint Base Langley Eustis	Fuel System Maintenance Dock	0	24,000
	Worldwide Unspecified			
Air Force	Various Worldwide Locations	EDI: Planning & Design	648	648
Air Force	Various Worldwide Locations	PDI: Planning & Design	27,200	27,200
Air Force	Various Worldwide Locations	Planning & Design	201,453	201,453
Air Force	Various Worldwide Locations	Unspecified Minor Military Construction	58,884	58,884
Air Force	Worldwide Various Locations	Lab Planning & Design Unfunded Requirement	0	120,000
Air Force	Worldwide Various Locations	Secure Integration Support Lab W/Land Acquisition P&D (Air Force Maui Optical and Supercomputing Site).	0	8,800
SUBTOTAL AIR FORCE			**2,102,690**	**2,332,940**
DEFENSE-WIDE				
	Alabama			
Defense-Wide	Fort Rucker	10 MW RICE Generator Plant and Microgrid Controls	0	24,000
Defense-Wide	Redstone Arsenal	Msic Advanced Analysis Facility Phase 1 (Inc)	0	25,000
	Belgium			
Defense-Wide	Chievres Air Base	Europe West District Superintendent's Office	15,000	15,000
	California			
Defense-Wide	Camp Pendleton	Veterinary Treatment Facility Replacement	13,600	13,600
Defense-Wide	Marine Corps Air Station Miramar	Additional LFG Power Meter Station	0	4,054
Defense-Wide	Naval Air Weapons Station China Lake / Ridgecrest	Solar Energy Storage System	0	9,120
Defense-Wide	Silver Strand Training Complex	SOF NSWG11 Operations Support Facility	12,000	12,000
Defense-Wide	Silver Strand Training Complex	SOF ATC Operations Support Facility	21,700	21,700
	Colorado			
Defense-Wide	Buckley Air Force Base	JCC Expansion	20,000	20,000
	District of Columbia			
Defense-Wide	Joint Base Anacostia Bolling	DIA HQ Cooling Towers and Cond Pumps	0	2,257
Defense-Wide	Joint Base Anacostia Bolling	PV Carports	0	29,004
	Florida			
Defense-Wide	MacDill Air Force Base	Transmission and Switching Stations	0	22,000
	Georgia			
Defense-Wide	Fort Benning	4.8mw Generation and Microgrid	0	17,593
Defense-Wide	Fort Benning	SOF Battalion Headquarters Facility	62,000	62,000
Defense-Wide	Fort Stewart	10 MW Generation Plant, With Microgrid Controls	0	22,000
Defense-Wide	Naval Submarine Base Kings Bay	Electrical Transmission and Distribution	0	19,314
	Germany			
Defense-Wide	Ramstein Air Base	Ramstein Middle School	93,000	13,000
	Guam			
Defense-Wide	Polaris Point Submarine Base	Inner Apra Harbor Resiliency Upgrades (Phase I)	0	38,300
	Hawaii			
Defense-Wide	Joint Base Pearl Harbor-Hickam	Veterinary Treatment Facility Replacement	29,800	29,800
	Idaho			
Defense-Wide	Mountain Home Air Force Base	Water Treatment Plant and Pump Station	0	33,800
	Japan			
Defense-Wide	Kadena Air Base	Truck Unload Facilities	22,300	22,300

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2022 Request	Senate Authorized
Defense-Wide	Kadena Air Base	Operations Support Facility	24,000	24,000
Defense-Wide	Marine Corps Air Base Iwakuni	Fuel Pier	57,700	57,700
Defense-Wide	Misawa Air Base	Additive Injection Pump and Storage System	6,000	6,000
Defense-Wide	Naval Air Facility Atsugi	Smart Grid for Utility and Facility Controls	0	3,810
Defense-Wide	Yokota Air Base	Hangar/AMU	108,253	30,253
	Kuwait			
Defense-Wide	Camp Arifjan	Microgrid Controller, 1.25 MW Solar PV, and 1.5 MWH Battery.	0	15,000
	Maryland			
Defense-Wide	Bethesda Naval Hospital	MEDCEN Addition / Alteration (Inc 5)	153,233	153,233
Defense-Wide	Fort Meade	SOF Operations Facility	100,000	75,000
Defense-Wide	Fort Meade	NSAW Recap Building 4 (Inc 1)	104,100	104,100
Defense-Wide	Fort Meade	NSAW Mission OPS and Records Center (Inc 1)	94,000	94,000
	Michigan			
Defense-Wide	Camp Grayling	650 KW Gas-Fired Micro-Turbine Generation System	0	5,700
	Mississippi			
Defense-Wide	Camp Shelby	10 MW Generation Plant and Feeder Level Microgrid System	0	34,500
Defense-Wide	Camp Shelby	Electrical Distribution Infrastructure Undergrounding Hardening Project.	0	11,155
	Missouri			
Defense-Wide	Fort Leonard Wood	Hospital Replacement (Inc 4)	160,000	160,000
	New Mexico			
Defense-Wide	Kirtland Air Force Base	Environmental Health Facility Replacement	8,600	8,600
	New York			
Defense-Wide	Fort Drum	Well Field Expansion Project	0	25,300
	North Carolina			
Defense-Wide	Fort Bragg	10 MW Microgrid Utilizing Existing and New Generators	0	19,464
Defense-Wide	Fort Bragg	Emergency Water System	0	7,705
	North Dakota			
Defense-Wide	Cavalier Air Force Station	Pcars Emergency Power Plant Fuel Storage	0	24,150
	Ohio			
Defense-Wide	Springfield-Beckley Municipal Airport	Base-Wide Microgrid With Natural Gas Generator, Photovoltaic and Battery Storage.	0	4,700
	Puerto Rico			
Defense-Wide	Aguadilla	Microgrid Control System, 460 KW PV, 275 KW Generator, 660 Kwh Bess.	0	10,120
Defense-Wide	Fort Allen	Microgrid Control System, 690 KW PV, 275 KW Gen, 570 Kwh Bess.	0	12,190
Defense-Wide	Punta Borinquen	Ramey Unit School Replacement	84,000	84,000
	Tennessee			
Defense-Wide	Memphis International Airport	PV Arrays and Battery Storage	0	4,780
	Texas			
Defense-Wide	Joint Base San Antonio	Ambulatory Care Center Phase 4	35,000	35,000
	United Kingdom			
Defense-Wide	Menwith Hill Station	Rafmh Main Gate Rehabilitation	20,000	20,000
Defense-Wide	Royal Air Force Lakenheath	Hospital Replacement-Temporary Facilities	19,283	19,283
	Virginia			
Defense-Wide	Fort Belvoir	Veterinary Treatment Facility Replacement	29,800	29,800
Defense-Wide	Fort Belvoir, NGA Campus East	Led Upgrade Package	0	365
Defense-Wide	Humphries Engineer Center and Support Activity	SOF Battalion Operations Facility	0	36,000
Defense-Wide	National Geospatial-Intelligence Agency Campus East	Electrical System Redundancy	0	5,299
Defense-Wide	Pentagon	Consolidated Maintenance Complex (RRMC)	20,000	20,000
Defense-Wide	Pentagon	Force Protection Perimeter Enhancements	8,608	8,608
Defense-Wide	Pentagon	Public Works Support Facility	21,935	21,935
Defense-Wide	Pentagon, Mark Center, and Raven Rock Mountain Complex	Recommissioning of Hvac Systems, Part B	0	2,600
	Washington			
Defense-Wide	Oak Harbor	ACC / Dental Clinic	59,000	59,000
	Worldwide Unspecified			
Defense-Wide	Unspecified Worldwide Locations	Unspecified Minor Military Construction	8,000	8,000
Defense-Wide	Unspecified Worldwide Locations	Planning & Design	13,317	13,317
Defense-Wide	Unspecified Worldwide Locations	Planning & Design	11,000	11,000
Defense-Wide	Unspecified Worldwide Locations	Unspecified Minor Military Construction	4,435	4,435
Defense-Wide	Unspecified Worldwide Locations	Unspecified Minor Military Construction	21,746	21,746
Defense-Wide	Unspecified Worldwide Locations	Energy Resilience and Conserv. Invest. Prog.	246,600	0
Defense-Wide	Unspecified Worldwide Locations	Unspecified Minor Military Construction	3,000	3,000
Defense-Wide	Unspecified Worldwide Locations	Planning & Design	14,194	14,194
Defense-Wide	Unspecified Worldwide Locations	ERCIP Design	40,150	40,150
Defense-Wide	Unspecified Worldwide Locations	Unspecified Minor Military Construction	12,000	12,000

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2022 Request	Senate Authorized
Defense-Wide	Unspecified Worldwide Locations	Planning & Design	83,840	83,840
Defense-Wide	Unspecified Worldwide Locations	Exercise Related Minor Construction	5,615	5,615
Defense-Wide	Unspecified Worldwide Locations	Planning & Design	2,000	2,000
Defense-Wide	Unspecified Worldwide Locations	Planning & Design	5,275	5,275
Defense-Wide	Various Worldwide Locations	Planning & Design	20,576	20,576
Defense-Wide	Various Worldwide Locations	Planning & Design	20,862	20,862
Defense-Wide	Various Worldwide Locations	Unspecified Minor Military Construction	6,668	6,668
Defense-Wide	Various Worldwide Locations	Planning & Design	35,099	35,099
SUBTOTAL DEFENSE-WIDE			**1,957,289**	**1,996,969**
ARMY NATIONAL GUARD				
	Alabama			
Army National Guard	Huntsville	National Guard Readiness Center	0	17,000
	Connecticut			
Army National Guard	Putnam	National Guard Readiness Center	17,500	17,500
	Georgia			
Army National Guard	Fort Benning	Post-Initial Mil. Training Unaccomp. Housing	13,200	13,200
	Guam			
Army National Guard	Barrigada	National Guard Readiness Center Addition	34,000	34,000
	Idaho			
Army National Guard	Jerome	National Guard Readiness Center	15,000	15,000
	Illinois			
Army National Guard	Bloomington Armory	National Guard Vehicle Maintenance Shop	15,000	15,000
	Kansas			
Army National Guard	Topeka	National Guard/Reserve Center Building	16,732	16,732
	Louisiana			
Army National Guard	Lake Charles	National Guard Readiness Center	18,500	18,500
	Maine			
Army National Guard	Saco	National Guard Vehicle Maintenance Shop	21,200	21,200
	Mississippi			
Army National Guard	Camp Shelby	Maneuver Area Training Equipment Site	0	15,500
	Montana			
Army National Guard	Butte	National Guard Readiness Center	16,000	16,000
	Nebraska			
Army National Guard	Mead Training Site	Collective Training Unaccompanied Housing	0	11,000
	North Dakota			
Army National Guard	Dickinson	National Guard Readiness Center	15,500	15,500
	South Dakota			
Army National Guard	Sioux Falls	National Guard Readiness Center	0	15,000
	Texas			
Army National Guard	Camp Bullis	Cost to Complete, Vehicle Maintenance Shop	0	16,400
	Vermont			
Army National Guard	Bennington	National Guard Readiness Center	0	16,900
	Virginia			
Army National Guard	Troutville	National Guard Readiness Center Addition	6,100	6,100
Army National Guard	Troutville	Combined Support Maintenance Shop Addition	6,900	6,900
	Worldwide Unspecified			
Army National Guard	Unspecified Worldwide Locations	Unspecified Minor Military Construction	39,471	39,471
Army National Guard	Unspecified Worldwide Locations	Planning & Design	22,000	22,000
Army National Guard	Worldwide Various Locations	Army Aviation Support Facility P&D (Sandston, VA)	0	6,500
Army National Guard	Worldwide Various Locations	Cost to Complete, Unspecified Minor Construction	0	69,000
Army National Guard	Worldwide Various Locations	Family Housing Planning and Design	0	15,000
SUBTOTAL ARMY NATIONAL GUARD			**257,103**	**439,403**

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2022 Request	Senate Authorized
AIR NATIONAL GUARD				
	Alabama			
Air National Guard	Montgomery Regional Airport	Aircraft Maintenance Facility	0	19,200
Air National Guard	Sumpter Smith Air National Guard Base	Security and Services Training Facility	0	7,500
	Connecticut			
Air National Guard	Bradley International Airport	Composite ASE/Vehicle MX Facility	0	17,000
	Delaware			
Air National Guard	New Castle County Airport	Replace Fuel Cell/Corrosion Control Hangar	0	17,500
	Idaho			
Air National Guard	Boise Air Terminal (Gowen Field)	Medical Training Facility	0	6,500
	Illinois			
Air National Guard	Abraham Lincoln Capital Airport	Base Civil Engineer Complex	0	10,200
	Massachusetts			
Air National Guard	Barnes Air National Guard Base	Combined Engine/ASE/NDI Shop	12,200	12,200
	Michigan			
Air National Guard	Alpena County Regional Airport	Aircraft Maintenance Hangar/Shops	23,000	23,000
Air National Guard	Selfridge Air National Guard Base	A-10 Maintenance Hangar and Shops	0	28,000
Air National Guard	W. K. Kellog Regional Airport	Construct Main Base Entrance	10,000	10,000
	Mississippi			
Air National Guard	Jackson International Airport	Fire Crash and Rescue Station	9,300	9,300
	New York			
Air National Guard	Francis S. Gabreski Airport	Base Civil Engineer Complex	0	14,800
Air National Guard	Schenectady Municipal Airport	C–130 Flight Simulator Facility	10,800	10,800
	Ohio			
Air National Guard	Camp Perry	Red Horse Logistics Complex	7,800	7,800
	South Carolina			
Air National Guard	Mcentire Joint National Guard Base	Hazardous Cargo Pad	0	9,000
Air National Guard	Mcentire Joint National Guard Base	F–16 Mission Training Center	9,800	9,800
	South Dakota			
Air National Guard	Joe Foss Field	F–16 Mission Training Center	9,800	9,800
	Texas			
Air National Guard	Kelly Field Annex	Aircraft Corrosion Control	0	9,500
	Washington			
Air National Guard	Camp Murray Air National Guard Station	Air Support Operations Complex	0	27,000
	Wisconsin			
Air National Guard	Truax Field	Medical Readiness Facility	13,200	13,200
Air National Guard	Truax Field	F–35 3–Bay Specialized Hangar	31,000	31,000
	Worldwide Unspecified			
Air National Guard	Unspecified Worldwide Locations	Unspecified Minor Military Construction	29,068	29,068
Air National Guard	Various Worldwide Locations	Planning & Design	34,402	34,402
	Wyoming			
Air National Guard	Cheyenne Regional Airport	Combined Vehicle Maintenance & ASE Complex	13,400	13,400
SUBTOTAL AIR NATIONAL GUARD			**213,770**	**379,970**
ARMY RESERVE				
	Michigan			
Army Reserve	Southfield	Area Maintenance Support Activity	12,000	12,000
	Ohio			
Army Reserve	Wright-Patterson Air Force Base	AR Center Training Building/ UHS	19,000	19,000
	Wisconsin			
Army Reserve	Fort McCoy	Transient Training Officer Barracks	0	29,200
Army Reserve	Fort McCoy	Transient Training Battalion Headquarters	12,200	12,200
	Wisonsin			
Army Reserve	Fort McCoy	Transient Training Enlisted Barracks	0	29,200
	Worldwide Unspecified			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2022 Request	Senate Authorized
Army Reserve	Unspecified Worldwide Locations	Planning & Design	7,167	7,167
Army Reserve	Unspecified Worldwide Locations	Unspecified Minor Military Construction	14,544	14,544
SUBTOTAL ARMY RESERVE			**64,911**	**123,311**
NAVY RESERVE				
	Michigan			
Navy Reserve	Navy Operational Support Center Battle Creek	Reserve Center & Vehicle Maintenance Facility	49,090	49,090
	Minnesota			
Navy Reserve	Minneapolis Air Reserve Station	Joint Reserve Intelligence Center	14,350	14,350
	Worldwide Unspecified			
Navy Reserve	Unspecified Worldwide Locations	MCNR Unspecified Minor Construction	2,359	2,359
Navy Reserve	Unspecified Worldwide Locations	USMCR Planning and Design	4,748	4,748
Navy Reserve	Unspecified Worldwide Locations	MCNR Planning & Design	1,257	1,257
SUBTOTAL NAVY RESERVE			**71,804**	**71,804**
AIR FORCE RESERVE				
	California			
Air Force Reserve	Beale Air Force Base	940 ARW SQ OPS & AMU Complex	0	33,000
	Florida			
Air Force Reserve	Homestead Air Reserve Base	Corrosion Control Facility	14,000	14,000
Air Force Reserve	Patrick Air Force Base	Recovery Flight Simulator	18,500	18,500
	Indiana			
Air Force Reserve	Grissom Air Reserve Base	Logistics Readiness Complex	0	29,000
	Minnesota			
Air Force Reserve	Minneapolis-St Paul Air Reserve Station	Mission Support Group Facility	14,000	14,000
	New York			
Air Force Reserve	Niagara Falls Air Reserve Station	Main Gate	10,600	10,600
	Ohio			
Air Force Reserve	Youngstown Air Reserve Base	Assault Runway	0	8,700
	Worldwide Unspecified			
Air Force Reserve	Unspecified Worldwide Locations	Planning & Design	5,830	5,830
Air Force Reserve	Unspecified Worldwide Locations	Unspecified Minor Military Construction	15,444	15,444
Air Force Reserve	Worldwide Various Locations	Planning and Design - Kc-46 Mob 5	0	15,000
SUBTOTAL AIR FORCE RESERVE			**78,374**	**164,074**
NATO SECURITY INVESTMENT PROGRAM				
	Worldwide Unspecified			
NATO Security Investment Program	NATO Security Investment Program	NATO Security Investment Program	205,853	205,853
SUBTOTAL NATO SECURITY INVESTMENT PROGRAM			**205,853**	**205,853**
TOTAL MILITARY CONSTRUCTION			**8,154,838**	**11,006,418**
FAMILY HOUSING				
CONSTRUCTION, ARMY				
	Italy			
Construction, Army	Vicenza	Family Housing New Construction	92,304	92,304
	Worldwide Unspecified			
Construction, Army	Unspecified Worldwide Locations	Family Housing P&D	7,545	7,545
SUBTOTAL CONSTRUCTION, ARMY			**99,849**	**99,849**
O&M, ARMY				
	Worldwide Unspecified			
O&M, Army	Unspecified Worldwide Locations	Management	42,850	42,850
O&M, Army	Unspecified Worldwide Locations	Services	8,277	8,277

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2022 Request	Senate Authorized
O&M, Army	Unspecified Worldwide Locations	Furnishings	18,077	18,077
O&M, Army	Unspecified Worldwide Locations	Miscellaneous	556	556
O&M, Army	Unspecified Worldwide Locations	Maintenance	111,181	111,181
O&M, Army	Unspecified Worldwide Locations	Utilities	43,772	43,772
O&M, Army	Unspecified Worldwide Locations	Leasing	128,110	128,110
O&M, Army	Unspecified Worldwide Locations	Housing Privatization Support	38,404	38,404
SUBTOTAL O&M, ARMY			**391,227**	**391,227**
CONSTRUCTION, NAVY AND MARINE CORPS				
	Worldwide Unspecified			
Construction, Navy and Marine Corps	Unspecified Worldwide Locations	USMC DPRI/Guam Planning & Design	2,098	2,098
Construction, Navy and Marine Corps	Unspecified Worldwide Locations	Construction Improvements	71,884	71,884
Construction, Navy and Marine Corps	Unspecified Worldwide Locations	Planning & Design	3,634	3,634
SUBTOTAL CONSTRUCTION, NAVY AND MARINE CORPS			**77,616**	**77,616**
O&M, NAVY AND MARINE CORPS				
	Worldwide Unspecified			
O&M, Navy and Marine Corps	Unspecified Worldwide Locations	Utilities	56,271	56,271
O&M, Navy and Marine Corps	Unspecified Worldwide Locations	Furnishings	16,537	16,537
O&M, Navy and Marine Corps	Unspecified Worldwide Locations	Management	54,083	54,083
O&M, Navy and Marine Corps	Unspecified Worldwide Locations	Miscellaneous	285	285
O&M, Navy and Marine Corps	Unspecified Worldwide Locations	Services	17,637	17,637
O&M, Navy and Marine Corps	Unspecified Worldwide Locations	Leasing	62,567	62,567
O&M, Navy and Marine Corps	Unspecified Worldwide Locations	Maintenance	95,417	95,417
O&M, Navy and Marine Corps	Unspecified Worldwide Locations	Housing Privatization Support	54,544	54,544
SUBTOTAL O&M, NAVY AND MARINE CORPS			**357,341**	**357,341**
CONSTRUCTION, AIR FORCE				
	Georgia			
Construction, Air Force	Robins Air Force Base	Robins 2 MHPI Restructure	6,000	6,000
	Nebraska			
Construction, Air Force	Offutt Air Force Base	Offutt MHPI Restructure	50,000	50,000
	Worldwide Unspecified			
Construction, Air Force	Unspecified Worldwide Locations	Construction Improvements	49,258	49,258
Construction, Air Force	Unspecified Worldwide Locations	Planning & Design	10,458	10,458
SUBTOTAL CONSTRUCTION, AIR FORCE			**115,716**	**115,716**
O&M, AIR FORCE				
	Worldwide Unspecified			
O&M, Air Force	Unspecified Worldwide Locations	Housing Privatization	23,275	23,275
O&M, Air Force	Unspecified Worldwide Locations	Utilities	43,668	43,668

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2022 Request	Senate Authorized
O&M, Air Force	Unspecified Worldwide Locations	Management	70,062	70,062
O&M, Air Force	Unspecified Worldwide Locations	Services	8,124	8,124
O&M, Air Force	Unspecified Worldwide Locations	Furnishings	26,842	26,842
O&M, Air Force	Unspecified Worldwide Locations	Miscellaneous	2,200	2,200
O&M, Air Force	Unspecified Worldwide Locations	Leasing	9,520	9,520
O&M, Air Force	Unspecified Worldwide Locations	Maintenance	141,754	141,754
SUBTOTAL O&M, AIR FORCE			**325,445**	**325,445**
O&M, DEFENSE-WIDE				
O&M, Defense-Wide	Worldwide Unspecified Unspecified Worldwide Locations	Utilities	4,166	4,166
O&M, Defense-Wide	Unspecified Worldwide Locations	Furnishings	83	83
O&M, Defense-Wide	Unspecified Worldwide Locations	Utilities	14	14
O&M, Defense-Wide	Unspecified Worldwide Locations	Leasing	13,387	13,387
O&M, Defense-Wide	Unspecified Worldwide Locations	Maintenance	49	49
O&M, Defense-Wide	Unspecified Worldwide Locations	Furnishings	656	656
O&M, Defense-Wide	Unspecified Worldwide Locations	Leasing	31,430	31,430
SUBTOTAL O&M, DEFENSE-WIDE			**49,785**	**49,785**
IMPROVEMENT FUND				
Improvement Fund	Worldwide Unspecified Unspecified Worldwide Locations	Administrative Expenses—FHIF	6,081	6,081
SUBTOTAL IMPROVEMENT FUND			**6,081**	**6,081**
UNACCMP HSG IMPROVEMENT FUND				
Unaccmp HSG Improvement Fund	Worldwide Unspecified Unspecified Worldwide Locations	Administrative Expenses—UHIF	494	494
SUBTOTAL UNACCMP HSG IMPROVEMENT FUND			**494**	**494**
TOTAL FAMILY HOUSING			**1,423,554**	**1,423,554**
DEFENSE BASE REALIGNMENT AND CLOSURE				
ARMY BRAC				
Army BRAC	Worldwide Unspecified Base Realignment & Closure	Base Realignment & Closure	65,301	65,301
SUBTOTAL ARMY BRAC			**65,301**	**65,301**
NAVY BRAC				
Navy BRAC	Worldwide Unspecified Unspecified Worldwide Locations	Base Realignment & Closure	111,155	111,155
SUBTOTAL NAVY BRAC			**111,155**	**111,155**
AIR FORCE BRAC				
Air Force BRAC	Worldwide Unspecified Unspecified Worldwide Locations	DOD BRAC Activities—Air Force	104,216	104,216
SUBTOTAL AIR FORCE BRAC			**104,216**	**104,216**
DOD BRAC				
DOD BRAC	Worldwide Unspecified Unspecified Worldwide Locations	Int–4: DLA Activities	3,967	3,967
SUBTOTAL DOD BRAC			**3,967**	**3,967**
TOTAL DEFENSE BASE REALIGNMENT AND CLOSURE			**284,639**	**284,639**
TOTAL MILITARY CONSTRUCTION, FAMILY HOUSING, AND BRAC			**9,863,031**	**12,714,611**

TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS.

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2022 Request	Senate Authorized
Discretionary Summary by Appropriation		
Energy and Water Development and Related Agencies		
Appropriation Summary:		
Energy Programs		
Nuclear energy	149,800	149,800
Atomic Energy Defense Activities		
National Nuclear Security Administration:		
Federal Salaries and Expenses	464,000	464,000
Weapons activities	15,484,295	15,755,745
Defense nuclear nonproliferation	1,934,000	1,991,000
Naval reactors	1,860,705	1,860,705
Total, National Nuclear Security Administration	**19,743,000**	**20,071,450**
Defense environmental cleanup	6,841,670	6,573,000
Other defense activities	1,170,000	920,000
Total, Atomic Energy Defense Activities	**27,754,670**	**27,564,450**
Total, Discretionary Funding	**27,904,470**	**27,714,250**
Nuclear Energy		
Safeguards and security	149,800	149,800
Total, Nuclear Energy	**149,800**	**149,800**
National Nuclear Security Administration		
Federal Salaries and Expenses		
Program direction	464,000	464,000
Weapons Activities		
Stockpile management		
Stockpile major modernization		
B61 Life extension program	771,664	771,664
W76–2 Modification program	0	0
W88 Alteration program	207,157	207,157
W80–4 Life extension program	1,080,400	1,080,400
W80–4 ALT SLCM	10,000	10,000
W87–1 Modification Program (formerly IW1)	691,031	691,031
W93	72,000	72,000
Multi-Weapon Systems	1,180,483	1,180,483
Total, Stockpile major modernization	**4,012,735**	**4,012,735**
Weapons dismantlement and disposition	51,000	51,000
Production operations	568,941	568,941
Total, Stockpile management	**4,632,676**	**4,632,676**
Production modernization		
Primary capability modernization		
Plutonium modernization		
Los Alamos plutonium modernization		
Los Alamos Plutonium Operations	660,419	660,419
21–D–512, Plutonium Pit Production Project, LANL	350,000	350,000
Subtotal, Los Alamos plutonium modernization	**1,010,419**	**1,010,419**
Savannah River plutonium modernization		
Savannah River plutonium operations	128,000	128,000
21–D–511, Savannah River Plutonium Processing Facility, SRS	475,000	475,000
Subtotal, Savannah River plutonium modernization	**603,000**	**603,000**
Enterprise Plutonium Support	107,098	107,098
Total, Plutonium Modernization	**1,720,517**	**1,720,517**
High Explosives & Energetics	68,785	68,785
Total, Primary capability modernization	**1,789,302**	**1,789,302**
Secondary Capability Modernization	488,097	493,097
Cold hearth furnace for depleted uranium		(5,000)
Tritium and Domestic Uranium Enrichment	489,017	489,017
Non-Nuclear Capability Modernization	144,563	144,563
Total, Production modernization	**2,910,979**	**2,915,979**
Stockpile research, technology, and engineering		
Assessment science	689,578	769,528
Reverse FY22 decrease		(79,950)
Engineering and integrated assessments	336,766	337,766
Reverse FY22 decrease		(1,000)
Inertial confinement fusion	529,000	599,000

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2022 Request	Senate Authorized
Reverse FY22 decrease, fund operations and targets		(70,000)
Advanced simulation and computing	747,012	747,012
Weapon technology and manufacturing maturation	292,630	301,130
Reverse FY22 decrease		(8,500)
Academic programs	85,645	91,945
Reverse FY22 decrease		(6,300)
Total, Stockpile research, technology, and engineering	**2,680,631**	**2,846,381**
Infrastructure and operations		
Operating		
Operations of facilities	1,014,000	1,014,000
Safety and Environmental Operations	165,354	165,354
Maintenance and Repair of Facilities	670,000	670,000
Recapitalization		
Infrastructure and Safety	508,664	574,664
Reverse FY22 decrease		(66,000)
Capabilities Based Investments	143,066	149,166
Reverse FY22 decrease		(6,100)
Planning for Programmatic Construction (Pre-CD–1)	0	10,000
Reverse FY22 decrease		(10,000)
Subtotal, Recapitalization	**651,730**	**733,830**
Total, Operating	**2,501,084**	**2,583,184**
I&O: Construction		
Programmatic		
22–D–513 Power Sources Capability, SNL	13,827	13,827
21–D–510, HE Synthesis, Formulation, and Production Facility, PX	44,500	44,500
18–D–690, Lithium Processing Facility, Y–12	171,902	171,902
18–D–650, Tritium Finishing Facility, SRS	27,000	27,000
18–D–620, Exascale Computing Facility Modernization Project, LLNL	0	0
17–D–640, U1a Complex Enhancements Project, NNSS	135,000	135,000
15–D–302, TA–55 Reinvestment Project—Phase 3, LANL	27,000	27,000
15–D–301, HE Science & Engineering Facility, PX	0	0
07–D–220-04, Transuranic Liquid Waste Facility, LANL	0	0
06–D–141, Uranium Processing Facility, Y–12	524,000	524,000
04–D–125, Chemistry and Metallurgy Research Replacement Project, LANL	138,123	138,123
Total, Programmatic	**1,081,352**	**1,081,352**
Mission enabling		
22–D–514 Digital Infrastructure Capability Expansion	8,000	8,000
Total, Mission enabling	**8,000**	**8,000**
Total, I&O construction	**1,089,352**	**1,089,352**
Total, Infrastructure and operations	**3,590,436**	**3,672,536**
Secure transportation asset		
Operations and equipment	213,704	225,704
Reverse FY22 decrease		(12,000)
Program direction	123,060	129,660
Reverse FY22 decrease		(6,600)
Total, Secure transportation asset	**336,764**	**355,364**
Defense nuclear security		
Operations and maintenance	824,623	824,623
Security improvements program	0	0
Construction:		
17–D–710, West end protected area reduction project, Y–12	23,000	23,000
Subtotal, construction	**23,000**	**23,000**
Total, Defense nuclear security	**847,623**	**847,623**
Information technology and cybersecurity	**406,530**	406,530
Legacy contractor pensions	**78,656**	78,656
Total, Weapons Activities	**15,484,295**	**15,755,745**
Adjustments		
Use of prior year balances	0	0
Total, Adjustments	**0**	**0**
Total, Weapons Activities	**15,484,295**	**15,755,745**
Defense Nuclear Nonproliferation		
Defense Nuclear Nonproliferation Programs		
Material management and minimization		
Conversion (formerly HEU Reactor Conversion)	100,660	100,660
Nuclear material removal	42,100	42,100
Material disposition	200,186	200,186
Laboratory and partnership support	0	10,000
Additional isotope production		(10,000)
Total, Material management & minimization	**342,946**	**352,946**
Global material security		
International nuclear security	79,939	79,939
Domestic radiological security	158,002	185,002
Reverse FY22 decrease		(27,000)

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2022 Request	Senate Authorized
International radiological security	85,000	85,000
Nuclear smuggling detection and deterrence	175,000	185,000
Additional border screening		(10,000)
Total, Global material security	**497,941**	**534,941**
Nonproliferation and arms control	184,795	184,795
National Technical Nuclear Forensics R&D	45,000	45,000
Defense nuclear nonproliferation R&D		
Proliferation detection	269,407	269,407
Nonproliferation Stewardship program	87,329	87,329
Nuclear detonation detection	271,000	271,000
Nonproliferation fuels development	0	0
Total, Defense Nuclear Nonproliferation R&D	**627,736**	**627,736**
Nonproliferation construction		
U.S. Construction:		
18–D–150 Surplus Plutonium Disposition Project	156,000	156,000
99–D–143, Mixed Oxide (MOX) Fuel Fabrication Facility, SRS	0	0
Total, U.S. Construction:	**156,000**	**156,000**
Total, Nonproliferation construction	**156,000**	**156,000**
Total, Defense Nuclear Nonproliferation Programs	**1,854,418**	**1,901,418**
Legacy contractor pensions	38,800	38,800
Nuclear counterterrorism and incident response program		
Emergency Operations	14,597	24,597
Reverse FY22 decrease		(10,000)
Counterterrorism and Counterproliferation	356,185	356,185
Total, Nuclear counterterrorism and incident response program	**370,782**	**380,782**
Subtotal, Defense Nuclear Nonproliferation	**2,264,000**	**2,321,000**
Adjustments		
Use of prior year balances	0	0
Rescission of prior year MOX funding	–330,000	–330,000
Total, Adjustments	**–330,000**	**–330,000**
Total, Defense Nuclear Nonproliferation	**1,934,000**	**1,991,000**
Naval Reactors		
Naval reactors development	635,684	635,684
Columbia-Class reactor systems development	55,000	55,000
S8G Prototype refueling	126,000	126,000
Naval reactors operations and infrastructure	599,017	599,017
Program direction	55,579	55,579
Construction:		
22–D–532 Security Upgrades KL	5,100	5,100
22–D–531 KL Chemistry & Radiological Health Building	41,620	41,620
21–D–530 KL Steam and Condensate Upgrades	0	0
14–D–901, Spent Fuel Handling Recapitalization Project, NRF	348,705	348,705
Total, Construction	**395,425**	**395,425**
Rescission of Prior Year unobligated balances	–6,000	–6,000
Total, Naval Reactors	**1,860,705**	**1,860,705**
TOTAL, National Nuclear Security Administration	**19,743,000**	**20,071,450**
Defense Environmental Cleanup		
Closure sites administration	3,987	3,987
Richland:		
River corridor and other cleanup operations	196,000	233,000
Reverse FY22 decrease		(37,000)
Central plateau remediation	689,776	689,776
Richland community and regulatory support	5,121	5,121
18–D–404 Modification of Waste Encapsulation and Storage Facility	8,000	8,000
22–D–401 L–888, 400 Area Fire Station	15,200	15,200
22–D–402 L–897, 200 Area Water Treatment Facility	12,800	12,800
Total, Richland	**926,897**	**963,897**
Office of River Protection:		
Waste Treatment Immobilization Plant Commissioning	50,000	50,000
Rad liquid tank waste stabilization and disposition	817,642	837,642
Additional tank stabilization		(20,000)
Construction:		
18–D–16 Waste treatment and immobilization plant—LBL/Direct feed LAW	586,000	586,000
01–D–16 D, High-level waste facility	60,000	60,000
01–D–16 E, Pretreatment Facility	20,000	20,000
Total, Construction	**666,000**	**666,000**
ORP Low-level waste offsite disposal	7,000	7,000
Total, Office of River Protection	**1,540,642**	**1,560,642**
Idaho National Laboratory:		
Idaho cleanup and waste disposition	358,925	358,925
Idaho community and regulatory support	2,658	2,658
Construction:		

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2022 Request	Senate Authorized
22–D–403 Idaho Spent Nuclear Fuel Staging Facility	3,000	3,000
22–D–404 Addl ICDF Landfill Disposal Cell and Evaporation Ponds Project	5,000	5,000
Total, Construction	**8,000**	**8,000**
Total, Idaho National Laboratory	**369,583**	**369,583**
NNSA sites and Nevada off-sites		
Lawrence Livermore National Laboratory	1,806	1,806
LLNL Excess facilities D&D	35,000	45,000
Accelerate cleanup		(10,000)
Separations Processing Research Unit	15,000	15,000
Nevada Test Site	60,737	60,737
Sandia National Laboratory	4,576	4,576
Los Alamos National Laboratory	275,119	275,119
Los Alamos Excess facilities D&D	58,381	58,381
Total, NNSA sites and Nevada off-sites	**450,619**	**460,619**
Oak Ridge Reservation:		
OR Nuclear facility D&D	274,923	324,923
Accelerate cleanup		(50,000)
U233 Disposition Program	55,000	55,000
OR cleanup and waste disposition	73,725	73,725
Construction:		
17–D–401 On-site waste disposal facility	12,500	12,500
14–D–403 Outfall 200 Mercury Treatment Facility	0	0
Subtotal, Construction:	**12,500**	**12,500**
OR community & regulatory support	5,096	5,096
OR technology development and deployment	3,000	3,000
Total, Oak Ridge Reservation	**424,244**	**474,244**
Savannah River Site:		
Savannah River risk management operations	461,723	486,023
H-canyon operations		(24,300)
SR legacy pensions	130,882	130,882
SR community and regulatory support	5,805	11,505
Reverse FY22 decrease		(5,700)
Radioactive liquid tank waste:		
Construction:		
20-D–402 Advanced Manufacturing Collaborative Facility (AMC)	0	0
20-D–401 Saltstone Disposal Unit #10, 11, 12	19,500	19,500
19–D–701 SR Security systems replacement	5,000	5,000
18–D–402 Saltstone disposal unit #8/9	68,000	68,000
17–D–402 Saltstone Disposal Unit #7	0	0
05–D–405 Salt waste processing facility, SRS	0	0
Total, Construction, Radioactive liquid tank waste	**92,500**	**92,500**
Radioactive liquid tank waste stabilization	890,865	890,865
Total, Savannah River Site	**1,581,775**	**1,611,775**
Waste Isolation Pilot Plant		
Waste Isolation Pilot Plant	350,424	350,424
Construction:		
15–D–411 Safety significant confinement ventilation system, WIPP	55,000	55,000
15–D–412 Exhaust shaft, WIPP	25,000	25,000
21–D–401 Hoisting Capability Project	0	0
Total, Construction	**80,000**	**80,000**
Total, Waste Isolation Pilot Plant	**430,424**	**430,424**
Program direction—Defense Environmental Cleanup	293,106	293,106
Program support—Defense Environmental Cleanup	62,979	62,979
Safeguards and Security—Defense Environmental Cleanup	316,744	316,744
Technology development and deployment	25,000	25,000
Federal contribution to the Uranium Enrichment D&D Fund	415,670	0
Reverse contribution to Fund from EM budget		(–415,670)
Use of prior year balances	0	0
Subtotal, Defense environmental cleanup	**6,841,670**	**6,573,000**
Rescission:		
Rescission of prior year balances	0	0
TOTAL, Defense Environmental Cleanup	**6,841,670**	**6,573,000**
Other Defense Activities		
Environment, health, safety and security		
Environment, health, safety and security mission support	130,809	130,809
Program direction	75,511	75,511
Total, Environment, health, safety and security	**206,320**	**206,320**
Independent enterprise assessments		
Enterprise assessments	27,335	27,335
Program direction—Office of Enterprise Assessments	56,049	56,049
Total, Office of Enterprise Assessments	**83,384**	**83,384**
Specialized security activities	283,500	283,500

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2022 Request	Senate Authorized
Office of Legacy Management		
Legacy management activities—defense	408,797	158,797
Reduction for work performed by Army Corps of Engineers		(–250,000)
Program direction	19,933	19,933
Total, Office of Legacy Management	**428,730**	**178,730**
Defense related administrative support	163,710	163,710
Office of hearings and appeals	4,356	4,356
Subtotal, Other defense activities	**1,170,000**	**920,000**
Use of prior year balances	0	0
Total, Other Defense Activities	**1,170,000**	**920,000**

AUTHORITY FOR COMMITTEES TO MEET

Mr. MARKEY. Mr. President, I have 5 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), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Thursday, October 21, 2021, at 10 a.m., to conduct a hearing.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Thursday, October 21, 2021, at 10 a.m., to conduct a hearing on nominations.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Thursday, October 21, 2021, at 10:15 a.m., to conduct a hearing.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Thursday, October 21, 2021, at 9 a.m., to conduct a hearing.

SUBCOMMITTEE ON SPACE AND SCIENCE

The Subcommittee on Space and Science of the Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Thursday, October 21, 2021, at 10 a.m., to conduct a hearing.

PRIVILEGES OF THE FLOOR

Mr. CASSIDY. Mr. President, I ask unanimous consent that Isabel Rubio, from my office, be granted floor privileges until October 22, 2021.

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

REGISTRATION OF MASS MAILINGS

The filing date for the 2021 third quarter Mass Mailing report is Monday, October 25, 2021. An electronic option is available on Webster that will allow forms to be submitted via a fillable PDF document. If your office did no mass mailings during this period, please submit a form that states ''none.''

Mass mailing registrations or negative reports can be submitted electronically at http://webster.senate.gov/secretary/mass_mailing_form.htm or e-mailed to OPR MassMailings@sec.senate.gov.

For further information, please contact the Senate Office of Public Records at (202) 224–0322.

NATIONAL CO-OP MONTH

Ms. CORTEZ MASTO. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration and the Senate now proceed to S. Res. 408.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 408) designating October 2021 as ''National Co-op Month'' and commending the cooperative business model and the member-owners, businesses, employees, farmers, ranchers, and practitioners who use the cooperative business model to positively impact the economy and society.

There being no objection, the committee was discharged, and the Senate proceeded to consider the resolution.

Ms. CORTEZ MASTO. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 408) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of October 6, 2021, under ''Submitted Resolutions.'')

ORDERS FOR MONDAY, OCTOBER 25, 2021

Ms. CORTEZ MASTO. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m., Monday, October 25; 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; that upon the conclusion of morning business, the Senate proceed to executive session to resume consideration of the Cobb nomination; further, that at 5:30 p.m., the Senate resume consideration of the Parker nomination, as provided under the previous order; and, finally, that if any nominations are confirmed, 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.

Ms. CORTEZ MASTO. For the information of Senators, there will be two rollcall votes starting at 5:30 p.m. on Monday on the confirmation of the Parker and Perez nominations.

ADJOURNMENT UNTIL MONDAY, OCTOBER 25, 2021, AT 3 P.M.

Ms. CORTEZ MASTO. 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 4:04 p.m., adjourned until Monday, October 25, 2021, at 3 p.m.

NOMINATIONS

Executive nominations received by the Senate:

SECURITIES INVESTOR PROTECTION CORPORATION

GLEN S. FUKUSHIMA, OF CALIFORNIA, TO BE A DIRECTOR OF THE SECURITIES INVESTOR PROTECTION CORPORATION FOR A TERM EXPIRING DECEMBER 31, 2021, VICE SHARON Y. BOWEN, TERM EXPIRED.

GLEN S. FUKUSHIMA, OF CALIFORNIA, TO BE A DIRECTOR OF THE SECURITIES INVESTOR PROTECTION CORPORATION FOR A TERM EXPIRING DECEMBER 31, 2024. (REAPPOINTMENT)

DEPARTMENT OF DEFENSE

PETER J. BESHAR, OF NEW YORK, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF THE AIR FORCE, VICE THOMAS E. AYRES.

DEPARTMENT OF TRANSPORTATION

STEVEN SCOTT CLIFF, OF CALIFORNIA, TO BE ADMINISTRATOR OF THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION, VICE MARK R. ROSEKIND.

ANN CLAIRE PHILLIPS, OF VIRGINIA, TO BE ADMINISTRATOR OF THE MARITIME ADMINISTRATION, VICE MARK H. BUZBY.

DEPARTMENT OF STATE

DONALD ARMIN BLOME, OF ILLINOIS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE ISLAMIC REPUBLIC OF PAKISTAN.

TRADE AND DEVELOPMENT AGENCY

ENOH T. EBONG, OF THE DISTRICT OF COLUMBIA, TO BE DIRECTOR OF THE TRADE AND DEVELOPMENT AGENCY, VICE LEOCADIA IRINE ZAK.

CIVIL RIGHTS COLD CASE RECORDS REVIEW BOARD

BRENDA E. STEVENSON, OF CALIFORNIA, TO BE A MEMBER OF THE CIVIL RIGHTS COLD CASE RECORDS REVIEW BOARD. (NEW POSITION)

IN THE ARMY

THE FOLLOWING OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C. SECTION 624:

To be lieutenant colonel

D014273

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14 U.S.C., SECTION 2121(E):

To be commander

MARK P. AGUILAR
BRIAN J. AHEARN, JR
PAUL R. ALEXANDER
CHRISTOPHER A. AUMENT
JUAN C. AVILA
HOWARD B. BAKER, JR
CHARLES J. BARE
DUSTIN G. BARKER
SIMON P. BARR
GREG M. BATCHELDER
TODD C. BATTEN
JAMES C. BENNETT
JASON L. BERGER
ORION R. BLOOM
JORDAN T. BOGHOSIAN
CHRISTOPHER A. BONNER
STEPHEN W. BRICKEY
DOMINIC N. BUCCIARELLI
WILLIAM J. BURWELL
REGINA R. CAFFREY
NOLAN V. CAIN
RAYMOND CARO
JASON R. CARRILLO
DANIEL B. CATHELL
MICHAEL J. CAVANAGH
JAMES E. CEPA
KYRA M. CHIN–DYKEMAN
ERIN H. CHLUM
MEGAN K. CLIFFORD
JOSEPH R. COFFMAN
ROBERTO C. CONCEPCION
CHAD M. CONRAD
REBECCA M. CORSON
NOLAN J. CUEVAS
LANE P. CUTLER
STEVEN T. DAVIES
MICHAEL A. DEAL
DANIEL J. DEANGELO
ANDREW B. DENNELLY
MEGAN A. DENNELLY
AMANDA W. DENNING
AMANDA M. DIPIETRO
TIMOTHY W. DOLAN
ANDREW S. DUNLEVY
RONALD EASLEY
ERICA L. ELFGUINN
JARED W. ENGLAND
KYLE L. ENSLEY
DANIEL J. EVERY
AMANDA L. FAHRIG
ELISA K. FAWCETT
DIANA FERGUSON
TRACI–ANN FIAMMETTA ALVAREZ
REBECCA A. FOSHA
TRAVIS R. GAGNON
NICHOLAS A. GALATI
MICAH N. GENTILE
BRIAN C. GISMERVIK
ELIEZER GONZALEZ
ANDREW M. GRANTHAM
SEAN T. GROARK
ANTHONY J. GUIDO
MATTHEW C. HADDAD
ERIC C. HANSON
KEVAN P. HANSON
JOSHUA B. HARRINGTON
STEPHEN A. HART
JASON L. HATHAWAY
PRESTON J. HIEB
JEROD M. HITZEL
STEFANIE J. HODGDON
THOMAS E. HOLLINBERGER
JARED H. HOOD
JESSE L. HOUCK
RAYMOND M. JAMROS
ANDREW B. JANTZEN
CHRISTINA M. JONES
DAN N. KAHN
CAROLINE D. KEARNEY
GARY G. KIM
GRETAL G. KINNEY
JAY F. KIRCHER
KEVIN K. KOSKI
MATTHEW M. KROLL
WALTER C. KROLMAN
BROWNIE J. KUK
KAREN L. KUTKIEWICZ
CELINA H. LADYGA
JONATHAN W. LADYGA
GRAHAM E. LANZ
JONATHAN M. LARAIA
KEVIN B. LAUBENHEIMER
DANIEL W. LAVINDER
MORGAN R. LAW
PAUL M. LEON
BENJAMIN S. LEUTHOLD
AARON B. LEYKO
JACOB S. LONDON
ERIC R. MAJESKA
PETER E. MALONEY
SAWYER M. MANN
MICHAEL H. MANUEL
SIMONE B. MAUSZ
BENJAMIN D. MAZYCK
CHRISTOPHER N. MCANDREW
SCOTT A. MCBRIDE
JAYNA G. MCCARRON
CORY J. MCCOLLOW
SCOTT H. MCGREW
PATRICK M. MCMAHON
JOHN M. MCWILLIAMS
MICHAEL S. MILLER
CAITLIN H. MITCHELL WURSTER
CHRISTOPHER G. MORRIS
KARL H. MUELLER
ELIZABETH G. NAKAGAWA
JASON A. NEIMAN
CHRISTOPHER M. NICHOLS
RICHARD D. NINES
JEFFREY T. NOYES
GRACE E. OH
TERESA Z. OHLEY
BENJAMIN K. OLOUGHLIN
JEYAR L. PIERCE
JOSEPH P. PLUNKETT
ANDREW D. PRITCHETT
FREDRICK D. PUGH
ERIC A. QUIGLEY
RYAN R. RAMOS
PETER J. RANERI
FRANK M. REED III
SHERAL A. RICHARDSON
CALLAN D. ROBBINS
JASON W. ROBERTS
MICHAEL C. ROSS
JOSHUA H. SAGERS
GARRETT B. SANTOS
AMANDA G. SARDONE
NATHANIEL F. SARGENT
BRIAN G. SATTLER
KENNETH R. SAUERBRUNN
JAMES J. SCHOCK
DANIEL A. SCHRADER
JOHN SGARLATA, JR
SALADIN SHELTON
STEPHEN M. SIMPSON
NORMA L. SMIHAL
DAVID A. SMITH
JOSEPH L. SMITH
JOSH L. SMITH
LAUREN E. SMOAK
JEFF J. SMOLIK
JASON R. STANKO
IAN M. STARR
PAUL W. STEPLER
GEORGE R. SUCHANEK
JOHN P. SUCKOW
KATHLEEN M. SULLIVAN
AMY K. SUNG
DANIEL L. TAVERNIER
STEPHANIE K. THOMAS
DAVID C. THOMPSON
CYNTHIA S. TRAVERS
SHAUN T. VACCARO
EDUARDO M. VALDEZ
MATTHEW J. VANGINKEL
MICHAEL A. VILES
STEVEN M. VOLK
RYAN T. WAITT
JORELL R. WEBB
ANDREW S. WEISS
STEVEN D. WELCH
BRUCE D. WELLS
JONATHAN D. WHITE
PAUL A. WINDT
FRANCIS E. S. WOLFE
JONATHAN M. WOLSTENHOLME
MICHAEL A. WURSTER
GRANT C. WYMAN
VICTOR M. YAGUCHI
JEREMY L. YANDELL
MILES K. YOUNG
MATTHEW W. ZINN

CONFIRMATION

Executive nomination confirmed by the Senate October 21, 2021:

THE JUDICIARY

TANA LIN, OF WASHINGTON, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF WASHINGTON.

EXTENSIONS OF REMARKS

REMEMBERING CHUCK SPANGLER

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 21, 2021

Mr. WILSON of South Carolina. Madam Speaker, my thoughts and prayers go out to the family of Carl ''Chuck'' Spangler III, who passed away last week. Chuck was an important figure in South Carolina's manufacturing sector and a community leader. As President and CEO of the South Carolina Manufacturing Extension Partnership (SCMEP), he was instrumental in leading the organization in helping provide a range of innovative strategies and solutions. Under his leadership, SCMEP was ranked a top five center by the National Institute of Standards and Technology. South Carolina will forever be grateful to the positive impacts Chuck made creating jobs.

Throughout his career and his nearly 25 years with SCMEP, he assisted and trained thousands of manufacturers to improve their operations and financial performances.

In my capacity as Congressman, I was grateful to have known such a talented professional and genuinely good person. He will be missed. I appreciate the opportunity to include in the RECORD the following obituary for Carl ''Chuck'' Maynard Spangler, III:

CHUCK SPANGLER

AUGUST 15, 1963–OCTOBER 15, 2021

Carl ''Chuck'' Maynard Spangler, III, 58 of Hawkins Road, Greer went home to be with his Lord and Savior on Friday, October 15, 2021 at Atrium Health–Cabarrus, Concord.

Born in Cleveland County, NC on August 15, 1963, he was the son of Faye Sparks Spangler and the late Carl Maynard Spangler, Jr. Chuck was the President and CEO of SCMEP and was a member of Double Shoals Baptist Church. He was a graduate of Shelby High School where he was President of the Student Body and a 1985 graduate of NC State. Chuck was also board President for ASMC and severed on several boards including the NIST MEP Leadership Team.

In addition to his mother, he is survived by his high school sweetheart and wife of 37 years, Sabrina Gibson Spangler; three sons, Carl ''Chip'' Maynard Spangler, IV of Simpsonville, SC, Joshua Luke Spangler and wife, Taylor Laken Spangler of Mooresboro and John Michael Spangler of Greer, SC; one grandchild on the way; brother, Dr. Michael Spangler and wife, Karen of Winston-Salem and two sisters, Susan Duncan and husband, Thomas of Raleigh and Angela Anthis and husband, Stephen of Winston-Salem.

Above all, Chuck loved God, his family and his country.

An outdoor Funeral Service will be held on Thursday, October 21, 2021 at 2:00 pm at Double Shoals Baptist Church with the Dr. Brian Johnson officiating. Please bring a chair if needed.

The burial will follow the service in the Double Shoals Baptist Church Cemetery.

Memorials may be made to Christians United for Israel, PO Box 1307, San Antonio, TX 78295 or to Double Shoals Baptist Church, 318 Old Mill Road, Shelby, North Carolina 28150.

A guest register is available at www.stameytysingerfuneralhome.com.

Arrangements have been entrusted to Stamey-Tysinger Funeral Home & Cremation Center, Inc., Fallston, NC.

HONORING THE LIFE AND LEGACY OF DR. TIMUEL BLACK

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 21, 2021

Mr. RUSH. Madam Speaker, I rise today to honor and celebrate the life and legacy of an extraordinary man and international icon: civil rights activist and educator, Dr. Timuel Dixon Black, Jr.

Timuel Black was born in Birmingham, Alabama in 1918. His father was a sharecropper, and his grandparents were formerly enslaved. Black's parents moved to Chicago when he was an infant as part of the Great Migration of Black Americans moving North, seeking a better life.

Black grew up in Bronzeville, in the densely populated ''Black Belt'' where African Americans were confined due to Chicago's discriminatory housing laws. Black attended Burke Elementary School and DuSable High School, and was drafted into the Army in 1943, where he fought on D–Day and in the Battle of the Bulge. Black visited the Buchenwald concentration camp shortly after it was liberated and later said that the atrocities he saw there motivated him to dedicate his life towards peace and justice for all people.

Upon returning home to Chicago, Black attended Roosevelt University, where he graduated with a bachelor's degree in sociology, and continued his education at the University of Chicago, earning masters degrees in both sociology and history. Black spent several years teaching high school in Chicago, Illinois and Gary, Indiana before becoming a professor at Loop College, which was later renamed Harold Washington College.

In 1955, Black saw Rev. Dr. Martin Luther King, Jr. deliver a riveting sermon on television. He was so impressed that he immediately traveled to Alabama to meet Dr. King. That initial meeting would lead Professor Black to help build support networks for Dr. King while Dr. King commuted between Chicago and Alabama. In 1960, A. Philip Randolph enlisted Black to run the Chicago division of the Negro American Labor Council, an advocacy organization that would go on to organize the landmark March on Washington for Jobs and Freedom. Black helped organize the ''freedom trains'' that took thousands of Chicagoans to the event. More than 4,000 Chicagoans ended up attending the March on Washington. Over the course of his life, Black worked to mobilize African American voters and increase African American representation in Illinois politics. Black ran for office a number of times and consistently agitated against Chicago's machine politics. In 1963, Black ran for alderman as part of a coalition of independent Black candidates running against ''Silent Six'' machine incumbents, notably saying that it was time to ''end plantation politics.''

In 1982, Black suggested to his childhood friend, Illinois U.S. Representative Harold Washington, that he should consider running for Mayor of Chicago. In the fight to combat rising poverty, inadequate housing, and unemployment in Chicago's African American and Latino communities, Black spearheaded an effort to support Washington's campaign by registering 263,000 new voters and raising more than $1 million. In 1983, thanks in large part to Black's efforts, Harold Washington became Chicago's first Black mayor. In 1987, soon after Washington's death in office, Black led a successful advocacy campaign to rename Loop College in Washington's honor.

A renowned author and historian, Black wrote an acclaimed oral history on the migration of Black Americans to Chicago from the South, titled ''Bridges of Memory.'' Later, in 2019, he published a memoir titled ''Sacred Ground: The Chicago Streets of Timuel Black.'' For nearly his entire life, Timuel Black made the South Side of Chicago his home and Bronzeville his open classroom, where he taught and mentored future educators, community activists, and business and political leaders.

Madam Speaker, Timuel Black spent every day of his 102 years on this earth pouring his best into others.

As an educator, an activist, a civil rights leader, a confidante, an elder, and a sage, Tim gave his all to all of us.

He was at the center—the beating heart—of the Black community, the Chicago community, the national community, and the international community. Black's contributions were felt in countless historic events: Nelson Mandela's election as President of South Africa, Harold Washington's election as Mayor of Chicago, Barack Obama's election as the first Black President of the United States, Jesse Jackson's campaign for President, and Carol Moseley Braun's election as the first Black woman in the U.S. Senate, among others.

His loss is deeply felt in Chicago, in this Nation, and indeed across the entire world. My thoughts and prayers are with Tim's wife and family, and with all who loved and were impacted by this truly great man.

PERSONAL EXPLANATION

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 21, 2021

Mr. BRADY. Madam Speaker, I was unexpectedly witheld. Had I been present, I would have voted YEA on Roll Call No. 318.

RECOGNIZING THE LION'S CLUB OF DILLSBURG, PENNSYLVANIA ON ITS 90TH ANNIVERSARY

HON. SCOTT PERRY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 21, 2021

Mr. PERRY. Madam Speaker, I'm honored to recognize the Lion's Club of Dillsburg, Pennsylvania, on its 90th Anniversary.

The Lions Club of Dillsburg was chartered by Lions Clubs International on November 7, 1931, with 21 charter members. Originally sponsored by the York Lions Club, the Dillsburg Lions later sponsored more Lions Clubs in Boiling Springs, Mt. Holly Springs, Carlisle, and York Springs. Due to the Depression, membership did not grow until about 1942, and continued to a high of 129 members in the 1980s.

The mission of all Lions Clubs is to serve, and the Dillsburg Lions have consistently served the Dillsburg and Northern York communities throughout its 90 years of service. The service often took different paths—for example, when one early success was ridding Dillsburg Borough of its rat problems. In the early 1950s, the Lions were a driving force in the design of the firehouse and provided $3,000 to construct the Firehouse and the Community Hall, still on South Baltimore Street.

Today, membership of the Dillsburg Lions Club sits at 34 men and women who, throughout the years, have supported the District, State and International Lions projects and activities. Notably, the Dillsburg Lions have provided four zone chairpersons who oversaw 4 to 5 clubs in the area, as well as two District Governors serving all Lions Clubs in Adams, Cumberland, and York Counties.

A worldwide mission of the Lions is support of visually challenged people, as well as support of eyesight preservation. In this area, the Dillsburg Lions have assisted and spearheaded many local ventures to assist this cause, both locally and abroad. The Club pays for eye exams and eyeglasses for adults and children in need, performs vision screening in local elementary schools, donates hundreds of used eyeglasses for reuse, and donates to and works alongside organizations like Leader Dogs for the Blind, and Beacon Lodge, a special needs camp that assists the blind and visually impaired.

Not only does the Lions support efforts to assist the visually challenged, but they also donate time and money towards projects and groups to benefit Dillsburg as a whole. Over the years, the Club constructed a cabin for Dillsburg Boy Scouts Troop 38, in addition to the public pavilion in Logan Park.

The Lions also have funded, constructed, and still maintain the post messages on the square in Dillsburg. Through fundraising, they have returned between $10,000 to $30,000 to the community annually for the past 20 years, and used these funds to help strengthen the Dillsburg Public Library, Dillsburg Youth and High School Sports, Dillsburg Girl Scout Troops, Northern High School scholarships, New Hope Ministries, Northern York County Historical and Preservation Society, Dillsburg Community Fair Organization, York County Blind Association, Adopt-a-Highway road cleanup, Lions Hearing Research, and the Lions Clubs International Foundation. Through these ventures and their 90 years of service, the Lions Club of Dillsburg is an integral force good in our community at large and we are grateful for all that they do.

I am honored and privileged to recognize the Lion's Club of Dillsburg, Pennsylvania, for their work to strengthen our community over the past 90 years. Their contributions are tangible legacies, as their works have made life better for the citizens of Dillsburg and the surrounding communities. We owe a lasting debt of gratitude for their selfless, tireless, and dedicated service.

JEWISH PRAYERS ON CAPITOL HILL

HON. A. DONALD McEACHIN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 21, 2021

Mr. McEACHIN. Madam Speaker, I rise today to include in the RECORD a statement from Rabbi Dr. Israel Zoberman, founder and spiritual leader of Temple Lev Tikvah in Virginia Beach, and the representative of the Jewish Community at the City of Chesapeake's civic occasions.

JEWISH PRAYERS ON CAPITAL HILL

(By Rabbi Dr. Israel Zoberman)

Howard Mortman, the author of an invaluable and unique publication entitled, ''When Rabbis Bless Congress—The Great American Story of Jewish Prayers on Capitol Hill'' is C–SPAN's communications director covering the U.S. Congress, and a graduate of the University of Maryland. His family belongs to Temple Rodef Shalom in Falls Church, Virginia. In his publication, Mortman concludes in a tongue in cheek style. ''So, want to hear rabbis cite Moses and Scripture and Torah and Talmud and Mishnah to legislators and the public? Don't turn to Jerusalem—the Knesset does not open with prayer (although, arguably, who in the Knesset isn't a rabbi?). Instead tune into Washington, where Israel's chief rabbis can and have served as guest chaplains in Congress, just like hundreds of others.''

While both the House and the Senate of the U.S. Congress have full-time clergy chaplains. there is a long-standing tradition of guest chaplains for a day which amounts to offering a brief prayer at the opening session of each chamber. Instructions are provided by both chaplains' offices for the Invocation's length, and content is submitted ahead of time. C–Span provides live coverage, and the prayer is printed in the Congressional Record—which began operating in 1873—on the day of delivery. The guest chaplain is ordinarily recommended by the clergyperson's Representative and Senator, and it is truly a memorable experience to be invited for such an honor. A certificate and photo op are included.

I have had the privilege to offer the Invocation, so far twice in each chamber, vividly recalling the accompanied solemnity with the opportunity to engage with present members of the august bodies. Most members are usually not present in person, instead watching from the screens in their offices the offered prayer followed by the Pledge of Allegiance and the session's agenda. unless there is a vote to take place on the floor. I watched from home on TV the deadly attack on Congress on January 6, 2021, with the defiled desecration of both chambers and the rest of that magnificent and historic citadel of democracy known the world over. To witness it, though from a distance, was painfully shocking and beyond unfathomable, with alarming ramifications for American democracy and the Jewish community.

As the book's title reflects, there is much expressed pride in Jewish clergy representing a minority participating as coequal with other religious figures in a tradition some regard as violation of constitutional church and state separation, though upheld by the Supreme Court in 1983. The book's impressive treasure trove collection of myriad fascinating and intriguing items with sprinkled humor is grouped into two parts, including nine sections. Part One: Who They Are is made up of Section 1: Setting the Scene: A Congress at Pray. Section II: Who Are These Rabbis? Section III: Media Portrayal. Part Two: What They Say. Section IV: Religious Awareness. Section V: Policy and Politics. Section VI: War, Evil, Terror. Section VII: Congress Institutions. Section VIII: America the Exceptional! Section IX: Diversity: Including the Christians. Given the close proximity of the Washington Hebrew Congregation, the oldest synagogue in the capital since 1852 and chartered in 1856 by a Congressional act, it holds the record of guest chaplains. The first rabbi to offer a prayer in Congress did so on February I, 1860. This was an important moment for the American Jewish community; historian Rabbi Dr. Bertram Korn is quoted, ''In more than a theoretical sense, therefore this was the initial recognition by the House of Representatives of the equal standing of Judaism, with Christianity, as' an American faith.'' Of note, on that historic date the House elected its first Republican Speaker, New Jersey's William Pennington, which was acknowledged in the prayer. The U.S. President then was James Buchanan.

Rabbi Edward Calisch of Congregation Beth Ahavah in Richmond, Virginia, was the first American—born rabbi to offer a prayer in the House on April 6, 1892. The iconic Rabbi Isaac Mayer Wise was the first rabbi to offer a prayer in the Senate on May 21, 1870. His biennial birth was recognized with a special resolution in the Senate on April 4, 2019. Rabbi Sally Priesand of New York's Steven Wise Free Synagogue was the first woman and first female rabbi to invoke in the House on October 23, 1973. Her sponsor was the Congresswoman Bella Abzug. In the Senate, the first woman was Rev. Wilmina Roland Smith, a presbyterian minister, on July 8, 1971. The first woman rabbi blessing the Senate was Rabbi Dena Feingold on April 20, 1994, sponsored by her brother, Democratic Senator Russ Feingold of Wisconsin.

Though the Jews only make up 2.2 percent of the American populace, 35 rabbis out of 527 House guest chaplains participated from September 2006 to September 2016. As of February 2020, 441 rabbis delivered prayers, with an average rate of 7.5 percent since WWII, and 11 percent respectively in 2018 and 2019. In Spring 2018, the number of rabbinic invocations was 613, which is symbolically significant, Mortman points out given the traditional number of Mitzvot. Conservative Rabbi Arnold Resnicoff, a former Navy chaplain and line officer during the Vietnam War, holds the record with 16 offered prayers. The C–SPAN Video Library allows access to House prayers since 1979, and to Senate prayers beginning in 1986.

The book's invaluable Index of Names highlights 347 rabbis offering Congressional prayers. Rabbi Dr. Gary P. Zola, Executive Director of the

American Jewish Archives and Professor of the American Jewish Experience at the Hebrew Union College, Cincinnati campus, offered one prayer in each chamber. He is among those at the volume's end who glowingly and justifiability endorse the book, writing ''Howard Mortman's extensively researched volume is jam-packed with astonishing facts and enthralling stories. His book is likely to become the final word on this subject. Once you begin to read Mortman 's captivating story of Jewish prayers on Capitol Hill, you will not want to put it down.''

Rabbi Dr. Israel Zobennan is the founder and spiritual leader of Temple Lev Tikvah in Virginia Beach. He is honorary senior rabbi scholar at Eastern Shore Chapel Episcopal Church in Virginia Beach. He represents the Jewish community at civic events in the City of Chesapeake.

HONORING J.D. GROM'S SERVICE TO THE NEW DEMOCRAT COALITION

HON. DEREK KILMER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 21, 2021

Mr. KILMER. Madam Speaker, I rise today to speak on behalf of J.D. Grom, an exceptional staffer and someone I'm proud to have called a colleague and partner.

J.D. left Capitol Hill as the longest-serving Executive Director of the New Democrat Coalition, and I consider myself lucky that he held the role during my Chairmanship of the Coalition.

We talk a lot in the NewDems about ''the future of work'' and the fundamentally changing nature of our economy. Our Nation—and our world—have seen massive, disruptive economic change. I've even seen it personally. My first job was working at Westside Video in Port Angeles, Washington. As J.D. has heard me say countless times, it kind of bums me out that the words ''Be Kind, Please Rewind'' mean nothing to my two kids. They live in this extraordinary world of seemingly unlimited streaming video and on-demand content. That's good for them but was really disruptive if you worked at a video store. There are countless other examples. The reality is that today's kids are growing up in an economy that is globalized, interconnected and rapidly changing. That can lead to growth and prosperity, but too often leaves a swath of workers and even whole communities struggling to compete.

To J.D.'s credit, under his leadership, the NewDems kept these issues front and center. We worked closely together on issues like workforce development and lifelong learning accounts, portable benefits and placebased economic development.

J.D. never took his eye off the economic ball, and we're better for it as a Coalition. More than that, J.D. was a kind leader and a strong mentor to his staff. He's someone I could always look to as well for sound judgment and clear-eyed, strategic advice.

This Coalition has never been stronger, thanks in no small part to the service of J.D. Grom. I wish him luck in his new role. To J.D.—as well as to his wife, Stacy, and his two kids, Emma and Jack, from whom we borrowed J.D. on many late nights and weekends—I offer my congratulations, my best wishes, and my sincere thanks for years of service.

The Force is strong with this one. We're expecting big things from J.D. ahead.

HOMETOWN HERO—RORY BABINEAUX

HON. BETH VAN DUYNE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 21, 2021

Ms. VAN DUYNE. Madam Speaker, it is an honor to include in the RECORD, the heartwarming story of Officer Rory Babineaux. A 16-year veteran of the Farmers Branch Police Department, Officer Baineaux was dispatched to a welfare concern call from the neighbor of an eighty-year-old resident concerned about the lady's health and safety.

When Officer Babineaux arrived on the scene to find although she was in good health, her air conditioner and plumbing were not working. Instead of passing the case off to others, he took it upon himself to contact local businesses like Right Choice Heating and Air and Metro North Plumbing, who found it in their hearts to waive all costs.

This story not only speaks volumes for the type of community Farmers Branch is, but more importantly the dedication Officer Babineaux has put into the people he has served over the last 16 years. I thank Officer Babineaux, his actions inspire me to serve TX–24 as he has.

PERSONAL EXPLANATION

HON. BRENDA L. LAWRENCE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 21, 2021

Mrs. LAWRENCE. Madam Speaker, unfortunately, on October 20, 2021. my vote was not recorded on the first vote of the series (Roll Call No. 319 on H.R. 4611). Had my vote been recorded. I would have voted:

YES on DHS Software Supply Chain Risk Management Act of 2021, as amended (Rep. TORRES (NY)—Homeland Security).

PERSONAL EXPLANATION

HON. JOHN KATKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 21, 2021

Mr. KATKO. Madam Speaker, I missed the vote on Roll Call No. 319 on October 20, 2021. Had I been present, I would have voted YEA on Roll Call No. 319. Additionally, I missed the vote on Roll Call No. 324 on October 20, 2021. Had I been present, I would have voted YEA on Roll Call No. 324.

HONORING THE WORLD WAR II, KOREAN WAR, AND VIETNAM WAR FEMALE VETERANS OF ILLINOIS

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 21, 2021

Mr. QUIGLEY. Madam Speaker, I rise to honor the World War II, Korean War, and Vietnam War Veterans who traveled to Washington, D.C. on October 6, 2021 with HerStory Honor Flight, a program that provides women World War II, Korean War, and Vietnam War veterans the opportunity to visit their memorials on The National Mall in Washington, D.C. These memorials were built to honor their courage and service to their country.

The American Veteran is one of our greatest treasures. The Soldiers, Airwomen, Sailors, Marines, and Coast Guardswomen who traveled here on October 6th answered our nation's call to service during one of its greatest times of need. From the European Campaign to the Pacific Asian Theatre to the African Theater, these brave Americans risked life and limb, gave service and sacrificed much, all while embodying what it is to be a hero. We owe them more gratitude than can ever be expressed.

I welcome these brave veterans to Washington and to their memorials. I am proud to include in the RECORD the names of these women for all to see, hear, and recognize, and I call on my colleagues to rise and join me in expressing gratitude.

Maria Acevedo, Celeste F. Ackermann, Jeannie L. Adams, Miljan E. Akin, Kay Ann Akins, Romaine Albrecht, Paula L. Annino, Priscilla Elaine Artz, Mary J. Arvidson, Mary Claire Baker, Vida C. Barber, Josephine Bogdanich, Nancy Bernice Boyer, Mary L. Brady, Martha L. Bray, Melody Brocato, Geraldine S. Butts, Dorothy M. Calvin, Joyce A. Campbell-Terry, Denise E. Carson, Norma J. Cella, Ervine Clay, Victoria L. Cobbett, Teresa W. Cole, Cynthia D. Collins, Marva Crandall, Emeline M. Croucher, Rochelle Crump, Amelia E. Cunningham, Rosemary Tamborello Danaher, Elizabeth Day, Gwen M. Diehl, Leasha A. Dixson, Judith A. Doran, Constance L. Edwards, Patricia L. Eidam, Debra L. Emery, Beverly A. England, Sandra L. Forsberg, Diana Gibson, Donna Ann Glielmi, Rita Lynn Gorman, Diana P. Hackbarth, Katherine O. Haile, Eileen Hands, Valorie J. Harris, Catherine A. Harvey, Margaret Mary Hayes, Kathleen Hegg, Charlotte A. Hodder, Rita G. Holmes, Connie R. Holt, Bette C. Horstman, Lane E. Knox, Jeanne M. Kowalski, Melinda C. Larson, Beverly C. Lencioni, Patti L. Lindley, Elizabeth C. Ludwig, Carol Ann Macola, Lisa A. Mattingly, Bernadette McCraven, Edith P. McDonald, Charlotte E. McGrath, Mary McLean, Karen T. Meter, Molly Miller-Bartrom, Wilverlyn Joye Morris, Dana C. Morrison, Jane Moyers, Edwina C. Mroz, Virginia Narsete, Peggy M. Nuelle, Betty Lou Paps, Rochelle B. Perkins, Loretta M. Peters, Mary Roberson, Annie H. Robinson. Katie S. Ross, Kathryn J. Rutledge, Claudia Lynn Ryczkowski, Mary K. Santine, Diane M. Spurgeon, Carol Jean Stegall, Ellen F. Stevenson, Nancy L. Sumner, Barbara Thompson, Patricia A. Tiner, Alexandria Welty, Sandra White-Shelley, Barbara J. Whitman, Lorraine Williams, Thereseann Taggart Sankey.

MEDICAL MARIJUANA RESEARCH ACT

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 21, 2021

Mr. BLUMENAUER. Madam Speaker, today I introduced the Medical Marijuana Research Act. This legislation would remove barriers for research into cannabis and facilitate access to an increased supply of higher quality medical grade cannabis for research purposes.

The cannabis laws in this country are broken, including our laws that govern cannabis research. Because cannabis is a Schedule I substance, researchers must jump through hoops and comply with onerous requirements just to do basic research on the medical potential of the plant.

The Medical Marijuana Research Act amends the Controlled Substances Act to establish a new, separate registration process, specific for marijuana. The bill would both streamline the often-duplicative licensure process for researchers seeking to conduct cannabis research and facilitate access to an increased supply of higher quality medical grade cannabis for research purposes.

The Medical Marijuana Research Act will ensure that research on cannabis and other potentially beneficial marijuana-derived substances is based on sound science and reduce the regulatory barriers associated with marijuana research. The legislation requires the Drug Enforcement Agency (DEA) to license outside of the National Institute on Drug Abuse (NIDA) to ensure that there is an adequate supply of cannabis product to study. The legislation also shortens timelines, reduces unnecessary security measures, and streamlines approval for researchers.

I look forward to working with my colleagues in the House and Senate to enact this legislation and enable research into the medical impacts from using cannabis so Americans have adequate access to potentially transformative medicines and treatments.

CELEBRATING THE 75TH ANNIVERSARY OF THE BUFFALO MEDICAL GROUP

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 21, 2021

Mr. HIGGINS of New York. Madam Speaker, today I rise in honor of Buffalo Medical Group, one of the oldest and largest physician-driven group practices in New York State. This year it will be celebrating its 75th anniversary.

Buffalo Medical Group was founded in 1946, the year after World War II ended. Inspired by the new model of group physician practice they had experienced during the war, practices in that model were resumed by the organization's visionary founders, Drs. Ramsdell Gurney, Murray S. Howland, Jr., George F. Koepf, and Frank Meyers.

The organization has flourished and now records more than 850,000 outpatient visits annually throughout its locations. Built from a 75-year-old desire to provide the best possible health care, Buffalo Medical Group continues to provide innovative patient care today.

Buffalo Medical Group employs not only more than 200 primary care, specialist, subspecialist physicians and advanced practitioners but also over 800 other health care professionals. The organization serves the people of Western New York from a number of locations, including four main locations and seven office satellites.

Buffalo Medical Group operates in a number of medical spheres, including but not limited to family medicine, cancer care, and vascular surgery. The organization also provides a number of support services for the people of Western New York, such as physical therapy, radiation services, and pharmacy services. The organization ensures that the people of Western New York have access to a plethora of medical resources.

Madam Speaker, it is a pleasure to honor Buffalo Medical Group, an organization that has operated in and for Western New York for 75 years. I ask my colleagues to join me in recognizing this milestone.

HONORING JAMES P. BURIAK

HON. H. MORGAN GRIFFITH

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 21, 2021

Mr. GRIFFITH. Madam Speaker, I rise in honor of Naval Air Crewman 1st Class James ''Jimmy'' P. Buriak, who died on August 31, 2021, at the age of 31.

Mr. Buriak, of Salem, Virginia, was one of the five sailors that lost their lives when an MH–60S helicopter embarked aboard the aircraft carrier USS *Abraham Lincoln*, crashed into the sea off the coast of southern California. At the time of the crash, the helicopter was conducting what the Navy described as ''routine flight operations.''

Mr. Buriak was born on May 9, 1990, to Jim and Carol Buriak in Salem. He graduated from Salem High School in 2008 and from Roanoke College in 2012. He joined the Navy in 2017 and served as a rescue swimmer assigned to Helicopter Sea Combat Squadron Eight. He deployed aboard the USS *Theodore Roosevelt* for two consecutive tours before departing for the USS *Abraham Lincoln*.

Last year, Mr. Buriak was honored for rescuing a man caught in a rip current off Guam's Gun Beach. Though coral reefs surround the island, and the gentleman was weak from exhaustion, Mr. Buriak was still able to pull him from the current and bring him safely to shore. He was off duty at the time of the rescue and earned the Navy Commendation Medal for his selflessness and bravery.

Mr. Buriak's thoughtful character far exceeded the parameters of his job. He always went out of his way to help those in need and go the extra mile that others weren't willing to do. He was a charismatic and caring man. He valued his friends and time spent with his wife and son. He was esteemed as a hero. I offer my gratitude for his work and sacrifice for our great country. His selfless service will not be forgotten.

His wife, Megan, is starting the AWS1 James Buriak Foundation to continue honoring his legacy. The foundation will seek to improve financial shortcomings for Gold Star families with small children.

Mr. Buriak is survived by his wife, Megan, and young son, Caulder, as well as his parents, Jim and Carol Buriak, his sister, Laura, and brother-in-law, Erik Zickefoose. I offer them my condolences on their loss.

RECOGNIZING FERNDALE PUBLIC SCHOOLS SUPERINTENDENT DANIA BAZZI, MICHIGAN'S 2022 SUPERINTENDENT OF THE YEAR

HON. ANDY LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 21, 2021

Mr. LEVIN of Michigan. Madam Speaker, I rise today to recognize Ferndale Public Schools Superintendent Dania Bazzi, named by the Michigan Association of Superintendents and Administrators as Michigan's 2022 Superintendent of the Year.

Since joining Ferndale Public Schools in 2017, and especially during the unprecedented 2020–2021 school year, Dr. Bazzi has demonstrated exemplary dedication to students, educators and the Ferndale community at large. Under her direction, Ferndale Public Schools has received awards for equity, innovation, and leadership. Dr. Bazzi is known for placing students and education professionals at the center of every decision, and for taking a systematic approach to uplift the needs of all students. She is making a remarkable impact on the Ferndale Schools community and is a major asset to public education in Michigan.

It is gratifying to know that the hard-working and diverse Ferndale Schools community—all 3,000 students and the talented and caring education professionals who help them to ''Fly High''—are in the very capable hands of Dr. Dania Bazzi. I am truly proud to have the honor of recognizing Dr. Bazzi for being named Michigan's 2022 Superintendent of the Year, and I invite my colleagues to join me in congratulating her and the entire Ferndale Public Schools community for this impressive achievement.

HONORING CALDWELL DURHAM

HON. GREGORY W. MEEKS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 21, 2021

Mr. MEEKS. Madam Speaker, I wish to dedicate some time today to commemorate the 100th birthday of Caldwell Durham. Born in Raymond, Mississippi, more than two decades before Brown v. Board of Education, there was no guarantee that Caldwell Durham (Electrical Engineer Class of 1951 at IIT) or his brothers and sisters would have access to an education. If it were not for the courage and idealism of his parents, Chaney and Curtis Durham, Caldwell might have had a very different life.

At 100, he has worked tenaciously while enjoying a successful, barrier-breaking career as an aerospace engineer. He married the love of his life, Burnette Short Durham, and together they raised three children. He has four grandchildren, six great-grandchildren, and a host of nieces, nephews, grandnieces and grandnephews, cousins and in-laws. He stays in

touch with associates, including fellow Illinois Institute of Technology alumni Michael Hill (CS '82) and Perri Irmer (ARCH '81), colleagues, and friends, who help him stay connected to his passions on a global scale.

What's his secret? Caldwell chuckles at the thought of trying to distill a century of living into a few pithy words of advice. ''Are you sure you want the whole story?'' he asks.

The story begins when Caldwell was born on September 12, 1921 in Raymond, Mississippi, the seventh of eight children. As with all parents, Caldwell's wanted to give their children the best possible start in life. His mother, Chaney Durham, was determined to ensure her children had the opportunity to obtain an education.

So, Curtis and Chaney Durham bought a house 750 miles away and in 1923, they moved their family to Chicago's Bronzeville neighborhood, about two miles away from Armour Institute, the institute that would be reborn as Illinois Institute of Technology in 1940.

There, the Durham children did exactly what their mother hoped they would. They went to school. Caldwell graduated from DuSable High School in 1939 and from Woodrow Wilson Junior College in the spring of 1941. That December, the United States entered World War II.

Caldwell knew that if he was drafted, he'd have little control over where or how he was deployed. He heard about a U.S. Army Air Force airborne training program which would train volunteers to work on aviation electronics. Durham volunteered and was accepted to the training program, assigned to a segregated unit of Black soldiers. Caldwell excelled and his training laid the foundation for the rest of his career.

After the war, Caldwell used his engineering training to get a job working for Western Electric, as a ''wireman,'' building and installing hardware for telephone stations. He was the only Black wireman working for Western Electric, establishing a pattern that he would repeat throughout his career.

In the late 1940s, one of Caldwell's colleagues mentioned that he was thinking about quitting his job at Western Electric to go back to school. Caldwell thought that with his academic and professional background and the financial support of the GI Bill, he might be able to do the same. In 1949, he took a class at the university only a couple of miles from his family's home—Illinois Institute of Technology.

There, Caldwell engaged his remarkable capacity as an engineer and excelled. An IIT professor encouraged Caldwell to apply to attend IIT as a full-time student, so he did. A few months later, he was admitted to Illinois Tech, where he earned a bachelor of science in electrical engineering and again, he excelled.

As graduation approached in 1951, Caldwell found little success finding a job in the Midwest, as few firms at the time had an interest in hiring a Black engineer. One of his professors at IIT suggested he look for a job on the west coast, so Caldwell applied for a job at Lockheed in California.

In June 1951, Caldwell Durham moved across the country in pursuit of greater opportunity, this time with his own family.

The Durhams settled in L.A. and Caldwell quickly earned the respect of his colleagues. Caldwell spent the next ten years working for Lockheed, beginning his aerospace career in earnest, designing and testing airplane instrumentation for the U–2 Spy Plane, first-generation jet aircrafts like the F–94C Starfire Interceptor, and the iconic L–1049 Super Constellation.

In 1961, Caldwell attended a conference where he ran into Okomoto, one of his former Lockheed colleagues, who had since gone to work for Space Technology Laboratories (STL). Okomoto persuaded his manager to interview Caldwell for a job in his office.

Caldwell spent the rest of his career at STL, which later came to be known as TRW. There, he worked in the Ballistic Missile Flight test Instrumentation section, participating in the specification and development of instrumentation systems for several ballistic missiles. Over a period of 28 years he truly became a rocket scientist. In 1978, he became head of the Instrumentation Section. He was the only black section manager in TRW's Missile Program Office. In 1989, he retired with honors and commendations.

Success like Caldwell's isn't a foregone conclusion for anyone. But his parents likely wouldn't be surprised. Chaney Durham knew that all of her children had potential and she did everything she could to give them the chance to express it. She knew that the best way to give her children this gift was through access to education.

Because of his education, Caldwell was able to compete for opportunities that others like him had rarely been allowed to pursue before. And because of his talent and determination, he enjoyed a successful career. He and Burnette also committed themselves to passing on the lesson of the power of an education to their own children. Today, all three of Caldwell's children achieved post-graduate degrees, and he counts lawyers, doctors and a news anchor among his children, grandchildren and great-grandchildren.

This legacy of excellence began almost one hundred years ago, all because one family made the decision to prioritize access to education over their own comfort. Because of that, the descendants of Chaney and Curtis Durham, now five generations strong, have what Chaney always dreamed of: a chance at a better life through the power of education.

Caldwell's 100th birthday was September 12, 2021. He likes to say he's lived a charmed life. So, what is his secret? ''You know, I don't know,'' he says with a laugh, ''I think exercise is part of the equation.''

COMMEMORATING SANTA CLARA CITY LIBRARIAN PATTY WONG

HON. RO KHANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 21, 2021

Mr. KHANNA. Madam Speaker, today I rise to congratulate my constituent, Patty Wong, on becoming the first Asian American librarian to serve as the President of the American Library Association—an organization dedicated to improving learning opportunities and information across the country.

I am grateful for Ms. Wong's service in my district as the City Librarian for the Santa Clara Public Library. She has dedicated her 37-year career to improving our communities by serving as an award-winning librarian in institutions throughout California, and also as a part-time faculty member educating hundreds of undergraduates at San Jose State University.

From serving as a school librarian, children's librarian, and a special librarian in places including Stockton-San Joaquin County Public Library, Oakland Public Library and Berkeley Public Library, she has used every opportunity she could find to pour her heart and soul into community service. Her work on equity and diversity, youth development, fundraising, and creating collaborations between libraries and community agencies are inspiring to us all.

In each of her roles, Ms. Wong has stood out as a leader who is dedicated to making the world a better place. When the pandemic struck, Ms. Wong spearheaded efforts to support weekly food distribution programs, hosted COVID–19 testing at libraries, and partnered with Stanford Blood Mobile to collect blood donations. Our community owes her a debt of gratitude for this selfless work.

Ms. Wong is exceptional in her history of working in libraries and her passion for community service. I am delighted to see her extraordinary talents in this new role recognized as the new President of the American Library Association. I wish her the best of luck on this exciting new endeavor.

HONORING BARB FULLER AS IOWAN OF THE WEEK

HON. CYNTHIA AXNE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 21, 2021

Mrs. AXNE. Madam Speaker, I rise today to ask the House of Representatives to join me in honoring Barb Fuller of Corning, Iowa, as Iowan of the Week.

This week we recognize National 4–H Week. As a former 4–H'er myself, I have the utmost respect and gratitude for the individuals who devote their time and expertise to helping kids around our country grow and realize their own potential. In Iowa, 4–H has a deeply rooted commitment to the growth and development of kids across our great State. For decades, Barb Fuller has dedicated her time and passions to the Adams County 4–H.

Barb has been involved with 4–H for practically her entire life. She participated in the organization when she was a kid with the Colfax Cloverettes of Boone County, and the organization's impact on her inspired her to take on more expansive roles within 4–H, especially after her daughter started participating in the organization. Barb became a leader in the Adams County 4–H for roughly 15 years after her daughter joined, leading her daughter's 4–H group, the Jasper Specialists.

Barb has impacted many of the 4–H'ers during her time with the organization, always making sure anyone who wanted to participate was able to have the opportunity to do so. Barb has been dedicated to helping kids in her community grow, and she thoroughly enjoys having the opportunity to guide kids through different projects and tasks. What has impacted Barb the most throughout her time with 4–H has always been the ability to watch kids learn, grow, and gain more self-confidence through the projects and activities they're able

to get involved with. One of the activities that Barb coordinated was the Adams County 4–H Shooting Sports, where she acted as a rifle instructor with her husband, Dave. The couple taught those involved in the program how to handle firearms safely and securely, and they watched 4–H'ers compete at different events at various levels.

Recently, Barb was inducted into the Adams County 4–H Hall of Fame for her decades of service with the organization. Barb's passion for 4–H, along with her years of instruction, has left a mark on generations of 4–H'ers, and it reminds me of the wonderful memories I have of interacting with my leaders and instructors when I was a 4–H'er. Barb's service to her community is commendable, and it's why I am honored to name Barb Fuller as our Iowan of the Week.

RECOGNIZING THE SERVICE OF DEPUTY RUSSELL F. ROARK

HON. RALPH NORMAN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 21, 2021

Mr. NORMAN. Madam Speaker, I rise today to recognize the service of Deputy Russell F. Roark, a beloved community leader and former Police Chief for the City of York.

Deputy Roark has dedicated over fifty years to protecting our community. He began his career in public service as a city fireman in 1962. The following year, he started working as a police officer. By April of 1983, he became the Police Chief for the Union Public Safety Department. Throughout his twenty years of unparalleled leadership and service as Police Chief, Roark trained, mentored, and encouraged countless individuals who have entered the law enforcement profession. Other officers described his advice as ''priceless.'' In 2003, Russell retired as Police Chief. Instead of relaxing and enjoying retirement, Russell continued to serve his community and immediately went to work for the Union County Sheriffs Office as a process server.

Described by his colleagues as dependable, hard-working, and compassionate, Deputy Roark always gives more than 100 percent to his job. As explained by a dear friend, ''vacation and sick leave are not in his vocabulary.'' Even on his days off, Deputy Roark would show up at work to paint the patrol office and spend holidays delivering gifts to individuals in nursing homes.

He has exceeded expectations in service to our state, highlighted by his receipt of numerous awards and accolades. For example, Deputy Roark has been honored with the Union County Cornerstone Award and was named the 2009 Union County Sheriff Office Deputy of the Year. He has earned the respect of law enforcement and citizens all over the state. Most everyone in Union County still fondly refers to him as ''Chief' because of his decades of selfless service to the community.

The career of Deputy Roark is a testament to all the good our men and women in blue do for our communities. A true servant-leader, he has created a legacy of progress and success. On behalf of the 5th District of South Carolina, I thank Deputy Roark for his continued service and wish him all the best in his future endeavors. Union County has truly been blessed to have him as a community guardian throughout the last half century.

HONORING THE LIFE OF MR. JERRY NALIPINSKI

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 21, 2021

Ms. MCCOLLUM. Madam Speaker, it is with a heavy heart that I rise today to honor the life of Mr. Jerry Nalipinski who died on October 14, 2021 at the age of 91. Jerry was a decorated veteran of the Korean War and a longtime leader and advocate for Minnesota veterans and residents of the East Metro Twin Cities region where he lived.

I first met Jerry when I served on the City Council of North Saint Paul and as a member of the VFW Post 1350 Auxiliary in the late 1980s. He immediately impressed me as a go-to leader and doer on behalf of veterans and the broader community. His passing is a loss that is felt deeply throughout the Minnesota veteran community.

After graduating from Johnson High School in Saint Paul, Jerry served with the 31st Regiment, Seventh Division, U.S. Army in Korea as a communication officer, arriving in Inchon Harbor on a troop ship. He served with the American-led, United Nations forces from Canada, Turkey and the other 20 coalition members. Commanders ordered Jerry's rifle company to the front lines shortly after arriving in theater, and he sustained injuries during the battle of Pork Chop Hill for which he was awarded a Purple Heart. He was awarded a second Purple Heart and a Bronze Star during his subsequent service in Korea.

Upon his return to Minnesota, Jerry utilized the GI Bill to continue his academic studies. He went to work for Winzen Research, Inc., an aerospace pioneer that created high-altitude balloons in the 1950s and 1960s that were used by the United States Navy in its Projects Helios, Skyhook, and Strato-Lab, that set the altitude record for manned balloon flights. He later worked at Northwestern Bell for many years before retiring.

Jerry made a life-long commitment to serving veterans and others. He served as chair of the Minnesota Korean War Veterans Chapter 1 and led creation and completion of the Minnesota Korean War Memorial. Located on the grounds of the State Capitol, the memorial pays tribute to the 738 Minnesotans who lost their lives and honors all 94,646 from our state who served in the war.

Service defined Jerry's life, as well as that of his beloved late wife Marilyn, who worked tirelessly along his side until her death in 2013. A member of the Arthur O. Haukland VFW Post 1350 in North Saint Paul, Minnesota, Jerry went above and beyond to serve veterans and their families, working to connect veterans of all eras and to serve the broader community.

He served in multiple leadership roles, including chair of the scholarship committee and as chaplain. Jerry led a recent Post effort to ensure that all veterans' graves at Saint Mary's Cemetery were located and identified. Each Memorial Day he organized the volunteers that marked each grave with a flag or marker.

Additionally, he was chair of the Ramsey United Veterans Council and vice president of the Military Order of the Purple Heart Chapter 5. His efforts included ensuring each family of a deceased veteran received an American flag in a presentation case crafted by residents of the Hastings Veterans Home. Often, he took time to deliver each of these flags personally.

Few people who are as selfless as Jerry was, and through his commitment to service, vision and stewardship, our state and our community is much better off. It was a privilege to work with Jerry, and especially to call him a friend. My sincere condolences are with his beloved family, his fellow veterans and many friends. Madam Speaker, please join me in tribute to Jerry Nalipinski for his remarkable life of service to our Nation and our community.

REMEMBERING DWIGHT BOYD

HON. TROY A. CARTER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 21, 2021

Mr. CARTER of Louisiana. Madam Speaker, I rise today to recognize and remember Dwight Boyd, a son of Louisiana, who transitioned to his eternal heavenly rest late night on Saturday, October 16, 2021.

He was at peace in his final moments beside his loving families.

He was 65 years old.

As the oldest of six, Dwight's family was always at the center of his world.

His brother Glynn Boyd, one of my dearest friends, looked up to his older brother and recounted many stories from his life.

He shared how Dwight was the first to get a part-time job at Winn-Dixie, and that even as a young man, Dwight always made sure to give all his siblings gifts during the holidays.

Friends remember him graciously blessing them through his angelic voice when singing at church, in weddings, or at the 50-yard line during a high school football game.

Dwight, known by childhood friends as earning the title of Mr. Higgins High School, shined a light on everyone he encountered.

He loved the New Orleans Saints, celebrating Christmas with family, music, and politics.

He made lifelong friends that described him as being the pillar of the community.

My thoughts are with Dwight's loving family, friends, and neighbors as they reel with this loss.

Rest easy, and may God bless his memory.

RECOGNIZING PLANO COMMUNITY FORUM ON THEIR 40TH ANNIVERSARY

HON. VAN TAYLOR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 21, 2021

Mr. TAYLOR. Madam Speaker, today, I rise to recognize Plano Community Forum as they celebrate 40 years of outstanding service to the community. Founded on December 10, 1981 by Ken Chestnut, Fred Moses, Al Schexnayder, and Cecil Starks, the Forum

was created to support the involvement and achievements of African Americans in Plano.

For four decades, the multi-ethnic and multicultural Plano Community Forum has provided a voice for the people of Plano and its members have become known as valued and respected leaders. The heart of the organization is community involvement which has created opportunities for people to connect with local food pantries and programs that assist with transitional living and homeless youth.

In recognition of scholarship recipients and to honor the service of local educators, business owners, and community leaders, the Forum hosts an Annual Gala and Awards Program. The proceeds from the event allow the organization to continue providing scholarships and other opportunities to support future generations. Since 1983, the non-profit organization has awarded more than $300,000 in scholarships.

Further, through expression contests, bootcamps, and the sponsorship of events such as the Annual Dr. Martin Luther King, Jr. Celebration Weekend, the Plano Community Forum has supported cultural enrichment for the community.

Now as we recognize the Plano Community Forum on their milestone anniversary, I ask my colleagues in the House of Representatives to join me in honoring their selfless acts of service and wish them great success in all their future endeavors.

PERSONAL EXPLANATION

HON. STEPHANIE N. MURPHY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 21, 2021

Mrs. MURPHY of Florida. Madam Speaker, I was unable to vote on Roll Call 319 on October 20, 2021. Had I been present, I would have voted YEA on Roll Call No. 319.

IN RECOGNITION OF CLARA BELLE HUNTER DOUTLY

HON. RASHIDA TLAIB

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 21, 2021

Ms. TLAIB. Madam Speaker, I rise today to recognize the outstanding contributions of Ms. Clara Doutly, a resident of Michigan's 13th Congressional District and one of our country's "Rosie the Riveters," as she celebrates her one hundredth birthday.

Ms. Doutly was raised in Detroit, as the youngest of six siblings and attended Cass Technical High School. At nineteen years old, she began working at Briggs Manufacturing, where she helped produced parts and riveting components for B–24 and B–29 bombers for World War II. Ms. Doutly was one of among 300,000 other women who worked as riveters, assembling warplanes across Michigan during the 1940s. Clara Doutly, Detroit's own "Rosie the Riveter," contributed to our country to victory and became an icon of women's empowerment and strength.

We owe our gratitude to Clara Doutly and the countless other Michigan women who stepped up to serve as the critical workforce and labor our country needed. Even now, Ms. Doutly continues to show up for her community and others through her many years of service work at the St. Patrick's Senior Center in the 13th Congressional District. Ms. Clara Doutly is a true example of Detroit's strength, resiliency, and power of its people. We recognize Ms. Doutly and all of our "Rosie the Riveters" across our state and country for breaking down barriers to women in the workforce and for their contributions to our history.

Please join me in wishing Detroit's Rosie the Riveter, Ms. Clara Hunter Doutly, a happy one hundredth birthday as we recognize her contributions to our country and to our community in the 13th Congressional District.

REMBERING MP SIR DAVID AMESS

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 21, 2021

Mr. WILSON of South Carolina. Madam Speaker, I would like to express my condolences to the family of MP Sir David Amess. As a member of Parliament, Sir Amess dedicated himself to his constituents and their concerns, often holding meetings with them on Fridays and was popular among his colleagues.

People who knew him described him as very approachable, who had a passion for animal welfare and pro-life issues. In the House of Commons, Amess was a loyal supporter first of his heroine, Margaret Thatcher, then successive leaders after her except where Brexit came into play.

Our office is especially appreciative of his service as Chief of Staff Jonathan Day worked with Sir Amess in London.

Much of his career was spent on committees and on campaigns to improve the health treatment for people with arthritis, asthma, and other conditions. Over the last three years he supported improved treatment for endometriosis, a cause he took up after meeting a constituent, and he recently supported a plan to erect a memorial to Vera Lynn on the white cliffs of Dover. He was knighted in 2015.

He is survived by his wife, Julia Arnold, and five children.

PERSONAL EXPLANATION

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 21, 2021

Mr. HUDSON. Madam Speaker, I was unavoidably detained and missed a vote. Had I been present, I would have voted YEA on Roll Call No. 319.

CELEBRATING TENTH ANNIVERSARY OF REV. DR. MARTIN LUTHER KING, JR. MEMORIAL

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 21, 2021

Ms. JACKSON LEE. Madam Speaker, I rise to mark the 10th anniversary of the dedication of the Rev. Dr. Martin Luther King, Jr. Memorial on the Tidal Basin, between the Jefferson and Lincoln Memorials.

The location of this Memorial, the only memorial on the Mall dedicated to a person not an office holder or employed by the United States, is especially fitting, situated as it is between the author of the Declaration of Independence, which contained the audacious boast that "we hold these truths to be self-evident, that all men are created equal and born with certain inalienable rights," and the greatest of all American presidents, the Great Emancipator Abraham Lincoln, who understood that this nation could not survive "half slave and half free" and preserved the Union through the great contest, testing whether this nation, or any nation, can long endure."

Dr. Martin Luther King was a dreamer but he was not just an idle daydreamer; he had an active faith that led him to share his vision of the beloved community where equal justice and institutions were facts of life.

When Jefferson wrote he Declaration of Independence in 1776, declaring "that all Men are Created Equal," it was equally true that at that time and for centuries to come, African-Americans were historically, culturally, and legally excluded from inclusion in that declaration.

Reverend Dr. Martin Luther King's "I Have a Dream" Speech, delivered 50 years ago, on August 28, 1963, was a clarion call to each citizen of this great nation that we still hear today.

The request was simply and eloquently conveyed—he asked America to allow of its citizens to live out the words written in its Declaration of Independence and to have a place in this nation's Bill of Rights.

The 1960s were a time of great crisis, conflict, and promise.

The dreams of the people of this country were filled with troubling images that arose like lava from the nightmares of violence and the crises they had to face, both domestically and internationally.

It was the decade of the Cuban Missile Crisis, the Vietnam War, and the assassinations of President John Fitzgerald Kennedy, Malcolm X, Presidential Candidate Robert Kennedy, and the man in whose honor the Rev. Dr. Martin Luther King, Jr. Memorial is dedicated.

Dr. Martin Luther King's dream helped us turn the corner on civil rights.

It started with a peaceful march for suffrage that started in Selma, Alabama on March 7, 1965—a march that ended with violence at the hands of law enforcement officers as the marchers crossed the Edmund Pettus Bridge.

But the dream did not die there.

Dr. King led the Montgomery Bus Boycott, often with Rosa Parks, a boycott that lasted for 381 days, and ended when the United States Supreme Court outlawed as unconstitutional racial segregation on all public transportation.

Dr. King used several nonviolent tactics to protest against Jim Crow Laws in the South and he organized and led demonstrations for desegregation, labor and voting rights.

When the life of Dr. Martin Luther King was stolen from us, he was a very young 39 years old.

People remember that Dr. King died in Memphis, but few can remember why he was there.

On that fateful day in 1968 Dr. King came to Memphis to support a strike by the city's sanitation workers.

The garbage men there had recently formed a chapter of the American Federation of State, County and Municipal Employees to demand better wages and working conditions.

But the city refused to recognize their union, and when the 1,300 employees walked off their jobs the police broke up the rally with mace and billy clubs.

It was then that union leaders invited Dr. King to Memphis.

Despite the danger he might face entering such a volatile situation, it was an invitation he could not refuse.

Not because he longed for danger, but because the labor movement was intertwined with the civil rights movement for which he had given up so many years of his life.

The death of the Rev. Dr. Martin Luther King, Jr., will never overshadow his life; that is his legacy as a dreamer and a man of action.

It is a legacy of hope, tempered with peace; it is a legacy not quite yet fulfilled.

I hope that Dr. King's vision of equality under the law is never lost to us, who in the present, toil in times of unevenness in our equality.

For without that vision—without that dream—we can never continue to improve on the human condition.

For those who have already forgotten, or whose vision is already clouded with the fog of complacency, I would like to recite the immortal words of the Rev. Dr. Martin Luther King, Jr.:

''I have a dream that one day on the red hills of Georgia the sons of former slaves and the sons of former shareholders will be able to sit down together at the table of brotherhood.

I have a dream that one day even the State of Mississippi, a state sweltering with the heat of injustice, sweltering with the heat of oppression, will be transformed into an oasis of freedom and justice.

I have a dream that my four little children will one day live in a nation where they will not be judged by the color of their skin, but for the content of their character.

I have a dream today.

I have a dream that one day down in Alabama with its vicious racists, with its Governor having his lips dripping with words of interposition and nullification—one day right there in Alabama, little black boys and black girls will be able to join hands with little white boys and white girls as sisters and brothers.

I have a dream today.

I have a dream that one day every valley shall be exalted, every hill and mountain shall be made low, the rough place will be made plain and the crooked places will be made straight, and the glory of the Lord shall be revealed, and all flesh shall see it together.''

Dr. King's dream did not stop at racial equality, his ultimate dream was one of human equality and dignity.

There is no doubt that Dr. King supported freedom and justice for every individual in America and he was in midst of planning the 1968 Poor People's Campaign for Jobs and Justice when he was struck down by the dark deed of an assassin on April 4, 1968.

Therefore, it is for us, the living, to continue that fight today and forever, in the great spirit that inspired the Rev. Dr. Martin Luther King, Jr.

In his 1837 Lyceum Address titled ''The Perpetuation of Our Political Institutions,'' Abraham Lincoln warned that mobs or people who disrespected U.S. laws and courts would always pose the most dangerous threat to the perpetuation of United States:

''All the armies of Europe and Asia . . . could not by force take a drink from the Ohio River or make a track on the Blue Ridge in the trial of a thousand years. No, if destruction be our lot, we must ourselves be its author and finisher.''

But Lincoln advised us of the best defense against domestic threats and attacks on our democracy: public reverence for the Constitution and rule of law as ''the political religion of our nation.''

Madam Speaker, democracy in America is not an act, it is an activity; it is never finished or complete but always in the process of making our union more perfect; and the nation will always be confronted with challenge of confirming the proposition that this nation, or any nation conceived in liberty and dedicated to the proposition that all are created equal can long endure.

Since the assassination of President Lincoln, who extended malice toward but charity for all, no one understood this better than the Rev. Dr. Martin Luther King, Jr.

That is why he is one of the greatest Americans to have graced our Nation.

That is why he is so worthy of the national honor of the Rev. Dr. Martin Luther King, Jr. Memorial.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S7135–S7322

Measures Introduced: Twenty-two bills and one resolution were introduced, as follows: S. 3035–3056, and S. Res. 426. **Pages S7154–55**

Measures Reported:

S. 2520, to amend the Homeland Security Act of 2002 to provide for engagements with State, local, Tribal, and territorial governments, with an amendment in the nature of a substitute. (S. Rept. No. 117–42) **Page S7154**

Measures Passed:

National Co-op Month: Committee on the Judiciary was discharged from further consideration of S. Res. 408, designating October 2021 as ''National Co-op Month'' and commending the cooperative business model and the member-owners, businesses, employees, farmers, ranchers, and practitioners who use the cooperative business model to positively impact the economy and society, and the resolution was then agreed to. **Page S7321**

Parker Nomination: Senate resumed consideration of the nomination of Douglas L. Parker, of West Virginia, to be an Assistant Secretary of Labor. **Pages S7137–38**

During consideration of this nomination today, Senate also took the following action:

By 51 yeas to 47 nays (Vote No. EX. 422), Senate agreed to the motion to close further debate on the nomination. **Pages S7137–38**

Perez Nomination: Senate resumed consideration of the nomination of Myrna Perez, of New York, to be United States Circuit Judge for the Second Circuit. **Pages S7138–43**

During consideration of this nomination today, Senate also took the following action:

By 51 yeas to 48 nays (Vote No. EX. 423), Senate agreed to the motion to close further debate on the nomination of Myrna Perez, of New York, to be United States Circuit Judge for the Second Circuit. **Page S7138**

Cobb Nomination—Cloture: Senate began consideration of the nomination of Jia M. Cobb, of Virginia, to be United States District Judge for the District of Columbia. **Page S7143**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Thursday, October 21, 2021, a vote on cloture will occur at 11 a.m., on Tuesday, October 26, 2021. **Page S7143**

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Legislative Session. **Page S7143**

Senate agreed to the motion to proceed to Executive Session to consider the nomination. **Page S7143**

Williams Nomination—Cloture: Senate began consideration of the nomination of Karen McGlashan Williams, of New Jersey, to be United States District Judge for the District of New Jersey. **Pages S7143–44**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Jia M. Cobb, of Virginia, to be United States District Judge for the District of Columbia. **Pages S7143–44**

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Legislative Session. **Page S7143**

Senate agreed to the motion to proceed to Executive Session to consider the nomination. **Page S7143**

Giles Nomination—Cloture: Senate began consideration of the nomination of Patricia Tolliver Giles, of Virginia, to be United States District Judge for the Eastern District of Virginia. **Page S7144**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Karen McGlashan Williams, of

New Jersey, to be United States District Judge for the District of New Jersey. **Page S7144**

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Legislative Session. **Page S7144**

Senate agreed to the motion to proceed to Executive Session to consider the nomination. **Page S7144**

Nachmanoff Nomination—Cloture: Senate began consideration of the nomination of Michael S. Nachmanoff, of Virginia, to be United States District Judge for the Eastern District of Virginia. **Page S7144**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Patricia Tolliver Giles, of Virginia, to be United States District Judge for the Eastern District of Virginia. **Page S7144**

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Legislative Session. **Page S7144**

Senate agreed to the motion to proceed to Executive Session to consider the nomination. **Page S7144**

Nagala Nomination—Cloture: Senate began consideration of the nomination of Sarala Vidya Nagala, of Connecticut, to be United States District Judge for the District of Connecticut. **Page S7144**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Michael S. Nachmanoff, of Virginia, to be United States District Judge for the Eastern District of Virginia. **Page S7144**

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Legislative Session. **Page S7144**

Senate agreed to the motion to proceed to Executive Session to consider the nomination. **Page S7144**

A unanimous-consent agreement was reached providing that the cloture motions filed on Thursday, October 21, 2021, ripen at 11 a.m., on Tuesday, October 26, 2021. **Page S7144**

A unanimous-consent agreement was reached providing that at approximately 3 p.m., on Monday, October 25, 2021, Senate resume consideration of the nomination of Jia M. Cobb, of Virginia, to be United States District Judge for the District of Columbia; and that at 5:30 p.m., Senate resume consideration of the nomination of Douglas L. Parker, of West Virginia, to be an Assistant Secretary of Labor, post-cloture, as provided under the order of Wednesday, October 20, 2021. **Page S7321**

Nomination Confirmed: Senate confirmed the following nomination:

By 52 yeas to 45 nays (Vote No. EX. 424), Tana Lin, of Washington, to be United States District Judge for the Western District of Washington. **Pages S7135–37, S7143**

During consideration of this nomination today, Senate also took the following action:

By 52 yeas to 47 nays (Vote No. EX. 421), Senate agreed to the motion to close further debate on the nomination. **Page S7137**

Nominations Received: Senate received the following nominations:

Glen S. Fukushima, of California, to be a Director of the Securities Investor Protection Corporation for a term expiring December 31, 2021.

Glen S. Fukushima, of California, to be a Director of the Securities Investor Protection Corporation for a term expiring December 31, 2024.

Peter J. Beshar, of New York, to be General Counsel of the Department of the Air Force.

Steven Scott Cliff, of California, to be Administrator of the National Highway Traffic Safety Administration.

Ann Claire Phillips, of Virginia, to be Administrator of the Maritime Administration.

Donald Armin Blome, of Illinois, to be Ambassador to the Islamic Republic of Pakistan.

Enoh T. Ebong, of the District of Columbia, to be Director of the Trade and Development Agency.

Brenda E. Stevenson, of California, to be a Member of the Civil Rights Cold Case Records Review Board.

Routine lists in the Army and Coast Guard. **Pages S7321–22**

Messages from the House: **Page S7152**

Measures Referred: **Pages S7152–53**

Petitions and Memorials: **Pages S7153–54**

Executive Reports of Committees: **Page S7154**

Notice of a Tie Vote Under S. Res. 27: **Page S7150**

Additional Cosponsors: **Pages S7155–56**

Statements on Introduced Bills/Resolutions: **Pages S7156–59**

Additional Statements: **Pages S7151–52**

Amendments Submitted: **Pages S7159–S7321**

Authorities for Committees to Meet: **Page S7321**

Privileges of the Floor: **Page S7321**

Record Votes: Four record votes were taken today. (Total—424) **Pages S7137–38, S7143**

Adjournment: Senate convened at 10 a.m. and adjourned at 4:04 p.m., until 3 p.m. on Monday, October 25, 2021. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S7321.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported 38 nominations in the Army, Air Force, Marine Corps, and Space Force.

HOUSING MARKET

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine how private equity landlords are changing the housing market, after receiving testimony from Sofia Lopez, Action Center on Race and the Economy, Los Angeles, California; Holly Hook, MHAction, Detroit, Michigan; Norbert J. Michel, Cato Institute Center for Monetary and Financial Alternatives, Washington, D.C.; Michael Hendrix, Manhattan Institute, New York, New York; and Desiree Fields, University of California, Berkeley.

NASA OVERSIGHT

Committee on Commerce, Science, and Transportation: Subcommittee on Space and Science concluded a hearing to examine international collaboration and competition in space, focusing on oversight of NASA's role and programs, after receiving testimony from Patricia Sanders, National Aeronautics and Space Administration's Aerospace Safety Advisory Panel; Jim Bridenstine, former NASA Administrator, Oklahoma City, Oklahoma; Mary Lynne Dittmar, Axiom Space, Inc., Houston, Texas; and Mike Gold, Redwire Space, Washington, D.C.

NATURAL RESOURCES LEGISLATION

Committee on Energy and Natural Resources: Committee concluded a hearing to examine S. 1734, to direct the Secretary of the Interior and the Secretary of Agriculture to encourage and expand the use of prescribed fire on land managed by the Department of the Interior or the Forest Service, with an emphasis on units of the National Forest System in the western United States, S. 1964, to amend the Omnibus Parks and Public Lands Management Act of 1996 to provide for the establishment of a Ski Area Fee Retention Account, S. 2404, to improve Federal activities relating to wildfires, S. 2436, to amend the Healthy Forests Restoration Act of 2003 to establish emergency fireshed management areas, S. 2561, to amend the Forest and Rangeland Renewable Resources Planning Act of 1974 and the Federal Land Policy and Management Act of 1976 to provide that a land resource management plan or land use plan approved, amended, or revised under those Acts shall not be considered to be a continuing Federal agency action or constitute a discretionary Federal involvement or control for a distinct Federal purpose, S. 2564, to establish a pilot program under which the Chief of the Forest Service may use alternative dispute resolution in lieu of judicial review for certain projects, S. 2650, to provide mandatory funding for hazardous fuels reduction projects on certain Federal land, S. 2806, to direct the Secretary of Agriculture to select and implement landscape-scale forest restoration projects, to assist communities in increasing their resilience to wildfire, and S. 2836, to improve revegetation and carbon sequestration activities in the United States, after receiving testimony from Senator Bennet; Christopher B. French, Deputy Chief, National Forest System, Forest Service, Department of Agriculture; Jeffery Rupert, Director, Office of Wildland Fire, Department of the Interior; Bill Crapser, Wyoming State Forestry Division, Cheyenne, on behalf of the National Association of State Foresters; Paul Johansen, West Virginia Division of Natural Resources, South Charleston; and Tyson Bertone-Riggs, Rural Voices for Conservation Coalition, Portland, Oregon.

INSPECTOR GENERAL INDEPENDENCE AND INTEGRITY

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine safeguarding inspector general independence and integrity, including H.R. 2662, to amend the Inspector General Act of 1978, S. 587, to amend the Inspector General Act of 1978 to provide that the President or certain agency heads may remove the Inspector General, or place an Inspector General on non-duty status, only if certain conditions are satisfied, S. 1794, to amend the Inspector General Act of 1978 to provide testimonial subpoena authority, and S. 426, to amend the Inspector General Act of 1978 relative to the powers of the Department of Justice Inspector General, after receiving testimony from Allison C. Lerner, Inspector General, National Science Foundation, and Kevin H. Winters, Inspector General, National Railroad Passenger Corporation (Amtrak), both on behalf of the Council of the Inspectors General on Integrity and Efficiency; and Michael E. Horowitz, Inspector General, Department of Justice.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 2429, to amend chapter 38 of title 31, United States Code, relating to civil remedies; and

The nomination of Beth Robinson, of Vermont, to be United States Circuit Judge for the Second Circuit.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 22 public bills, H.R. 5654–5675; and 12 resolutions, H. Con. Res. 55; and H. Res. 730–740 were introduced. **Pages H5789–91**

Additional Cosponsors: **Pages H5792–93**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein she appointed Representative DelBene to act as Speaker pro tempore for today. **Page H5729**

Recess: The House recessed at 10:54 a.m. and reconvened at 12 noon. **Page H5735**

Recommending that the House of Representatives Find Stephen K. Bannon in Contempt of Congress for Refusal to Comply with a Subpoena Duly Issued by the Select Committee to Investigate the January 6th Attack on the United States Capitol: The House agreed to H. Res. 730, recommending that the House of Representatives Find Stephen K. Bannon in Contempt of Congress for Refusal to Comply with a Subpoena Duly Issued by the Select Committee to Investigate the January 6th Attack on the United States Capitol by a yea-and-nay vote of 229 yeas to 202 nays, Roll No. 329. **Pages H5748–69**

H. Res. 727, the rule relating to the consideration of House Report 117–152 and an accompanying resolution, was agreed to by a yea-and-nay vote of 221 yeas to 205 nays, Roll No. 328, after the previous question was ordered by a yea-and-nay vote of 221 yeas to 206 nays, Roll No. 327. **Pages H5138–48**

Senate Referral: S. 2899 was held at the desk. **Page H5738**

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H5738.

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages H5746–47, H5747–48, and H5768–69.

Adjournment: The House met at 10 a.m. and adjourned at 7:20 p.m.

Committee Meetings

MISCELLANEOUS MEASURES

Committee on Agriculture: Full Committee held a markup on H.R. 4252, to provide additional funding for scholarships for students at 1890's institutions; H.R. 5608, the "Chronic Wasting Disease Research and Management Act"; H.R. 4489, the "National Forest Restoration and Remediation Act"; H.R. 5609, the "Cattle Contract Library Act of 2021"; and H.R. 5589, the "Pyrolysis Innovation Grants Act". H.R. 4542 and H.R. 5589 were ordered reported, as amended. H.R. 5608, H.R. 4489, and H.R. 5609 were ordered reported, without amendment.

UPDATE ON VA'S ELECTRONIC HEALTH RECORD MODERNIZATION IMPLEMENTATION

Committee on Appropriations: Subcommittee on Military Construction, Veterans Affairs, and Related Agencies held a hearing entitled "Update on VA's Electronic Health Record Modernization Implementation". Testimony was heard from Donald Remy, Deputy Secretary, Department of Veterans Affairs.

OFFSHORE WIND, ONSHORE BENEFITS: GROWING THE DOMESTIC WIND ENERGY INDUSTRY

Committee on Energy and Commerce: Subcommittee on Energy held a hearing entitled "Offshore Wind, Onshore Benefits: Growing the Domestic Wind Energy Industry". Testimony was heard from public witnesses.

A STRONG FOUNDATION: HOW HOUSING IS THE KEY TO BUILDING BACK A BETTER AMERICA

Committee on Financial Services: Full Committee held a hearing entitled "A Strong Foundation: How Housing is the Key to Building Back a Better America". Testimony was heard from public witnesses.

PREPARING FOR COP26: UNITED STATES STRATEGY TO COMBAT CLIMATE CHANGE THROUGH INTERNATIONAL DEVELOPMENT

Committee on Foreign Affairs: Subcommittee on International Development, International Organizations, and Global Corporate Social Impact; and Subcommittee on Europe, Energy, the Environment, and Cyber held a joint hearing entitled ''Preparing for COP26: United States Strategy to Combat Climate Change through International Development''. Testimony was heard from Gillian Caldwell, Climate Change Coordinator, U.S. Agency for International Development; Jake Levine, Chief Climate Officer, U.S. International Development Finance Corporation; and Jonathan Richart, Deputy Vice President, Infrastructure, Environment, and Private Sector, Millennium Challenge Corporation.

MISCELLANEOUS MEASURES

Committee on Foreign Affairs: Full Committee held a markup on H.R. 5497, the ''BURMA Act of 2021''; H. Res. 569, expressing continued solidarity with the Lebanese people after the devastating explosions at the Port of Beirut on August 4, 2020, and the continued efforts to form a secure, independent, and democratic Lebanon; H. Res. 445, condemning all violence and human rights abuses in Ethiopia, and calling on the Government of Ethiopia and the Government of the State of Eritrea to remove all Eritrean troops from Ethiopia, and for all belligerents in the conflict, including the Ethiopian National Defense Forces, the Tigray People's Liberation Front, and Amhara regional forces, and other armed groups to cease all hostilities, protect human rights, allow unfettered humanitarian access, and cooperate with independent investigations of credible atrocity allegations; H. Res. 720, calling for stability, the cessation of violence, condemning ISIS-affiliated terrorist activity in northern Mozambique, including the Cabo Delgado Province, and for other purposes; and H.R. 4914, the ''Havana Syndrome Attacks Response Act''. H. Res. 569 and H. Res. 720 were ordered reported, without amendment. H. Res. 445, H.R. 5497, and H.R. 4914 were ordered reported, as amended.

OPERATION ALLIES WELCOME: EXAMINING DHS'S EFFORTS TO RESETTLE VULNERABLE AFGHANS

Committee on Homeland Security: Subcommittee on Oversight, Management, and Accountability; and Subcommittee on Border Security, Facilitation, and Operations held a joint hearing entitled ''Operation Allies Welcome: Examining DHS's Efforts to Resettle Vulnerable Afghans''. Testimony was heard from public witnesses.

OVERSIGHT OF THE UNITED STATES DEPARTMENT OF JUSTICE

Committee on the Judiciary: Full Committee held a hearing entitled ''Oversight of the United States Department of Justice''. Testimony was heard from Merrick B. Garland, Attorney General, Department of Justice.

RUNIT DOME AND THE U.S NUCLEAR LEGACY IN THE MARSHALL ISLANDS

Committee on Natural Resources: Subcommittee on Oversight and Investigations held a hearing entitled ''Runit Dome and the U.S. Nuclear Legacy in the Marshall Islands''. Testimony was heard from Matthew Moury, Associate Under Secretary for Environment, Health, Safety and Security, Department of Energy; Nikolao Pula, Director, Office of Insular Affairs, Department of the Interior; and public witnesses.

THE EQUAL RIGHTS AMENDMENT: ACHIEVING CONSTITUTIONAL EQUALITY FOR ALL

Committee on Oversight and Reform: Full Committee held a hearing entitled ''The Equal Rights Amendment: Achieving Constitutional Equality for All''. Testimony was heard from Jennifer McClellan, Senator, State Senate, Virginia; and public witnesses.

JUDICIOUS SPENDING TO ENABLE SUCCESS AT THE OFFICE OF NUCLEAR ENERGY

Committee on Science, Space, and Technology: Subcommittee on Investigations and Oversight; and Subcommittee on Energy held a joint hearing entitled ''Judicious Spending to Enable Success at the Office of Nuclear Energy''. Testimony was heard from Katy Huff, Acting Assistant Secretary, Office of Nuclear Energy, Department of Energy; and public witnesses.

THREE YEARS AFTER LION AIR 610: FAA IMPLEMENTATION OF THE 2020 AIRCRAFT CERTIFICATION, SAFETY, AND ACCOUNTABILITY ACT

Committee on Transportation and Infrastructure: Subcommittee on Aviation held a hearing entitled ''Three Years After Lion Air 610: FAA Implementation of the 2020 Aircraft Certification, Safety, and Accountability Act''. Testimony was heard from Steve Dickson, Administrator, Federal Aviation Administration, Department of Transportation.

COVERT ACTION'S ROLE IN FOREIGN POLICY

Permanent Select Committee on Intelligence: Full Committee held a hearing entitled ''Covert Action's Role in Foreign Policy''. This hearing was closed.

MODERNIZING THE CONGRESSIONAL SUPPORT AGENCIES TO MEET THE NEEDS OF AN EVOLVING CONGRESS

Select Committee on the Modernization of Congress: Full Committee held a hearing entitled ''Modernizing the Congressional Support Agencies to Meet the Needs of an Evolving Congress''. Testimony was heard from Gene Dodaro, Comptroller General, Government Accountability Office; Mary Mazanec, Director, Congressional Research Service, Library of Congress; Phillip Swagel, Director, Congressional Budget Office; Wendy Ginsberg, Staff Director, Committee on Oversight and Reform, U.S. House of Representatives; and public witnesses.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR FRIDAY, OCTOBER 22, 2021

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

Committee on Homeland Security, Full Committee, hearing entitled ''Member Day'', 9 a.m., 310 Cannon and Webex.

Committee on the Judiciary, Full Committee, hearing entitled ''Member Day Hearing'', 9 a.m., 2141 Rayburn and Zoom.

Next Meeting of the SENATE

3 p.m., Monday, October 25

Senate Chamber

Program for Monday: Senate will resume consideration of the nomination of Jia M. Cobb, of Virginia, to be United States District Judge for the District of Columbia.

At 5:30 p.m., Senate will vote on confirmation of the nominations of Douglas L. Parker, of West Virginia, to be an Assistant Secretary of Labor, and Myrna Perez, of New York, to be United States Circuit Judge for the Second Circuit.

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Friday, October 22

House Chamber

Program for Friday: Consideration of H.R. 3110—Providing Urgent Maternal Protections for Nursing Mothers Act.

Extensions of Remarks, as inserted in this issue

HOUSE

Axne, Cynthia, Iowa, E1127
Blumenauer, Earl, Ore., E1126
Brady, Kevin, Tex., E1123
Carter, Troy A., La., E1128
Griffith, H. Morgan, Va., E1126
Higgins, Brian, N.Y., E1126
Hudson, Richard, N.C., E1129
Jackson Lee, Sheila, Tex., E1129
Katko, John, N.Y., E1125
Khanna, Ro, Calif., E1127
Kilmer, Derek, Wash., E1125
Lawrence, Brenda L., Mich., E1125
Levin, Andy, Mich., E1126
McCollum, Betty, Minn., E1128
McEachin, A. Donald, Va., E1124
Meeks, Gregory W., N.Y., E1126
Murphy, Stephanie N., Fla., E1129
Norman, Ralph, S.C., E1128
Perry, Scott, Pa., E1124
Quigley, Mike, Ill., E1125
Rush, Bobby L., Ill., E1123
Taylor, Van, Tex., E1128
Tlaib, Rashida, Mich., E1129
Van Duyne, Beth, Tex., E1125
Wilson, Joe, S.C., E1123, E1129

Congressional Record

The *Congressional Record* (USPS 087–390). The Periodicals postage is paid at Washington, D.C. The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed one time. ¶Public access to the *Congressional Record* is available online through the U.S. Government Publishing Office, at *www.govinfo.gov*, free of charge to the user. The information is updated online each day the *Congressional Record* is published. For more information, contact the GPO Customer Contact Center, U.S. Government Publishing Office. Phone 202–512–1800, or 866–512–1800 (toll-free). E-Mail, *contactcenter@gpo.gov*. ¶To place an order for any of these products, visit the U.S. Government Online Bookstore at: bookstore.gpo.gov. Mail orders to: Superintendent of Documents, P.O. Box 979050, St. Louis, MO 63197–9000, or phone orders to 866–512–1800 (toll-free), 202–512–1800 (D.C. area), or fax to 202–512–2104. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, American Express, or GPO Deposit Account. ¶Following each session of Congress, the daily *Congressional Record* is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the *Congressional Record*.

POSTMASTER: Send address changes to the Superintendent of Documents, *Congressional Record*, U.S. Government Publishing Office, Washington, D.C. 20402, along with the entire mailing label from the last issue received.