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

DESIGNATION OF THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC, October 11, 2022.

I hereby appoint the Honorable DONALD S. BEYER, Jr. to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

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

Lord, as we take this time to speak to You, may we be reminded to use every moment to extol You. May Your praise be always on our lips, now and throughout the day.

And by Your grace, may those who find themselves afflicted by their daily circumstances, caught up in their unwieldy challenges, hear of Your power and find hope in Your care.

If our words seem too lofty, our prayers out of touch with the earthly reality many struggle with each day, we ask that all who need Your protection somehow be made sure that even in the most difficult times, You surround them with the defense of Your angels, and that those who need even the simplest of favors can find rejoicing in Your blessing.

Hear our prayers, both the sublime and the simple, and receive them into Your tender care. Be present among us wherever and however You find us, that we would find strength in Your abiding love, this day and always.

By the power of Your name, we pray. Amen.

THE JOURNAL
The SPEAKER pro tempore, Pursuant to section 5 of House Resolution 1396, the Journal of the last day’s proceedings is approved.

PLEDGE OF ALLEGIANCE
The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER 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.

APPOINTMENT OF MEMBER TO THE BOARD OF TRUSTEES OF THE HARRY S. TRUMAN SCHOLARSHIP FOUNDATION
The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 20 U.S.C. 2004(b), and the order of the House of January 4, 2021, of the following Member on the part of the House to the Board of Trustees of the Harry S. Truman Scholarship Foundation, to fill the existing vacancy thereon:

Mr. Kim, New Jersey

ADJOURNMENT
The SPEAKER pro tempore. Pursuant to section 1 of House Resolution 1230, the House stands adjourned until 11:30 a.m. on Friday, October 14, 2022.

Thereupon (at 10 o’clock and 2 minutes a.m.), under its previous order, the House adjourned until Friday, October 14, 2022, at 11:30 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–5480. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission’s final rule—Television Broadcasting Services; Statement. V. A. [MB Docket No. 21–248] received September 19, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104–121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.


EC–5482. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting a determination under section 506(a)(1) of the Foreign Assistance Act of 1961 (FAA) to provide military assistance to Ukraine; to the Committee on Foreign Affairs.

EC–5483. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting a Memorandum of Justification for drawdowns under sections 506(a)(1) and 552(c)(2) of the Foreign Assistance Act of 1961 to provide immediate assistance to Ukraine; to the Committee on Foreign Affairs.

EC–5484. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department’s final rule—Public Information [Docket No. FDA–2018–N–1622] (RIN: 0910–AH69) received September 22, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104–121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Reform.

EC–5485. A letter from the Chief Administrative Officer, U.S. House of Representatives, transmitting the quarterly report of receipts and expenditures of appropriations and other funds for the period July 1, 2022 through September 30, 2022 (H. Doc. No. 117–146); to the Committee on House Administration and ordered to be printed.

EC–5486. A letter from the Director, Office of Regulations, Bureau of Ocean Energy
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 Ms. ESCOBAR (for herself and Ms. SPEIER):
H.R. 9163. A bill to amend title 10, United States Code, to extend the time limit for the processing of harassment complaints made by members of the Armed Forces and to clarify the procedure for judicial review of such complaints, and for other purposes; to the Committee on Armed Services.

By Mr. CARBAJAL (for himself and Mr. BACON):
H.R. 9164. A bill to amend title 38, United States Code, to provide for the retroactive payment of benefits for veterans with credentialed mental health conditions based on military sexual trauma, and for other purposes; to the Committee on Armed Services.

By Mr. ESPAILLAT:
H.R. 9165. A bill to amend the Elementary and Secondary Education Act of 1965 to improve the academic achievement of English learners and immigrant children and youth, and for other purposes; to the Committee on Education and Labor.

By Mr. GOTTHEIMER (for himself, Mr. FITZPATRICK, and Ms. SERRILL):
H.R. 9166. A bill to establish requirements for skilled nursing facilities, nursing facilities, and assisted living facilities to manage the outbreak of COVID-19, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GUEST (for himself and Mr. McCaul):
H.R. 9167. A bill to provide for operations of U.S. Customs and Border Protection in foreign countries, and for other purposes; to the Committee on Ways and Means.

By Mr. MALINOWSKI (for himself, Mr. CROWLEY, Ms. WILD, Mr. CROW, Mr. CARTWRIGHT, Mr. VARGAS, Ms. TITUS, and Mr. COSTA):
H.R. 9168. A bill to require the removal of United States Armed Forces from Saudi Arabia, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Armed Services, and the Committees on Financial Services, and the Committees on Financial 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 Mr. MOULTON:
H.R. 9169. A bill to redesignate the “Salem Maritime National Historic Site” as the “Salem Maritime National Historical Park,” and for the purposes; to the Committee on Natural Resources.

By Ms. NORTON:
H.R. 9170. A bill to provide an additional appropriation for the Emergency Food and Shelter Program, and for other purposes; to the Committee on Appropriations.

By Mr. PFLUGER:
H.R. 9171. A bill to reimburse the State of Texas for Operation Lone Star, and for other purposes; to the Committee on Homeland Security.

By Mr. PFLUGER:
H.R. 9172. A bill to prohibit individuals who are not citizens of the United States from voting in elections in the District of Columbia; to the Committee on Oversight and Reform.

By Ms. STANSBURY (for herself, Mrs. LESKO, Mrs. LER of Nevada, Mr. TITUS, Mr. NHU, Mr. CROW, and Ms. DEGETTE):
H.R. 9173. A bill to amend the Energy and Water Development and Related Agencies Appropriations Act, 2015, to extend certain deadlines applicable to pilot projects to increase Colorado River System water to address effects of historic drought conditions, and for other purposes; to the Committee on Natural Resources.

By Mr. CARDENAS (for himself, Mr. TRONE, and Mrs. SPARPO):
H. Res. 1429. A resolution expressing support for the designation of October 2022 as “National Youth Justice Action Month”; to the Committee on Education and Labor.

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. TONY GONZALEZ of Texas:
H.R. 9151. Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18: To make all Laws that shall be necessary and proper for carrying into execution the foregoing powers, and all laws vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Mr. GUEST:
H.R. 9160. Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the Constitution of the United States

By Mr. MOULTON:
H.R. 9162. Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18 of the U.S. Constitution

By Mr. PFLUGER:
H.R. 9171. Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the U.S. Constitution

By Ms. STANSBURY:
H.R. 9173. Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the U.S. Constitution

ADDITIONAL SPONSORS
Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:
H.R. 455: Mr. LIEU.
H.R. 475: Mr. PAYNE and Mr. LAMBORN.
H.R. 808: Mrs. WAGNER.
H.R. 1453: Mr. MURPHY of North Carolina.
H.R. 1735: Mr. SWALWELL.
H.R. 1758: Ms. ROSS.
H.R. 2400: Mr. JONES.
H.R. 2244: Mr. KHANNA.
H.R. 2549: Ms. OCASIO-CORTAZ.
H.R. 2820: Mr. TRONE.
H.R. 2974: Mr. RESCHTENBAHLER, Mr. FLOOD, Mr. THOMPSON of Pennsylvania, and Ms. JOHNSON of Texas.
H.R. 3372: Mr. AOUILLI.
H.R. 4134: Mr. FOSTER and Mr. JONES.
H.R. 4552: Mr. MANNES.
H.R. 4587: Mrs. MILLER of West Virginia and Mr. BRENDAN F. BOYLE of Pennsylvania.
H.R. 5035: Ms. ROSS.
H.R. 5144: Mr. MIKHAIL.
H.R. 5772: Ms. WILD.
H.R. 5881: Mrs. PELTOLA.
H.R. 5889: Ms. WILD.
H.R. 6319: Mrs. KIM of California.
H.R. 6394: Mr. ROUZIER, Mr. BALDERSON, Mr. GUEST, and Mr. LYNCH.
H.R. 6498: Mr. GREEN of Tennessee, Ms. WILLIAMS of Georgia, Ms. JACKSON Lee, and Ms. NORTON.
H.R. 6520: Mrs. KIM of California and Mr. VICENTE GONZALEZ of Texas.
H.R. 6611: Mr. PAYNE.
H.R. 6852: Ms. KAPTR and Mrs. HINSON.
H.R. 7394: Ms. NORTON.
H.R. 7499: Mrs. LURIA.
H.R. 7630: Mr. MIRKES and Mr. McEACHIN.
H.R. 7632: Mr. AOUILL.
H.R. 7687: Mr. CROW.
H.R. 8141: Mr. AOUILL.
H.R. 8210: Mr. SCOTT of Virginia.
H.R. 8265: Mr. COHEN.
H.R. 8387: Mr. KILDEN.
H.R. 8508: Mr. MALINOWSKI.
H.R. 8614: Mr. GUTTHEIMER.
H.R. 8637: Ms. BLUNT ROCHESTER and Mr. LAMBORN.
H.R. 8654: Mr. PAYNE.
H.R. 8876: Mrs. WAGNER.
H.R. 8887: Ms. NORTON.
H.R. 9095: Mr. Steube.
H.R. 9124: Mr. Levin of California, Mr. Jones, and Ms. Meng.
H. Res. 662: Ms. Jayapal.

H. Res. 685: Mr. Gottheimer.
H. Res. 742: Mr. Dunn.
H. Res. 1033: Mr. Kelly of Pennsylvania.
H. Res. 1138: Mr. Espaillat and Mr. Castro of Texas.

H. Res. 1217: Mr. Aguilar.
H. Res. 1306: Mr. Carbajal.
H. Res. 1397: Mr. Moulton, Mr. Crow, Ms. Ross, Mr. Gottheimer, and Mrs. Lesko.
H. Res. 1460: Mr. Langevin.
The Senate met at 11 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.

Wondrous and sovereign God, thank You for the gifts of a new day and borrowed heartbeats. We trust in Your unfailing love and rejoice in Your salvation.

Lord, Your words are right and true. Your plans stand firm forever. In these challenging times, rule our world by Your wise providence.

As the Members of Congress seek to do Your will, help them to hate lies and embrace the truth. Give them the wisdom to guard their lips and weigh their words. Guide them with Your righteousness and integrity. May they leave such a legacy of faithfulness that generations to come will be inspired by their courage.

And, Lord, we continue to pray for Ukraine.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

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.

LEGISLATIVE SESSION

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2023

The President pro tempore. Under the previous order, the Senate will proceed to the consideration of H.R. 7900, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 7900) to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and 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.

There being no objection, the Senate proceeded to consider the bill.

The President pro tempore. The Senator from Rhode Island [Mr. REED] called up amendment No. 5499, as modified, and asked that it be reported by number.

The President pro tempore. Without objection, it is so ordered.

The senior assistant legislative clerk read as follows:

The Senator from Rhode Island [Mr. REED] for himself and Mr. INHOFE, proposes an amendment numbered 5499, as modified.

The amendment (No. 5499), as modified, is as follows:

SECTION 1. SHORT TITLE.

This Act may be cited as the “James M. Inhofe National Defense Authorization Act for Fiscal Year 2023”.

SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS;

A. TABLE OF CONTENTS.

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

(1) Division A—Department of Defense Authorizations.

(2) Division B—Military Construction Authorizations.

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

(4) Division D—Funding Tables.

(5) Division E—Additional Provisions.


(7) Division G—Department of State Authorizations.

(8) Division H—Matters Related to Taiwan.

(9) Division I—Homeland Security and Governmental Affairs Matters.


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

Sec. 1. Short title.

Sec. 2. Organization of Act into divisions; table of contents.

Sec. 3. Congressional defense committees.

Sec. 4. Budgetary effects of this Act.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

Sec. 101. Authorization of appropriations.

Subtitle B—Army Programs

Sec. 121. DDG(X) destroyer program.

Sec. 122. Multiyear procurement authority for Arleigh Burke class destroyers.

Sec. 123. Block buy contracts for Ship-to-Shore Connector program.

Sec. 124. Procurement authorities for John Lewis-class fleet replenishment oiler ships.

Sec. 125. Tomahawk cruise missile capability on FFG-62 class vessels.

Sec. 126. Navy shipbuilding workforce development initiative.

Sec. 127. Extension of prohibition on availability of funds for Navy port waterborne security barriers.

Sec. 128. Limitation on retirement of E-6B aircraft.

Sec. 129. EA-18G aircraft.

Sec. 130. Block buy contracts for CH-53K heavy lift helicopter program.

Subtitle D—Air Force Programs

Sec. 141. Prohibition on certain reductions to inventory of E-3 airborne warning and control system aircraft.

Sec. 142. Modification of inventory requirements for air refueling tanker aircraft.
Sec. 507. Modification of reports on Air Force personnel performing duties of a Nuclear and Missile Operations Officer (13N).

Subtitle B—Reserve Component Management

Sec. 511. Authority to waive requirement that performance of Active Guard and Reserve duty at the request of a Governor may not interfere with certain duties.

Sec. 512. Selected Reserve and Ready Reserve order to active duty to respond to a significant cyber incident.

Sec. 513. Backdating of effective date of rank for reserve officers in the National Guard due to undue delays in Federal recognition.

Sec. 514. Independent study on Federal recognition process.

Sec. 515. Continued National Guard support for FireGuard program.

Sec. 516. Inclusion of United States Naval Sea Cadet Corps among youth and charitable organizations authorized to receive assistance from the National Guard.

Subtitle C—General Service Authorities and Military Records

Sec. 521. Modernization of the Selective Service System.

Sec. 522. Prohibition on induction under the Military Selective Service Act without express authorization.

Sec. 523. Extension of temporary authority for targeted recruitment incentives.

Sec. 524. Home leave demonstration program.

Sec. 525. Prohibition on considering State laws and regulations when determining individual duty assignments.

Sec. 526. Modification to limitations on discharge or release from active duty.

Sec. 527. Sex-neutral high fitness standards for Army combat Military Occupational Specialties.

Subtitle D—Military Justice and Other Legal Matters

Sec. 541. Briefing and report on resourcing required for implementation of military justice reform.

Sec. 542. Randomization of court-martial panels.

Sec. 543. Matters in connection with special trial counsel.

Sec. 544. Jurisdiction of Courts of Criminal Appeals.

Sec. 545. Special trial counsel.

Sec. 546. Exclusion of officers serving as lead special trial counsel from limitations on authorized strengths of general and flag officers.

Sec. 547. Special trial counsel of Department of the Air Force.

Sec. 548. Restricted reporting option for Department of Defense civilian employees choosing to report experiencing adult sexual assault.

Sec. 549. Improvements to Department of Defense tracking of and response to incidents of child abuse, adult crimes against children, and serious harmful behavior between children and youth involving military dependents on military installations.

Sec. 550. Primary prevention.

Sec. 551. Dissemination of civilian legal services information.

Subtitle E—Member Education, Training, and Transition

Sec. 561. Review of certain Special Operators personnel policies.

Sec. 562. Expanded eligibility to provide Junior Reserve Officers' Training Corps (JROTC) instruction.

Sec. 563. Pre-service education demonstration program.

Subtitle F—Military Family Readiness and Dependents' Education

Sec. 571. Certain assistance to local educational agencies that benefit dependents of military and civilian personnel.

Sec. 572. Assistance to local educational agencies that benefit dependents of members of the Armed Forces with enrollment changes due to base closures, force structure changes, or force relocations.

Sec. 573. Pilot program on hiring of special education inclusion coordinators for Department of Defense child development centers.

Sec. 574. Extension of and report on pilot program to expand eligibility for enrollment at domestic dependent elementary and secondary schools.

Sec. 575. Decorations and Awards, Miscellaneous Report and Other Matters

Sec. 581. Temporary exemption from end strength grade restrictions for the Space Force.

Sec. 582. Report on officer personnel management and the development of the professional military ethic in the Space Force.

Sec. 583. Report on increase of suicide by military job code in the Department of Defense.

Sec. 584. Waiver of time limitations for act of valor during World War II.


Sec. 587. Posthumous appointment of Ulysses S. Grant to grade of General of the Armies of the United States.

Sec. 588. Notification to notification on manning of afloat naval forces.

Sec. 589. Identification and accumulation.

Sec. 590. Increase in income for purposes of eligibility for basic needs allowance.

Sec. 591. Conforming amendments to update references to travel and transportation authorities.

Subtitle B—Bonus and Incentive Pays

Sec. 611. One-year extension of certain expiring bonus and special pay authorities.

Sec. 612. Repeal of sunset of hazardous duty pay.

Sec. 613. Authorization of assignment pay or special duty pay based on climate in which a member's duties are performed.

Subtitle C—Leave

Sec. 621. Modification of authority to allow members of the Armed Forces to accumulate leave in excess of 60 days.

Sec. 622. Technical amendments to leave entitlement and accumulation.

Sec. 623. Convalescent leave for members of the Armed Forces.

Subtitle D—Other Matters

Sec. 631. Air Force rating officer retention demonstration program.

Sec. 632. Pay for members of the National Guard following required training or other duty to respond to a national emergency.

Sec. 633. Confidentiality requirements for mental health care services for members of the Armed Forces.

Sec. 634. Improvement of referrals for specialty care under TRICARE Prime.

Subtitle VI—HEALTH CARE PROVISIONS

Title A—TRICARE and Other Health Care Benefits

Sec. 616. Improvements to the TRICARE dental program.

Sec. 617. Health benefits for members of the National Guard following required training or other duty to respond to a national emergency.

Sec. 618. Confidentiality requirements for mental health care services for members of the Armed Forces.

Sec. 619. Improvement of referrals for specialty care under TRICARE Prime.

Subtitle B—Health Care Administration

Sec. 717. Extention of Accountability for Special Operations Forces.

Sec. 718. Inclusion of level three trauma care capabilities in requirements for medical centers.

Sec. 719. Extension of Acute Care Service Organization demonstration and annual report requirement.

Sec. 720. Modernization during permanent changes of station.

Sec. 721. Study on providing benefits under TRICARE Reserve Select and TRICARE dental program to members of the Selected Reserve and their dependents.

Sec. 722. Establishment of Military Health System Medical Logistics Directorate.

Sec. 723. Establishment of centers of excellence for specialty care in the military health system.

Sec. 724. Requirement to establish Academic Health System.

Sec. 725. Adherence to policies relating to mild traumatic brain injury and post-traumatic stress disorder.

Sec. 726. Policy on accountability for wounded warriors undergoing disability evaluation.

Sec. 727. Reports and Other Matters

Sec. 731. Three-year extension of authority to continue DOD-VA Health Care Sharing Incentive Fund.

Sec. 732. Extension of authority for Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund.
Sec. 743. Authorization of permanent program to improve opioid management in the military health system.

Sec. 744. Clarification of membership requirements and compensation authority for independent suicide prevention and response review committee.

Sec. 745. Termination of veterans’ advisory board on radiation dose reconstruction.

Sec. 746. Scholarship-for-service pilot program for civilian behavioral health providers.

Sec. 747. Expansion of extramural maternal health providers demonstration project to include members of the Armed Forces on active duty and other individuals receiving care at military medical treatment facilities.

Sec. 748. Authority to carry out studies and demonstration projects relating to delivery of health and medical care through use of other transaction authority.

Sec. 749. Capability assessment and action plan with respect to effects of exposure to open burn pits and other environmental hazards.

Sec. 750. Independent analysis of Department of Defense Comprehensive Autism Care Demonstration program.

Sec. 751. Report on suicide prevention reforms for members of the Armed Forces.

Sec. 752. Report on behavioral health workforce and plan to address shortfalls in providers.

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

Subtitle A—Acquisition Policy and Management

Sec. 801. Modifications to middle tier acquisition authority.

Sec. 802. Extension of defense modernization account authority.

Sec. 803. Prohibition on certain procurements of major defense acquisitions.

Sec. 804. Revision of authority for procedures to allow rapid acquisition and deployment of capabilities needed under specified high-priority circumstances.

Sec. 805. Acquisition reporting system.

Sec. 806. Modification of reporting requirement in connection with requests for multiyear procurement authority for large defense acquisitions.

Sec. 807. Modification of limitation on cancellation of designation of executive agent for a certain defense production act program.

Sec. 808. Comptroller General assessment of acquisition programs and related efforts.

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

Sec. 821. Treatment of certain clauses implementing executive order oxidation.

Sec. 822. Data requirements for commercial products for major weapon systems.

Sec. 823. Task-and-delivery order contracting for architectural and engineering services.

Sec. 824. Extension of pilot program for distributed support and services for weapons systems contractors.

Sec. 825. Pilot program to accelerate contracting and pricing processes.

Sec. 826. Extension of Never Contract with the Enemy.

Sec. 827. Progress payment incentive pilot.

Sec. 828. Report on Department of Defense strategic capabilities office contracting capabilities.

Subtitle C—Industrial Base Matters

Sec. 841. Analyses and certain activities for action to address sourcing and industrial capacity.

Sec. 842. Modification to miscellaneous limitations on the procurement of goods other than United States goods.

Sec. 843. Demonstration exercise of enhanced planning for industrial mobilization and supply chain management.

Sec. 844. Procurement requirements relating to rare earth elements and strategic and critical materials.

Sec. 845. Modification to the national technology and industrial base.

Sec. 846. Modification of prohibition on operation or procurement of foreign-made unmanned aircraft systems.

Sec. 847. Annual report on industrial base constraints for munitions.

Subtitle D—Small Business Matters

Sec. 861. Modifications to the defense research and development rapid innovation program.

Sec. 862. Permanent extension and modification of Mentor-Protege Program.

Sec. 863. Small business integration working group.

Sec. 864. Demonstration of commercial due diligence for small business programs.

Sec. 865. Improvements to Procurement Technical Assistance Center program.

Subtitle E—Other Matters

Sec. 871. Risk management for Department of Defense pharmaceutical supply chains.

Sec. 872. Key advanced system development industry days.

Sec. 873. Modification of provision relating to determination of certain activities with unusually hazardous risks.

Sec. 874. Incorporation of controlled unclassified information guidance into program classification guides and program protection plans.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

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

Sec. 901. Increase in authorized number of assistant for security assistance.

Sec. 902. Conforming amendments relating to repeal of position of Chief Management Officer.

Sec. 903. Limitation on availability of funds for operation and maintenance for Office of Secretary of Defense.

Sec. 904. Limitation on use of funds until demonstration of product to identify, task, and manage congressionally reporting requirements.

Sec. 905. Limitation on use of funds until Department of Defense complies with requirements relating to alignment of close combat lethality task force.

Subtitle B—Other Defense Department Organization and Management Matters

Sec. 911. Modification of requirements that are responsibility of Armed Forces not joint requirements oversight council.

Sec. 912. Briefing on revisions to Unified Command Plan.

Sec. 913. Updates to management reform framework.

Sec. 914. Strategic management dashboard demonstration.

Sec. 915. Demonstration of program for component content management systems.

Subtitle C—Space Force Matters

Sec. 921. Vice Chief of Space operations.

Sec. 922. Establishment of operating agencies and direct reporting units of space force.

Sec. 923. Framework for new subtitle F of title 10, United States code, on Space component.

Sec. 924. Study of proposed space force reorganization.

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

Sec. 1001. General transfer authority.

Sec. 1002. Report on budgetary effects of inflation.

Subtitle B—Counterdrug Activities

Sec. 1011. Extension of authority and annual report on unified counterdrug and counterterrorism campaign in Colombia.

Subtitle C—Naval Vessels

Sec. 1021. Modification to annual naval vessel construction plan.

Sec. 1022. Amphibious warship force structure.

Sec. 1023. Modification to limitation on decommissioning or inactivating a battle force ship before the end of expected service life.

Sec. 1024. Contract requirements relating to maintenance and modernization availability for certain naval vessels.

Sec. 1025. Prohibition on retirement of certain naval vessels.

Subtitle D—Counterterrorism

Sec. 1031. Modification and 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. 1032. Extension of prohibition on use of funds for transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, to United States.

Sec. 1033. Extension of prohibition on use of funds for construction or modify facilities in United States to house detainees transferred from United States Naval Station, Guantanamo Bay, Cuba.

Sec. 1034. Extension of prohibition on use of funds to close or relinquish control of United States Naval Station, Guantanamo Bay, Cuba.

Subtitle E—Miscellaneous Authorities and Limitations

Sec. 1041. Department of defense—department of veterans affairs discharge review board committee.

Sec. 1042. Modification of provisions relating to cross-functional team for emerging threat relating to anomalous health incidents.

Sec. 1043. Civilian casualty prevention, mitigation, and response.
Sec. 1044. Prohibition on delegation of authority to designate foreign partner forces as eligible for the provision of collective self-defense support by United States Armed Forces.

Sec. 1045. Personnel supporting the Office of the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict.

Sec. 1046. Joint all domain command and control.

Sec. 1047. Extension of admission to Guam or the Commonwealth of the Northern Mariana Islands for certain nonimmigrant H-2B workers.

Sec. 1048. Department of Defense support for civil authorities to address the illegal immigration crisis at the southwest border.

Sec. 1049. Department of Defense support for funerals and memorial events for Members and former Members of Congress.

Sec. 1050. Expansion of eligibility for direct acceptance of gifts by members of the Armed Forces and Department of Defense and Coast Guard employees and their families.

Sec. 1051. Technical amendments related to recently enacted Commissions.

Subtitle F—Studies and Reports

Sec. 1061. Submission of National Defense Strategy in classified and unclassified form.

Sec. 1062. Report on impact of certain ethics requirements on Department of Defense hiring, retention, and operations.

Sec. 1063. Extension of certain reporting deadlines.

Subtitle G—Other Matters

Sec. 1064. Department of Defense support for civilian faculty at certain military department schools.

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Sec. 3801. Short title.
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DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS
TITLE I—PROCUREMENT
Subtitle A—Authorization of Appropriations
SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2023 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 401.

Subtitle B—Army Programs

SEC. 111. LIMITATIONS ON PRODUCTION OF EXTENDED RANGE CANNON ARTILLERY HOWITZERS.

(a) LIMITATIONS.—In carrying out the acquisition of Extended Range Cannon Artillery howitzers, the Secretary of the Army shall—

(1) limit production of prototype Extended Range Cannon Artillery howitzers to not more than 38;

(2) compare the cost and value to the United States Government of a Paladin Integrated Management-modification production approach with a new-build production approach;

(3) include in any cost analysis or comparison—

(A) the value of a Paladin howitzer that may be modified to produce an Extended Range Cannon Artillery howitzer; and

(B) the production value of government-owned infrastructure that would be leveraged to facilitate the modification;

(4) use a full and open competitive approach using best value criteria for post-protype production source selection; and

(5) base any production strategy and source selection decisions on a full understanding of the cost of production, including—

(A) the comparison of production approaches described in paragraph (2); and

(B) any cost analysis or comparison described in paragraph (3).

(b) CERTIFICATION.—Before issuing a request for proposal for the post-prototype production of an Extended Range Cannon Artillery howitzer, the Secretary of the Army shall—

(1) certify to the congressional defense committees that the acquisition strategy upon which the request for proposal is based complies with the requirements of subsection (a); and

(2) provide a briefing to the congressional defense committees on that acquisition strategy and the relevant cost and value comparison described in subsection (a).

Subtitle C—Navy Programs

SEC. 121. DDG(X) DESTROYER PROGRAM.

(a) IN GENERAL.—Notwithstanding subsection (e)(1) of section 3301 of title 10, United States Code, and in accordance with subsection (e)(3) of such section, the Secretary of the Navy, for the covered program, shall—

(1) award prime contracts for concept design, preliminary design and contract design to eligible shipbuilders;

(2) award prime contracts for detailed design and construction only to eligible shipbuilders;

and

(3) allocate not less than one vessel and not more than two vessels in the covered program to each eligible shipbuilder before making a competitive contract award for the construction of vessels in the covered program.

(b) COLLABORATION REQUIREMENT.—The Secretary of the Navy shall maximize collaboration between the Federal Government and eligible shipbuilders throughout the design, development, and production of the covered program.

(c) COMPETITIVE INCENTIVE REQUIREMENT.—The Secretary of the Navy shall provide for competitive incentives throughout the design, development, and production of the covered program, including the following:

(1) Design labor hours, provided neither eligible shipbuilder has fewer than 30 percent of aggregate design labor hours in any phase of vessel design.

(2) Competitive solicitations for vessel procurement following the actions required by subsection (a)(3).

(d) TECHNOLOGY MATURATION REQUIREMENTS.—The Secretary of the Navy shall incorporate into the acquisition strategy of the covered program the requirements of the following:


(e) TRANSITION REQUIREMENT.—The Secretary of the Navy shall ensure a transition from the Arleigh Burke-class destroyer program to the covered program that maintains predictable production workload at eligible shipbuilders.

(f) DEFINITIONS.—In this section:

(1) COVERED PROGRAM.—The term ‘‘covered program’’ means the DDG(X) destroyer program.
The term "eligible shipbuilder" means any of the following:
(A) General Dynamics Bath Iron Works.
(B) Ingalls Shipbuilding, Incorporated.

(3) PREDICTABLE PRODUCTION WORKLOAD.—The term "predictable production workload" means a workload that provides the full funding or more than 70 percent of the average production workload of the Arleigh Burke-class destroyer program over the most recent five fiscal years.

SEC. 122. MULTIYEAR PROCUREMENT AUTHORITY — NAVY LEWIS-CLASS FLEET REPLENISHMENT OILER SHIPS.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—In fiscal year 2023 or 2024, the Secretary of the Navy may enter into one or more multiyear contracts for the procurement of up to 10 Lewis-class fleet replenishment oiler ships.

(b) AUTHORITY FOR ADVANCE PROCUREMENT.—The Secretary of the Navy may enter into one or more contracts for the procurement of not more than eight John Lewis-class fleet replenishment oiler ships.

(c) PAYMENTS.—A contract entered into under subsection (a) shall provide that—
(1) the use of such a contract will reduce the time to acquire the property and reduce the technical risks associated with such property; and
(2) the estimated end cost and appropriated funds for fiscal year, by hull, with the authority provided in subsection (a); and
(3) the estimated cost savings or increase by fiscal year, by hull, with the authority provided in subsection (a); and
(4) the contractual actions that will ensure the estimated cost savings or avoidances are realized.

(3) Covering CONTRACT MODIFICATIONS.—For purposes of this section, a covered contract or contract modification includes a separate and distinct line item for workforce development required under section (a)(1) may be obligated only—

(2) the use of such a contract will result in significant savings of the total anticipated costs of carrying out the program through annual contracts.

(2) PROCUREMENT IN CONJUNCTION WITH EXISTING CONTRACTS.—The ships authorized to be procured (1) may be procured as additions to existing contracts covering such program.

(b) CONTRACT MODIFICATIONS.—For purposes of this section, a covered contract or contract modification includes a separate and distinct line item for workforce development.

SEC. 123. BLOCK BUY CONTRACTS FOR SHIP-TO-SHORE CONNECTOR PROGRAM.

(a) BLOCK BUY CONTRACT AUTHORITY.—Beginning in fiscal year 2023, the Secretary of the Navy may enter into one or more block buy contracts for the procurement of up to 10 Ship-to-Shore Connector class craft and associated materials.

(b) LIABILITY.—Any contract entered into under subsection (a) shall provide that—
(1) any obligation of the United States to make a payment under the contract is subject to the availability of appropriations for that purpose; and
(2) the liability of the Federal Government for any contract entered into under subsection (a) shall be limited to the total amount of funding obligated to the contract at the time of termination.

(c) CERTIFICATION REQUIRED.—A contract may not be entered into under subsection (a) unless the Secretary of the Navy certifies to the congressional defense committees, in writing, that the contract is consistent with the Department of the Navy's projected force structure requirements for ships.

(2) PROCUREMENT IN CONJUNCTION WITH EXISTING CONTRACTS.—The ships authorized to be procured (1) may be procured as additions to existing contracts covering such program.

(3) Covering CONTRACT MODIFICATIONS.—For purposes of this section, a covered contract or contract modification includes a separate and distinct line item for workforce development; and

SEC. 124. PROCUREMENT AUTHORITIES FOR NAVY LEWIS-CLASS FLEET REPLENISHMENT OILER SHIPS.

(a) CONTRACTS.—(1) PROCUREMENT AUTHORIZED.—In fiscal year 2023 or 2024, the Secretary of the Navy may enter into one or more contracts for the procurement of not more than eight John Lewis-class fleet replenishment oiler ships.

(b) CONTRACT MODIFICATIONS.—For purposes of this section, a covered contract or contract modification includes a separate and distinct line item for workforce development required under section (a)(1) may be obligated only—

(2) the use of such a contract will result in significant savings of the total anticipated costs of carrying out the program through annual contracts.

(3) Covering CONTRACT MODIFICATIONS.—For purposes of this section, a covered contract or contract modification includes a separate and distinct line item for workforce development; and

SEC. 125. TOMAHAWK CRUISE MISSILE CAPABILITY ON FFG–62 CLASS VESSELS.

Before accepting delivery of any FFG–62 class vessel, the Secretary of the Navy shall require that the vessel be capable of carrying and employing Tomahawk cruise missiles.

SEC. 126. NAVY SHIPBUILDING WORKFORCE DEVELOPMENT INITIATIVE.

(a) IN GENERAL.—Chapter 863 of title 10, United States Code, is amended by adding at the end the following new section:

SEC. 126. NAVY SHIPBUILDING WORKFORCE DEVELOPMENT INITIATIVE.

(a) REQUIREMENT.—

(1) The use of such a contract will result in significant savings of the total anticipated costs of carrying out the program through annual contracts.

(2) PROCUREMENT AUTHORIZED.—In fiscal year 2023 or 2024, the Secretary of the Navy may enter into one or more contracts for the procurement of not more than eight John Lewis-class fleet replenishment oiler ships.

(b) CONTRACT MODIFICATIONS.—For purposes of this section, a covered contract or contract modification includes a separate and distinct line item for workforce development; and

(c) AUTHORITY FOR ADVANCE PROCUREMENT.—Subject to section 3501 of title 10, United States Code, the Secretary of the Navy may enter into one or more multiyear procurement of not more than eight John Lewis-class fleet replenishment oiler ships.
(A) The prime contractor receiving the award described in subsection (a)(1).
(B) A qualified subcontractor.
(C) A State government or other State entity.
(D) A county government or other county entity.
(E) A local government or other local entity.

"(c) Authorized Activities.—
(1) In general.—For a line item for workforce development required under subsection (a)(1) may be used only to provide for the activities described in paragraph (2) in support of the production and production support workforce of the prime contractor concerned or a qualified subcontractor.
(2) Activities described.—The activities described in this paragraph are the following:
(A) The creation of short- and long-term workforce housing, transportation, and other support services to facilitate attraction, relocation, and retention of workers.
(B) The expansion of local talent pipeline programs for both new and existing workers.
(C) Investments in long-term outreach in middle and high school programs, specifically in technical programs, to promote and develop manufacturing skills.
(D) Facilities developed or modified for the primary purpose of workforce development.
(E) Direct costs attributable to workforce development.
(F) Attraction and retention bonus programs.
(G) On-the-job training to develop key manufacturing skills.

"(d) Authorization Requirement.—The service acquisition executive of the Navy shall—
(1) provide the final approval of the use of funds for a line item for workforce development included under subsection (a)(1); and
(2) not later than 30 days after the date on which such approval is provided, certify to the congressional defense committees compliance with the requirements of subsections (b) and (c), including—
(A) a detailed explanation of such compliance; and
(B) the associated benefits to—
(i) the Federal Government; and
(ii) the shipbuilding industrial base of the Navy.

"(e) Qualified Subcontractor Defined.—In this section, the term ‘qualified subcontractor’ means a subcontractor to a prime contractor receiving an award described in subsection (a)(1) that will deliver the vessel or vessels covered by the award to the Navy.

"(f) Clerical Amendment.—The table of sections at the beginning of chapter 863 of title 10 of the United States Code, as added by subsection (a), shall apply with respect to contracts and contract modifications entered into on or after June 1, 2023.

SEC. 127. EXTENSION OF PROHIBITION ON AVAILABLE-ABILITY OF FUNDS FOR NAVY PORT WATERBORNEC SECURITY BARRIERS.


(b) Technical Amendment.—Subsection (b)(4) of section 130 is amended by striking "section 2304" and inserting "sections 3201 through 3235".

SEC. 128. LIMITATION ON RETIREMENT OF E-6B AIRCRAFT.

The Secretary of the Navy may not take any action that would prevent the Navy from maintaining the required mix in the configuration and capability in effect as of the date of the enactment of this Act until the date on which the Chair of the Joint Requirements Oversight Council certifies, in writing to the congressional defense committees, that the replacement capability for the E-6B aircraft will—
(1) be fielded on the same time or before the retirement of the E-6B aircraft; and
(2) result in equal or greater capability available to the commanders of the combatant commands.

SEC. 129. EA-18G AIRCRAFT.

(a) Prohibition.—None of the funds authorized to be appropriated by this Act for fiscal year 2023 for the Navy may be obligated to retire, prepare to retire, or place in storage or in backup aircraft inventory any EA-18G aircraft.
(b) Transfer of Aircraft.—The Secretary of the Navy shall transfer the EA-18G aircraft associated with the expeditionary land-based electronic attack squadrons to the Navy Reserve.
(c) Establishment of Squadrons.—The Secretary of the Air Force shall designate one or more units from the Air National Guard of the Air Force Reserve to join with the Navy Reserve to establish one or more joint service expeditionary, land-based electronic attack squadrons to match the capability of such squadrons assigned to Naval Air Station Whidbey Island, Washington, as of the date of the enactment of this Act.
(d) Report on Implementation Plan.—Not later than 120 days after the date of the enactment of this Act, the Secretary of the Navy and the Secretary of the Air Force shall jointly submit to the congressional defense committees a report on the plan of the Secretaries to implement this section.

SEC. 130. BLOCK BUY CONTRACTS FOR CH-53K HEAVY LIFT HELICOPTER PROGRAM.

(A) Block Buy Authority.—During fiscal years 2023 and 2024, the Secretary of the Navy may enter into one or more block buy contracts for the procurement of CH-53K heavy lift helicopter program in this section referred to as the “program”.

(B) Liability.—Any contract entered into under subsection (a) shall—
(1) obligate the United States to make a payment under the contract subject to the availability of appropriations for that purpose; and
(2) the total liability of the Federal Government for termination of the contract shall be limited to the total amount of funding obligated to the contract at the time of termination.

(C) Certification Required.—A contract may not be entered into under subsection (a) unless the Secretary of Defense certifies to the congressional defense committees, in writing, not later than 30 days before entry into the contract, each of the following:
(i) the expected outcomes of the program decision authority (as defined in section 4251(d) of title 10, United States Code) for the program.
(ii) the use of such a contract will result in significant savings compared to the total anticipated costs of carrying out the program through annual contracts. In certifying cost savings, the Secretary shall include a written explanation of—
(A) the estimated obligations and expenditures by fiscal year for the program without the authority provided in subsection (a);
(B) the estimated obligations and expenditures by fiscal year for the program with the authority provided in subsection (a);
(C) the estimated cost savings or increase by fiscal year for the program with the authority provided in subsection (a); and
(D) the discrete actions that will accomplish such cost savings or avoidance; and
(E) the contractual actions that will ensure such estimated cost savings.

(2) Exception.—There is a reasonable expectation that throughout the contemplated contract period the Secretary of the Air Force will request funding for the contract at the level required to avoid contract cancellation.

(3) Exception.—There is a reasonable expectation that throughout the contemplated contract period, the Secretary of the Air Force will request funding for the contract at the level required to avoid contract cancellation.

(4) Exception.—There is a reasonable expectation that throughout the contemplated contract period, the Secretary of the Air Force will request funding for the contract at the level required to avoid contract cancellation.

(5) Exception.—There is a reasonable expectation that throughout the contemplated contract period, the Secretary of the Air Force will request funding for the contract at the level required to avoid contract cancellation.

(6) Exception.—There is a reasonable expectation that throughout the contemplated contract period, the Secretary of the Air Force will request funding for the contract at the level required to avoid contract cancellation.

(7) Exception.—There is a reasonable expectation that throughout the contemplated contract period, the Secretary of the Air Force will request funding for the contract at the level required to avoid contract cancellation.

Subtitle D—Air Force Programs

SEC. 141. PROHIBITION ON CERTAIN REDUCTIONS TO INVENTORY OF E–3 AIRBORNE WARNING AND CONTROL SYSTEM AIRCRAFT.

(a) Prohibition.—Except as provided in subsections (b) and (c), none of the funds authorized to be appropriated by this Act for fiscal year 2023 for the Air Force may be obligated to—
(1) retire, prepare to retire, or place in storage or in backup aircraft inventory any E–3 aircraft; or
(2) reduce the total aircraft inventory for such aircraft.
(b) Exception for Acquisition Strategy.—If the Secretary of the Air Force submits to the congressional defense committees an acquisition strategy for the E-7 Wedgetail approved by the Service Acquisition Executive of the Air Force, the prohibition under subsection (a) shall apply only to actions taken to reduce the total aircraft inventory for E-3 aircraft to 21 after the date on which the strategy is submitted to the congressional defense committees.
(c) Exception for Contract Award.—If the Secretary of the Air Force awards a contract for the E-7 Wedgetail aircraft, the prohibition under subsection (a) shall not apply to actions taken to reduce the total aircraft inventory for E-3 aircraft to 16 after the date on which such contract is awarded.

SEC. 142. MODIFICATION OF INVENTORY REQUIREMENTS FOR AIR REFUELING TANKER AIRCRAFT.

(b) Modification of Limitation on Retirements.—(A) Section 138(b) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3491) is amended by striking "10" and inserting "501".

SEC. 143. PROHIBITION ON REDUCTIONS TO INVENTORY OF F–22 BLOCK 20 AIRCRAFT.

(a) Prohibition.—Except as provided in subsection (b), none of the funds authorized
to be appropriated by this Act for fiscal year 2023 for the Air Force may be obligated to retire, prepare to retire, or place in storage or in backup aircraft inventory any F-22 Block 20 aircraft.

(b) EXPANSION OF PROHIBITION.—The prohibition under subsection (a) shall cease to have effect on the date on which the Secretary of the Air Force submits to the congressional defense committees—

(1) a detailed plan approved by the Secretary for formal training for F-22 aircrews to ensure that the combat capability at operational units would not be degraded if the Air Force were to retire all F-22 Block 20 aircraft;

(2) a report on how the Secretary intends to avoid—

(A) diminishing the combat effectiveness of remaining F-22 aircraft;

(B) exacerbating F-22 aircraft availability concerns; and

(C) complicating F-22 aircraft squadron maintenance issues.

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

SEC. 151. PARTS FOR COMMERCIAL DERIVATIVE AIRCRAFT AND ENGINES AND AIRCRAFT BASED ON COMMERCIAL DESIGN.

(a) In General.—The Secretary of the Air Force and the Secretary of the Navy shall—

(1) include covered parts in supply chain solutions to provide for replacement or increase in inventory,

(A) all commercial derivative aircraft and engines of the Department of Defense; and

(B) all aircraft of the Department that are based on commercial design;

(2) conduct the acquisition of all follow-on covered parts on a competitive basis, based on prioritization priorities;

(3) procure covered parts only from suppliers that provide covered parts that possess a FAA Authorized Release Certificate, FAA Form 33-4-S Approval Tag, or a repair station certificate pursuant to part 145 of title 14, Code of Federal Regulations (or successor regulation); and

(b) Covered Parts Defined.—In this section, the term ‘covered parts’—

(1) means used, overhauled, reconditioned, or re-manufactured commercial or dual use parts certified by the Federal Aviation Administration; and

(2) does not include life limited parts.

SEC. 152. ASSESSMENT, ANALYSIS, AND REVIEW.—

The Secretary of Defense shall conduct—

(1) an assessment of the threats posed by unmanned aerial system (UAS) swarms or unmanned aerial systems with indicative swarming capabilities to installations and deployed armed forces;

(2) an analysis of the use or potential use of unmanned aerial system swarms by adversaries, including China, Russia, Iran, North Korea, and non-state actors;

(3) an analysis of the implication of swarming technologies such as autonomous intelligence and machine learning;

(4) a review of current fielded systems and whether they sufficiently counter a wide range of potential unmanned aerial system swarm threats; and

(5) an overview of development efforts and field tests of technologies that offer scalable, modular, and rapidly deployable systems that could counter unmanned aerial system swarm threats.

(b) Strategy Development and Implementation Required.—

(1) In General.—The Secretary shall develop a strategy to counter threats posed by unmanned aerial system swarms.

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

(A) The development of a comprehensive definition of ‘unmanned aerial system swarm’;

(B) A plan to establish and incorporate requirements for development, testing, and fielding of counter unmanned aerial system swarm capabilities;

(C) A plan to acquire and field adequate organic capabilities to counter unmanned aerial system swarms in defense of United States armed forces, assets, and infrastructure across land, air, and maritime domains;

(D) An estimate of resources needed by the Army, the Navy, and the Air Force to implement the plan required by paragraph (3);

(E) An analysis, determination, and prioritization of legislative action required to ensure the Department has the ability to counter the threats described in subsection (a)(1).

(F) Such other matters as the Secretary considers pertinent.

(c) Incorporation INTO EXISTING STRATEGY.—The Secretary may incorporate the strategy required by paragraph (1) into a strategy that was in effect on the date before the date of the enactment of this Act.

(d) INFORMATION TO CONGRESS.—Not later than 270 days after the date of enactment of this Act, the Secretary shall submit to the congressional defense committees a report on—

(1) the findings of the Secretary under subsection (a); and

(2) the strategy developed and implemented by the Secretary under subsection (b).

SEC. 153. TREATMENT OF NUCLEAR MODERNIZATION AND HYPERSONIC MISSILE PROGRAMS WITHIN DEFENSE PRIORITIES AND ALLOCATIONS SYSTEM.

(a) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the United States is entering into an unprecedented period of strategic competition with two potential adversaries, each of which now possesses, or will acquire, nuclear and missile forces equal to or greater than such forces possessed by the United States;

(2) ensuring the continued deterrence of the growing threat of nuclear capabilities of such adversaries requires—

(A) safe, secure, effective, and credible nuclear forces, with a range of flexible employment options; and

(B) robust missile forces capable of overcoming current and future missile defenses;

(3) such forces can only be achieved through the transformation and modernization of legacy nuclear capabilities of the United States and the timely development of a range of ballistic, cruise, and hypersonic boost-glide missiles;

(4) ongoing Department of Defense and National Nuclear Security Administration programs and projects to achieve the modernization of legacy nuclear forces enjoy virtually no scheduled margin for delivery prior to the expected retirement or decommissioning of legacy systems and facilities, even as the People’s Republic of China, the Russian Federation, and North Korea work to rapidly modernize and expand their nuclear arsenals;

(b) SEC. 154. GOVERNMENT ACCOUNTABILITY OF THE DEPARTMENT OF DEFENSE—

(a) AUDIT.—(1) The Comptroller General of the United States shall conduct an audit of each Department of Defense program or project that has been assigned a DX priority rating, and shall submit to the congressional defense committees a report on such audit.

(2) The audit shall cover—

(A) an analysis of the efficiency of such program or project;

(B) a description of any actions taken to increase the efficiency of such program or project;

(C) a description of any actions taken to improve the performance of such program or project;

(D) an analysis of the cost of such program or project;

(E) an analysis of the cost savings realized as a result of the actions taken to increase the efficiency of such program or project;

(F) the date on which the Department of Defense determines that such program or project is no longer required; and

(G) any other matters that the Comptroller General considers pertinent.

(b) REPORT AND CERTIFICATION.—

(1) IN GENERAL.—Not later than January 1, 2023, the Secretary of Defense shall submit to the congressional defense committees a report including—

(A) a determination of whether such program or project should be assigned a DX priority rating, and a confirmation that such program or project has been assigned a DX rating; and

(B) such other matters as the Secretary considers pertinent.

(2) ANNUAL CERTIFICATION.—For any nuclear weapons delivery system, missile warning system, hypersonic boost-glide missile system program, or weapon program or nuclear security enterprise infrastructure project of the National Nuclear Security Administration, a determination of whether such program or project should be assigned a DX priority rating shall be made under part 700 of title 15, Code of Federal Regulations;

(b) for any such program or project that the respective Secretary determines under subparagraph (A) should be assigned a DX priority rating, the respective Secretary shall provide such program or project a DX rating; and

(c) for any such program or project that has not been assigned a DX priority rating as of January 1, 2023—

(i) an explanation for any delay in assigning such a rating; and

(ii) a timeline for the assignment of such a rating.

(c) NONDELEGATION.—The Secretary may not delegate a determination under paragraph (1)(A) to any other official.
§ 4027. Disclosure requirements for recipients of developmental funds.
United States Code, is amended by inserting a new subsection (a) on a case-by-case basis.

(2) The costs of the alternatives associated with development, production, retrofit, integration, and installation, including air vehicle modifications and sustainment infrastructure requirements of the Adaptive Engine Transition Program engine for the F-35A aircraft.

(3) The assessment of progress made by prototype aircraft in the Adaptive Engine Transition Program effort.

(4) The timeline associated with modernizing the F135 engine to meet Block 4 upgrade requirements for the F-35A aircraft.

(5) The costs associated with modernizing the F135 engine to meet Block 4 upgrade requirements.

(6) An assessment of the potential impact of the modernization alternatives described in this subsection on life cycle sustainment and strategic relationships including the impact on international partners.

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 2023 for the use of the Department of Defense for research, development, test, and evaluation activities, as specified in the funding table in section 4201.

Subtitle B—Program Requirements, Restrictions, and Limitations

SEC. 211. DISCLOSURE REQUIREMENTS FOR RECIPIENTS OF RESEARCH AND DEVELOPMENT FUNDS.

(a) In General.—Chapter 301 of title 10, United States Code, is amended by inserting after section 4026 the following new section:

"§ 4027. Disclosure requirements for recipients of research and development funds.

"(a) In General.—Except as provided in subsections (b) and (c), an individual or entity (including a State or local government) that uses funds received from the Department of Defense to carry out research or development activities shall include in any public document pertaining to such activities, a clear statement indicating the dollar amount of the funds received from the Department.

"(b) Exception.—The disclosure requirement under subsection (a) shall not apply to a public document consisting of fewer than 250 characters.

"(c) Waiver.—The Secretary of Defense may waive the disclosure requirement under subsection (a) on a case-by-case basis.

"(d) Public Document Defined.—In this section, the term ‘public document’ means any document or other written statement made available to the public in any public reference or use, regardless of whether such document or statement is made available in hard copy or electronic form.

"(e) CLERICAL AMENDMENT.—The table of sections at the beginning of this chapter is amended by inserting after the last entry relating to section 4202 the following new entry:

"* 4027. Disclosure requirements for recipients of research and development funds.

SEC. 212. MODIFICATION OF COOPERATIVE RESEARCH AND DEVELOPMENT PROJECT AUTHORITY.

(a) In General.—Section 2550a of title 10, United States Code, is amended—

(1) in subsection (a)(2), by adding at the end the following:

"(F) The European Union, including the European Defence Agency, the European Commission, and the Council of the European Union, and their suborganizations;";

(2) in subsection (i), by amending paragraph (1) to read as follows:

"(i) The term ‘cooperative research and development project’ means a project—

"(A) involving joint participation by—

"(i) the United States and—

"(ii) 1) one or more countries and organizations referred to in subsection (a)(2) under a memorandum of understanding (or other formal agreement); or

"(ii) one or more countries in the national security interests of the United States (as defined in section 4801 of this title) under a memorandum of understanding (or other formal agreement); and

"(B) to carry out a joint research and development project—

"(i) to develop new conventional defense equipment and munitions; or

"(ii) to modify existing military equipment to meet United States military requirements.

(b) CONFORMING REGULATIONS.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall revise the Defense Acquisition Regulations to conform with section 2550a of title 10, United States Code, as amended by subsection (a).

SEC. 213. ADMINISTRATION OF THE ADVANCED SENSOR APPLICATIONS PROGRAM.

(a) RESOURCE SPONSOR.—

(1) IN GENERAL.—The Secretary of Defense shall designate the Office of the Secretary of the Navy (OPNAV N98), serve as the resource sponsor of the Advanced Sensor Applications Program (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) a briefing on the Program.

(b) RESPONSIBILITIES.—The resource sponsor of the Program shall be responsible for the following:

(1) Develop budget requests relating to the Program.

(2) Establishing priorities for the Program.

(3) Approving the execution of funding and projects for the Program.

(4) Coordination and joint planning with external stakeholders in matters relating to the Program.

(5) Determine in writing that—

"(i) the United States and—

"(II) one or more parties in the national security interests of the United States (as defined in section 4801 of this title) under a memorandum of understanding (or other formal agreement); and

"(B) by inserting the following:

"(2) RESPONSIBILITIES.—The resource sponsor of the Program shall be responsible for the following:

"(A) Developing budget requests relating to the Program.

"(B) Establishing priorities for the Program.

"(C) Approving the execution of funding and projects for the Program.

"(D) Coordination and joint planning with external stakeholders in matters relating to the Program.

"(3) LIMITATIONS.—No other entity in the Department of the Navy may—

"(1) serve as a resource sponsor for the Program.

"(2) provide direction and management for the Program.

"(3) set priorities for the Program.

"(4) regulate or limit the information available or accessible to the Program.

(4) EDIT REPORTS OR FINDINGS GENERATED UNDER THE PROGRAM.—The program manager for the Program may further the mission of the Program.

SEC. 214. MODIFICATION OF AUTHORITY OF THE DEPARTMENT OF DEFENSE TO CARRY OUT CERTAIN PROTOTYPE PROJECTS.

Section 4022 of title 10, United States Code, is amended—

(1) in subsection (a)(2)—

(A) by striking ‘‘;’’ and any follow-on procurement contract or transaction that is awarded pursuant to subsection (f), ‘‘both places it appears;’’

(B) by inserting paragraph (A)(ii), by striking ‘‘;’’ and inserting a semicolon;

(C) in subparagraph (B)(ii), by striking the period at the end and inserting ‘‘;’’; and

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

"(3) any document or other written statement that is essential to meet critical national security objectives; and

"(i) notifies the congressional defense committees in writing of the findings required under clause (i) at the time such authority is exercised.’’;

(2) in subsection (e)—

(A) by redesignating paragraphs (1) and (2) as paragraphs (2) and (4), respectively;

(B) by inserting after paragraph (2), as redesignated by subparagraph (A), the following new paragraph:

"(i) determines in writing that—

"(i) the results of a comparative analysis of the alternatives associated with development, production, retrofit, and other actions that is awarded pursuant to subsection (f) ‘‘both places it appears;’’

"(ii) to modify existing military equipment for the F–35A aircraft in the Adaptive Engine Transition Program engine for the F–35A aircraft;

"(III) the use of the authority of this section is essential to meet critical national security objectives; and

"(ii) may be exercised for a transaction for a follow-on procurement contract or transaction that is awarded pursuant to subsection (f) and expected to cost the Department of Defense in excess of $100,000,000 (including all options) only if a covered official—

"(I) determines in writing that—

"(II) the authority of subsection (d) will be met; and

"(III) the use of the authority of this section is essential to meet critical national security objectives; and

"(3) by inserting after paragraph (2), as so redesignated, the following new paragraph:

"(5) the term ‘service acquisition executive’ has the meaning given the term in section 101 of this title.’’;

SEC. 215. COMPETITIVELY AWARDED DEMONSTRATIONS AND TESTS OF ELECTROMAGNETIC WARFARE TECHNOLOGY.

(a) DEMONSTRATIONS AND TESTS REQUIRED.—Not later than 270 days after the date of the enactment of this Act, the Secretary of the Air Force shall conduct competitively awarded demonstrations and tests of commercial electronics technology to determine whether technology currently exists that could enable the following electromagnetic warfare capabilities:

(1) The operation of multiple emitters and receivers in the same frequency at the same time;
time and in the same location without mutual interference and without using adaptive beam forming or nulling.

(2) Protecting the reception of Global Positioning System and other vulnerable electromagnetic signals from high-power jammers at a level that is significantly better than the protection afforded by conventional antennas.

(3) Simultaneous transmission from and reception of separate signals on the same platform wherein the signals lie in the same frequency bands but are transmitted and received at the same time without interference.

(4) Capabilities similar to paragraphs (1) through (3) in a live, virtual constructive simulation environment.

(5) Other capabilities that might satisfy or support needs set forth in the Electromagnetic Spectrum Superiority Strategy Implementation Plan.

(b) OVERSIGHT OF TESTS.—The Director of Operational Test and Evaluation shall—

(1) provide oversight of the demonstrations and tests required by subsection (a); and

(2) review other applicable government or commercial demonstrations and tests; and

(3) not later than 30 days after the completion of each demonstration and tests under subsection (a), independently advise the Chief Information Officer (CIO) of the Department of Defense, the Under Secretary of Defense for Research and Engineering (USD R&E), and the Under Secretary of Defense for Acquisition and Sustainment (USD A&S) on the outcomes of the demonstrations and tests.

(c) OUTCOME-BASED ACTIONS REQUIRED.—If the Director of Operational Test and Evaluation and the Director of the Air Force Rapid Capabilities Office certify that the demonstrations and tests under subsection (a) confirm that current technology could enable the capabilities described in paragraphs (1) through (3) of subsection—

(1) not later than 45 days after the conclusion of the tests under subsection (a), the Director of the Air Force Rapid Capabilities Office and the Director of Operational Test and Evaluation shall brief the congressional defense committees on the outcomes of the tests; and

(2) the Director of the Air Force Rapid Capabilities Office may commit additional funds to begin engineering form, fit, and function development and integration for specific Department of Defense platforms and applications; and

(3) not later than 90 days after the conclusion of the tests under subsection (a), the Director of the Air Force Rapid Capabilities Office, the Chief Information Officer, the Under Secretary of Defense for Research and Engineering, and the Under Secretary of Defense for Acquisition and Sustainment shall brief the congressional defense committees on a plan to further develop and deploy the demonstrated and tested technologies to support the Electromagnetic Spectrum Superiority Strategy Implementation Plan.

SEC. 216. GOVERNMENT-INDUSTRY WORKING GROUP ON MICROELECTRONICS.

(a) ESTABLISHMENT.—(1) IN GENERAL.—The Secretary of Defense shall establish a working group for industry, academia, and Department of Defense components to coordinate on microelectronics issues of mutual interest as specified in subsection (b).

(2) COMPOSITION.—The working group established under paragraph (1) shall be composed of representatives of industry, academia, and Department of Defense components.

(3) DESIGNATION.—The working group established under paragraph (1) shall be referred to as the “Government-Industry Working Group on Microelectronics” in this section referred to as the “Working Group”.

(b) SCOPE.—The Secretary shall ensure that the Working Group supports dialogue and coordination on the following topics areas related to microelectronics:

(1) Future research needs.

(2) Infrastructure development and shortfalls.

(3) Technology development process standards.

(4) Training and certification needs for the workforce.

(5) Supply chain issues.

(6) Supply chain, manufacturing, and packaging security.

(c) ADMINISTRATIVE SUPPORT FRAMEWORK.

(1) CHARTER AND POLICIES.—Not later than March 1, 2023, the Secretary of Defense shall develop a charter and issue policies for the functioning of the Working Group.

(2) SUPPORT.—The joint federal capability of capabilities established under section 937 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66, 10 U.S.C. 2224 note) shall provide administrative support to the Working Group.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to give a competitive advantage to any participant in the Working Group.

(e) SUNSET.—The provisions of this section shall terminate on December 31, 2030.

SEC. 217. INCLUSION OF OFFICE OF UNDER SECRETARY OF DEFENSE FOR RESEARCH AND ENGINEERING IN PERSONNEL MANAGEMENT AUTHORITY TO ATTRACT EXPERTS IN SCIENCE AND ENGINEERING.

Section 4092 of title 10, United States Code, is amended—

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

“(10) OFFICE OF THE UNDER SECRETARY OF DEFENSE FOR RESEARCH AND ENGINEERING.—(A) The Undersecretary of Defense for Research and Engineering may carry out a program of personnel management authority provided in subsection (b) in order to facilitate recruitment of eminent experts in science or engineering for the Office.”; and

(2) in subsection (b)—

(A) in subparagraph (H), by striking “; and”; and

(B) in subparagraph (I), by striking the semicolon and inserting “; and”;

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

“(J) in the case of the Office of the Under Secretary of Defense for Research and Engineering, appoint scientists and engineers to a total of not more than five positions in the Office.”;

SEC. 218. INVESTMENT PLAN FOR FOUNDATIONAL CAPABILITIES NEEDED TO DEVELOP NOVEL PROCESSING APPROACHES FOR FUTURE DEFENSE APPLICATIONS.

(a) INVESTMENT PLANS REQUIRED.—Not later than November 1, 2023, and not less frequently than once every three years thereafter until December 31, 2035, the Secretary of Defense shall establish an integrated approach to the identification, prioritization, development, and leveraging of Department of Defense investments from the research, development, test, and evaluation estimates, by fiscal year and appropriation account, to accelerate the maturation, acquisition, and deployment of fifth generation information and communications technologies.

(b) PURPOSE.—The purpose of the investment plan required by subsection (a) is to establish a comprehensive and coordinated investment plan for foundational capabilities needed to develop novel processing approaches for future defense applications.

(c) ELEMENTS.—The investment plan required by subsection (a) shall—

(1) identify current and projected investments supporting the acceleration of novel processing approaches, including investments in—

(A) supply chain and workforce capabilities; (B) facilities and infrastructure to host systems utilizing novel processing approaches; (C) algorithm developments necessary to expand the functionality from each novel processing approach; (D) other Federal agencies and federally sponsored laboratories; and

(E) appropriate international and commercial sector organizations and activities;

(2) describe mechanisms to coordinate and leverage investments within the Department and with non-Federal partners;

(3) describe the technical goals to be achieved and capabilities to be developed under the strategy; and

(4) include recommendations for such legislative or administration action as may support an effective execution of the investment plan.

(d) FORM.—Each plan submitted under subsection (a) shall be submitted in such form and as may include classified, unclassified, and publicly releasable formats.

(e) NOVEL PROCESSING APPROACHES DEFINED.—In this section, the term “novel processing approaches” means—

(1) new, emerging techniques in computing, utility scale quantum computing; and

(2) associated algorithms and hardware development needed to instantiate such technologies.

SEC. 219. OPEN RADIO ACCESS NETWORK 5G ACQUISITION, ACCELERATION AND TRANSITION PLAN.

(a) THREE-YEAR TRANSITION PLAN REQUIRED.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Assistant Secretary of the Army for Acquisition, Logistics, and Technology, the Assistant Secretary of the Navy for Research, Development, and Acquisition, and the Assistant Secretary of the Air Force for Acquisition and Research, in coordination with the Undersecretary of Defense for Research and Engineering and the Undersecretary of Defense for Acquisition and Sustainment, shall develop and submit to the congressional defense committees an unclassified three-year transition plan for fifth generation information and communications technology (5G) infrastructure for their respective military department.

(2) ELEMENTS.—The transition plans identified under paragraph (1) shall include—

(A) an operational needs assessment that identifies the highest priority areas where fifth generation information and communications technologies are needed; and

(B) an investment plan that includes funding estimates, by fiscal year and appropriation account, to accelerate the maturation, acquisition, and deployment of fifth generation information and communications capabilities that use the open radio access network approach on Department of Defense facilities, networks, and systems.

(C) metrics and reporting mechanisms to drive progress towards the three-year transition goal;

(D) a certification and designation of a single point of contact at each installation, and within each of the services to facilitate the deployment of fifth generation information and communications technologies; and

(E) planned efforts to streamline the real estate, contracting, and communications
policies and processes to field wireless infrastructure that has resulted in a lengthy approval processes for industry to provide on-air wireless coverage on an installation; (F) other areas of concern that require investment to support the transition to fifth generation information and communications technology that uses the open network approach; and (G) such other matters as the Secretary of Defense considers appropriate.

(b) CROSS-FUNCTIONAL TEAM ASSESSMENT.—Not later than 150 days after the date of the enactment of this Act and after all of the plans required by subsection (a)(1) have been submitted, the Secretary of Defense shall establish a cross-functional team established pursuant to section 228(c)(1) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 4571 note) shall assess such plans and provide the congressional defense committees with a briefing on the findings of the cross functional team with respect to such assessment.

(2) ELEMENTS.—(A) BRIEFING REQUIRED.—Not later than 150 days after the date of the enactment of this Act and after all of the plans required by subsection (a)(1) have been submitted, the Secretary of Defense shall provide a briefing to the congressional defense committees with a briefing on the findings of the cross functional team described in paragraph (1) concerning the deployment of fifth-generation wireless infrastructure on an installation, communications policies and processes to validate new or novel battery chemistry configurations; (B) Recommendations to standardize and streamline the real estate, contracting, and communication policies and processes to field wireless infrastructure on an installation, (C) An engagement plan for Department participants in international wireless standard setting bodies, (D) Such other matters as the cross functional team described in paragraph (1) considers appropriate.

(c) OPEN RADIO ACCESS NETWORK APPROACH DEFINED.—In this section the term "open radio access network approach" means an approach to networking that uses a disaggregated or virtualized radio access network and core in which components can be provided by different vendors and interoperate through open protocols and interfaces, including those protocols and interfaces utilizing the Open Radio Access Network (commonly known as "Open RAN") approach.

SEC. 220. PILOT PROGRAM TO FACILITATE THE DEPLOYMENT OF ELECTRIC VEHICLE BATTERY TECHNOLOGIES FOR WARRIORS.

(a) ESTABLISHMENT.—(1) IN GENERAL.—The Secretary of Defense may establish and carry out a pilot program to assess the feasibility and advisability of providing support to domestic battery producers, particularly those producing lithium-ion cells and battery packs, (A) technology producers that— (1) manufacture battery cells, packs, and modules in the United States; (2) manufacture battery cells, packs, and modules in the national technology industrial base (NTIB); (3) provide modularity to support diverse applications; (4) facilitate safety in tactical and combat applications by using chemistries that reduce thermal runaway and minimize oxygen liberation; (5) facilitate optimal use in light-medium and heavy-duty applications by providing a minimum of 400 Wh/L of volumetric energy density; (6) demonstrate new or novel battery chemistry configurations, safety characteristics, or form-factor configurations; (7) facilitate the domestic supply chain for raw materials; and (8) offer commercial products or commercial services and maintains customers with verified purchase orders. (B) and (C) ELEMENTS.—The strategy and the implementation plan required by subsection (a) shall include the following:

(b) PURPOSES.—(1) STRATEGY.—The purpose of the strategy required by subsection (a) is to provide a framework for identifying, assessing, and tracking innovation ecosystems that are beneficial to advancing the defense, national security, and warfighting missions of the Department of Defense.

(c) REPORTING AND DATA COLLECTION.—(1) PLAN REQUIRED BEFORE IMPLEMENTATION.—The Secretary of Defense shall not commence implementing the strategy described in subsection (a) before the Secretary has completed a plan for the implementation of the Project, including— (A) collecting, analyzing, and retaining Project data; (B) developing and sharing best practices for achieving the objectives of the Project; (C) identification of any policy or regulatory impediments inhibiting the execution of the program; and (D) sharing results from the program across the Department, and with elements of the Federal Government, including the legislative branch of the Federal Government.

(2) ADMINISTRATION.—(A) The Under Secretary of Defense for Research and Engineering shall administer the Project. (B) TERMINATION.—The Project shall terminate on December 31, 2032.

Subtitle C—Plans, Reports, and Other Matters

SEC. 231. REPORT ON RECOMMENDATIONS FROM ARMY FUTURES COMMAND RESEARCH PROGRAM REALIGNMENT STUDY.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army shall submit to the Congress a report on the recommendations made by the National Academies in the Army Futures Command Research Program Realignment Study.

(b) CONTENTS.—The report submitted under subsection (a) shall include the following:

(1) A description of each recommendation described in such subsection that has already been implemented.

(2) A description of each recommendation described in such subsection that the Secretary has commenced implementing, including a justification for determining to commence implementing the recommendation.

(3) A description of each recommendation described in such subsection that the Secretary determines not to implement, a description of each recommendation described in such subsection that the Secretary determines to implement and a determination as to whether or not to implement the recommendation.

(4) For each recommendation under paragraph (3) (the Secretary determines to implement, the following: (A) A timeline for implementation, (B) A description of any additional resources or authorities required for implementation,

(c) ELEMENTS.—The strategy and the implementation plan required by subsection (a) shall include the following:

(1) A description of each recommendation described in such subsection that has already been implemented.

(d) OPEN RADIO ACCESS NETWORK APPROACH DEFINED.—In this section the term "open radio access network approach" means an approach to networking that uses a disaggregated or virtualized radio access network and core in which components can be provided by different vendors and interoperate through open protocols and interfaces, including those protocols and interfaces utilizing the Open Radio Access Network (commonly known as "Open RAN") approach.

(1) STRATEGY.—The purpose of the strategy described in paragraph (1) shall be known as the "Warfighter Electric Battery Transition Project." (referred to in this section as the "Project").

(b) REPORTS, CONTRACTS, AND OTHER AGREEMENTS.—The Secretary may carry out the Project through the award of support, as described in subsection (a)(1), in the form of grants to, or contracts or other agreements with, battery producers, particularly those producing lithium-ion cells and battery packs, (A) AMOUNTS.—A recipient of a grant, contract, or other agreement under the Project may use the funds provided under the grant, contract, or other agreement to carry out the following: (1) Conducting research and development to validate new or novel battery chemistry configurations; through experimentation, prototyping, testing, integration or manufacturing feasibility assessment. (2) Providing commercially available technology to each Secretary of a military department and the commanders of combatant commands to support utility assessments or other testing by warfighters; (3) Building and strengthening relationships of the Department of Defense with nontraditional defense contractors in the technology industry that may have unused or underused solutions to the specific operational challenges of the Department.

(c) DRAFT Report.—In awarding grants, contracts, or other agreements under the Project, the Secretary shall give preference to technology producers that— (1) manufacture battery cells, packs, and modules in the United States; (2) manufacture battery cells, packs, and modules in the national technology industrial base (NTIB); (3) provide modularity to support diverse applications; (4) facilitate safety in tactical and combat applications by using chemistries that reduce thermal runaway and minimize oxygen liberation; (5) facilitate optimal use in light-medium and heavy-duty applications by providing a minimum of 400 Wh/L of volumetric energy density; (6) demonstrate new or novel battery chemistry configurations, safety characteristics, or form-factor configurations; (7) facilitate the domestic supply chain for raw materials; and (8) offer commercial products or commercial services and maintains customers with verified purchase orders. (C) and (D) ELEMENTS.—The strategy and the implementation plan required by subsection (a) shall include the following:

SEC. 232. STRATEGY AND PLAN FOR STRENGTHENING AND FOSTERING DEFENSE INNOVATION ECOSYSTEM.

(a) STRATEGY AND IMPLEMENTATION PLAN REQUIRED.—Not later than March 1, 2023, the Secretary of Defense, acting through the Under Secretary of Defense for Research and Engineering, shall develop a strategy and an implementation plan for the defense innovation ecosystem.

(b) PURPOSES.—(1) STRATEGY.—The purpose of the strategy required by subsection (a) is to provide a framework for identifying, assessing, and tracking innovation ecosystems that are beneficial to advancing the defense, national security, and warfighting missions of the Department of Defense.

(c) IMPLEMENTATION PLAN.—The purpose of the implementation plan required by subsection (a) is to provide— (A) concrete steps and measures of effectiveness to gauge the progress of the innovation ecosystems described in paragraph (1) on the Department; and (B) means for assessing the effectiveness of approaches taken by the Department to grow, foster, and sustain such innovation ecosystems.

(c) ELEMENTS.—The strategy and the implementation plan required by subsection (a) shall include the following elements:

(1) A description of each recommendation described in paragraph (1) on the Department; and (B) means for assessing the effectiveness of approaches taken by the Department to grow, foster, and sustain such innovation ecosystems.

(3) Identification of Department of Defense research, development, test, and evaluation assets and authorities that can be engaged in identifying, growing, fostering, and expanding innovation ecosystems.

(4) For each innovation ecosystem designated or established by the Department— (A) a description of such ecosystems with a description of core competencies or focus areas; and (B) Identification of Department research, development, test, and evaluation organizations engaged with such innovation ecosystems;
(C) identification of the private sector assets and authorities that are being used to support, sustain, and expand the identified innovation ecosystem; and

(D) any other information, including challenges and successes associated with each innovation ecosystem.

(5) Such other elements as the Secretary considers appropriate.

(6) INTERIM BRIEFING.—Not later than December 1, 2022, the Secretary shall provide the congressional defense committees a briefing on the strategy and implementation plan developed under subsection (a).

(e) SUBMITTAL OF STRATEGY AND PLAN.—Not later than March 1, 2023, the Secretary shall submit to the congressional defense committees the strategy and implementation plan developed under subsection (a).

(f) QUADRENNIAL UPDATES.—Not later than March 1, 2027, and not less frequently than once every four years thereafter until December 31, 2039, the Secretary shall—

(1) update the strategy and plan developed under subsection (a); and

(2) submit the updated strategy and plan to the congressional defense committees.

(g) AUTHORITIES.—The strategy and implementation plan developed under subsection (a) may incorporate the use of the following authorities or programs:

(1) Section 1746a of title 10, United States Code, relating to acquisition workforce education and training programs.

(2) Section 2134 of such title, relating to education partnerships.

(3) Section 4001 of such title, relating to centers of industrial and technical excellence.

(4) Section 4001 of such title, relating to research and development projects.

(5) Section 4010 of such title, relating to the Defense established program to stimulate competitive research.

(6) Section 4155 of such title, relating to transactions other than contracts and grants and authority of the Department of Defense to carry out certain prototype projects, respectively.

(7) Section 4023 of such title, relating to procurement for experimental purposes.

(8) Section 4025 of such title, relating to prizes for advanced technology achievements.

(9) Section 4123 of such title, relating to mechanisms to provide funds for defense laboratories and development of technologies for military missions.

(10) Section 4144 of such title, relating to research and educational programs at historically black colleges and universities and minority serving institutions.

(11) Section 4832 of such title, relating to the encouragement of technology transfer at the Department of Defense.

(12) Section 252 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239), relating to regional advanced technology clusters.


(14) Section 879 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328), relating to defense pilot program for authority to acquire innovative commercial products, technologies, and services using general solicitation competitive processes.

(15) Section 217 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C. 4001 note), relating to mechanisms to provide access to technical talent and expertise at academic institutions to support Department of Defense missions.


(17) Other such authorities as the Secretary deems appropriate.

(h) DEFINITIONS.—

(1) The term "Department of Defense research, development, test, and evaluation assets" includes the following:

(A) The Department of Defense science and technology reinvention laboratories designated under section 4212 of title 10, United States Code.

(B) The Major Range and Test Facility Base (as defined in section 4173(i) of such title).

(C) Department of Defense sponsored manufacturing innovation institutes.

(D) The organic industrial base.

(2) Department of Defense agencies and field activities that execute research, development, test, and evaluation funded activities.

(3) The term "innovation ecosystem" refers to a regionally based network of private sector, academic, and government institutions in a network of formal and informal institutional relationships that contribute to the advancement of technologies, and technology development in a defined technology sector or sectors.

SEC. 232. MODIFICATION OF DIRECTOR FOR OPERATIONAL TESTING AND EVALUATION AUTHORITY.

Section 139(h)(3) of title 10, United States Code, is amended by inserting "or controlled unclassified" after "classified".

SEC. 233. EXTENSION OF REQUIREMENT FOR QUARTERLY BRIEFINGS ON DEVELOPMENT AND IMPLEMENTATION OF STRATEGIES FOR GENERATION INFORMATION AND COMMUNICATIONS TECHNOLOGIES.

Section 254(d)(1) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 6751 note) is amended, in the matter before subparagraph (A), by striking "March 15, 2022" and inserting "December 1, 2026".

SEC. 235. REPORT ON ESTIMATED COSTS OF CONDUCTING A MINIMUM FREQUENCY OF HOYPERSONIC WEAPONS TESTING.

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 estimated costs for conducting not fewer than one full-scale operational, live-fire, hypersonic weapon test of the systems currently under development each year by each of the Air Force, the Army, and the Navy. The Secretary shall also submit a report on estimated costs for conducting live-fire hypersonic weapon tests of the systems currently under development each year by each of the Air Force, the Army, and the Navy. The Secretary shall not apply to fiscal year 2026.

SEC. 236. ANNUAL REPORT ON STUDIES AND REPORTS BEING UNDERTAKEN BY THE DEPARTMENT OF DEFENSE.

Section 426(e) of title 10, United States Code, is amended by inserting "and the Office of the Under Secretary of Defense for Research and Engineering" after "the Secretary".

(c) ASSESSMENT.—

(1) IN GENERAL.—The Secretary of Defense shall assess whether programs of the Department of Defense, to enable expanded use of unprogrammed application specific integrated circuits or other custom-designed integrated circuits manufactured by a supplier that is not using processes accredited by the Defense Microelectronics Activity for the purpose of enabling the Department to access unclassified microelectronics technology using risk-based quantifiable assurance security methodology, should—

(A) be restructured; and

(B) have any other changes to the International Traffic in Arms Regulations under subchapter M of chapter I of title 22, Code of Federal Regulations, and Department of Defense Instruction 5230.10, to enhance protection of mission critical functions to achieve trusted systems and networks; and
SEC. 238. CLARIFICATION OF ROLE OF CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICER. (a) PERSONNEL MANAGEMENT AUTHORITY TO ARTIFICIAL INTELLIGENCE OFFICER IN SCIENCE AND ENGINEERING.—Section 4092 of title 10, United States Code, is amended—

(1) in subsection (a)(6)—

(A) by striking ‘‘Director of the Joint Artificial Intelligence Center’’ and inserting ‘‘official designated under section 238(b) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 4061 note prec.)’’;

(B) by striking ‘‘for the Center’’ and inserting ‘‘to support the activities of such official under section 238 of such Act’’; and

(C) in the paragraph heading, by striking ‘‘CENTER’’;

(2) in subsection (b)(1)(F)—

(A) by striking ‘‘Joint Artificial Intelligence Center’’ and inserting ‘‘official designated under section 238(b) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 4061 note prec.)’’;

(B) by striking ‘‘in the Center’’ and inserting ‘‘in support of the activities of such official under section 238(b) of such Act’’;

(3) in subsection (c)(2), by striking ‘‘Joint Artificial Intelligence Center’’ and inserting ‘‘the activities under section 238 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 4061 note prec.)’’;


(1) by amending subsection (c) to read as follows—

‘‘(c) ORGANIZATION AND ROLES.—

‘‘(1) IN GENERAL.—In addition to designating an official under subsection (b), the Secretary of Defense shall assign to appropriate officials within the Department of Defense the responsibilities relating to the research, development, prototyping, testing, procurement of, requirements for, and operational use of artificial intelligence technology.

‘‘(2) APPROPRIATE OFFICIALS.—The officials assigned roles and responsibilities under paragraph (1) shall include—

‘‘(A) the Under Secretary of Defense for Research and Engineering;

‘‘(B) the Under Secretary of Defense for Acquisition and Sustainment;

‘‘(C) one or more officials in each military department;

‘‘(D) officials of appropriate Defense Agencies; and

‘‘(E) such other officials as the Secretary of Defense determines appropriate.’’;

(2) in subsection (e), by striking ‘‘Director of the Joint Artificial Intelligence Center and’’ and inserting ‘‘official designated under subsection (b)’’; and

(3) by striking subsection (h).

(c) BIANNUAL REPORT ON ACTIVITIES OF THE CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICE.—

(1) IN GENERAL.—Section 239 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; title 10, United States Code, section 113 note) is amended—

(A) in the section heading, by striking ‘‘JOINT ARTIFICIAL INTELLIGENCE CENTER’’ and inserting ‘‘ACTIVITIES OF THE CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICE’’;

(B) in subsection (a)—

(i) by striking ‘‘2023’’ and inserting ‘‘2025’’; and

(ii) by striking ‘‘official designated under section 238(b) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 4061 note prec.)’’ and inserting ‘‘Chief Digital and Artificial Intelligence Officer’’;

(C) in subsection (b)—

(i) in paragraph (1), by striking ‘‘Center’’ and inserting ‘‘Office’’;

(ii) in paragraph (2), by striking ‘‘National Mission Initiatives, Component Mission Initiatives, and any other initiatives of the Center’’ and inserting ‘‘initiatives of the Office’’;

(iii) in paragraphs (3) through (6), by striking ‘‘Center’’ each place it appears and inserting ‘‘Office’’;

(iv) in paragraph (7), by striking ‘‘Center and the Center’s investments in the National Mission Initiatives and Component Mission Initiatives’’ and inserting ‘‘Office and the Office’s investments’’;

(v) in paragraph (8), by striking ‘‘Chief Information Officer’’ and inserting ‘‘Chief Digital and Artificial Intelligence Officer’’; and

(D) by striking subsection (c).

(2) CHIEF DATA OFFICER RESPONSIBILITY FOR DEPARTMENT OF DEFENSE DATA SETS.—Section 2911 of title 10, United States Code, is amended by adding at the end the following new paragraph:

‘‘(a) APPLICABLE TO DEPARTMENT OF DEFENSE DATA SETS.—

(1) IN GENERAL.—The table of contents in section 292(b) of such Act is amended by striking the item relating to section 293 and inserting the following new item:

‘‘Sec. 292. Biannual report on the activities of the Chief Digital and Artificial Intelligence Office.

(2) CHIEF DATA OFFICER RESPONSIBILITY FOR DEPARTMENT OF DEFENSE DATA SETS.—

(1) IN GENERAL.—The Chief Digital and Artificial Intelligence Office shall establish an annual reporting requirement for such activities.

(2) REQUIREMENTS.—Such requirements shall include—

(A) COORDINATION OF ACTIVITIES.—Such reports shall describe the activities of the Office in support of the data portfolio.

(B) REPORT CONTENT.—Such reports shall include—

(i) a description of the Office’s investments in the Office’s data sets.

(ii) a description of the Office’s data sets.

(ii) a description of the Office’s investments in the Office’s data sets.

(B) REPORT CONTENT.—Such reports shall include—

(i) a description of the Office’s investments in the Office’s data sets.

(ii) a description of the Office’s data sets.

(iii) a description of the Office’s investments in the Office’s data sets.

(4) BRIEFING.—Not later than October 1, 2023, and annually thereafter, the Secretary of Defense shall provide a briefing on the findings of the Secretary with respect to the assessment conducted under paragraph (1).

SEC. 301. AUTHORIZATION OF APPROPRIATIONS. Funds are hereby authorized to be appropriated 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 table of funds set forth below.

SEC. 311. AGGREGATE ENERGY CONSERVATION MEASURES AND FUNDING. Section 2011 of title 10, United States Code, is amended by adding at the end the following new subsection:

‘‘(1) AGGREGATE ENERGY CONSERVATION MEASURES AND FUNDING.—(1) To the maximum extent practicable, the Secretary concerned shall take a holistic view of the energy project opportunities on installations under the jurisdiction of such Secretary and shall consider aggregate conservation measures, including energy conservation measures with quick payback, with energy resilience enhancement projects and other projects that may have a longer payback period.

(2) In considering aggregate energy conservation measures under paragraph (1), the Secretary concerned shall incorporate all funding available to such Secretary for such measures, including—

(A) appropriated funds, such as—

(i) funds appropriated for the Energy Resilience and Conservation Investment Program of the Department; and

(ii) funds appropriated for the Facilities, Restoration, Modernization program of the Department; and

(3) BRIEFING.—Not later than October 1, 2023, and annually thereafter, the Secretary of Defense shall establish a joint working group to provide the congressional defense committees a briefing on the findings of the Secretary with respect to the assessment conducted under paragraph (1).

(a) ESTABLISHMENT.—The Secretary of Defense shall establish a joint working group to provide the congressional defense committees a briefing on the findings of the Secretary with respect to the assessment conducted under paragraph (1).
SEC. 315. CONSIDERATION UNDER DEFENSE ENVIRONMENTAL RESTORATION PROGRAM OF OWNED FACILITIES OF THE NATIONAL GUARD WITH PROVEN EXPOSURE OF HAZARDOUS SUBSTANCES AND WASTE.

(a) DEFINITION OF STATE-OWNED NATIONAL GUARD FACILITY.—Section 2700 of title 10, United States Code, is amended by adding at the end the following new paragraph:

"§ 2704h. Participation in pollutant banks and water quality trading.

"(a) AUTHORITY TO PARTICIPATE.—The Secretary of a military department, and the Secretary of Defense with respect to matters under the jurisdiction of the Secretary, may, in an authorized activity that may or will result in the discharge of pollutants, may make payments to a pollutant banking program or water quality trading program to provide an alternative to the Clean Water Act.

"(b) TREATMENT OF PAYMENTS.—Payments made under subsection (a) to a pollutant or water quality trading program may be treated as eligible project costs for military construction.

"(c) DISCHARGE OF POLLUTANTS DEFINED.—In this section, the term 'discharge of pollutants' means the term as defined in section 3012(b) of the Federal Water Pollution Control Act (33 U.S.C. 1322(b)) (commonly referred to as the 'Clean Water Act')."

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of this chapter is amended by inserting after the item relating to section 2704h the following new item:

"§ 2704h. Participation in pollutant banks and water quality trading."

SEC. 316. AUTHORIZATION OF CLOSURE OF RED HILL BULK FUEL STORAGE FACILITY.

(a) IN GENERAL.—The Secretary of Defense may close the Red Hill bulk fuel storage facility on the Department of Defense in Hawaii (in this section referred to as the 'Facility').

(b) PLAN FOR CLOSURE AND POST-CLOSURE CARE.

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Armed Services of the Senate and the House of Representatives a plan for—

(A) closure of the Facility;

(B) cleanup of the Facility;

(C) monitoring of the Facility following such closure;

(D) maintenance of the Facility following such closure; and

(E) optimal post-closure care for the Facility, specifically addressing—

(i) monitoring and maintenance of liners;

(ii) final covers;

(iii) leachate collection and removal systems;

(iv) leak detection system; and

(v) groundwater collection systems to protect against releases of hazardous contaminants.

(F) environmental remediation of groundwater at the Facility, to include a description of environmental remediation plans, including necessary resources for the Secretary of the Navy to conduct remediation actions at the Facility in the following year;

(G) coordination and communication with applicable Federal and State authorities, the local water utility authority, applicable State environmental agencies, and surrounding communities on remediation activities conducted by the Navy at the Facility;

(H) improvements to processes, procedures, organization, training, leadership, education, facilities, and policy of the Department of Defense related to best practices for the remediation and closure of the Facility; and

(I) measures to ensure that future strategic level assets of the Department of Defense are properly maintained and critical environmental assets are protected.

(2) PROCUREMENT OF PLAN.—The Secretary shall include in the plan required under paragraph (1) in consultation with—

(A) the Administrator of the Environmental Protection Agency;

(B) the head of the Hawaii Department of Health;

(C) the Director of the United States Geological Survey; and

(D) the heads of such other relevant Federal and State agencies as the Secretary considers appropriate.

SEC. 317. AUTHORIZATION OF POINT OF CONTACT AT DEPARTMENT OF DEFENSE.

Not later than 60 days after the date of the enactment of this Act, to ensure clear and consistent communication related to the defueling, cleanup, closure, and remediation of the Facility, the Secretary of Defense shall identify a single point of contact within the Office of the Secretary of Defense that will communicate with the public and members of Congress regarding the status of the Facility at each phase of the defueling, cleanup, closure, and remediation.

SEC. 318. WATER MONITORING PROGRAM.

Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall establish a water monitoring program—
SEC. 317. REVISING UNIFIED FACILITIES GUIDE SPECIFICATIONS TO INCLUDE SUSTAINABLE AVIATION FUEL.

(a) Gas Insulated Switchgear.—Not later than one year after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall modify the Unified Facilities Guide Specifications to include a distinct specification for medium voltage gas insulated switchgear.

(b) Microgrids.—Not later than one year after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall:

(1) modify the Unified Facilities Criteria to include microgrids; and

(2) modify the Unified Facilities Guide Specifications to include specifications for microgrids and microgrid controllers.

SEC. 318. TRANSFER OF CUSTOMERS FROM ELECTRICAL UTILITY SYSTEM OF THE NAVY AT FORMER NAVAL AIR STATION BARBER'S POINT, HAWAII, TO NEW ELECTRICAL SYSTEM IN KALAELOA, HAWAII.

(a) In General.—Not subject to the availability of appropriations for such purpose, the Secretary of the Navy shall pay the reasonable costs to transfer all customers off of the electrical system of the United States from domestic feedstock sources. Until such time as such system is ready for public use, the Secretary shall procure power for such customers as necessary from such a source.

(b) Cooperative Agreement or Other Instruction.—The Secretary of the Navy may enter into a cooperative agreement or other arrangement with a third party—

(1) to make amounts available to pay the reasonable costs of transfers described in subsection (a); and

(2) to reimburse the third party for the reasonable costs that it may incur to carry out paragraph (1).

(c) FACILITATION OF TRANSFER.—To facilitate the transfer of customers described in subsection (a), the Secretary of the Navy shall provide the following to the State of Hawaii:

(1) A load analysis and design necessary to complete such transfer.

(2) Such rights of way and easements as may be necessary to support the construction of such electrical infrastructure.

(d) Disposal of Navy Electrical System.—Subject to the availability of appropriations for such purpose, after all customers have been transferred as required under subsection (a), the Secretary of the Navy may dispose of the electrical system of Kalaaeloa, Hawaii, to the new electrical system in Kalaaeloa, Hawaii, operated by Hawaii Electric Co.

SEC. 319. PROGRAM ON USE OF SUSTAINABLE AVIATION FUEL.

(a) Pilot Program on Use of Sustainable Aviation Fuel.—

(1) In General.—The Secretary of Defense shall conduct a pilot program on the use of sustainable aviation fuel by the Department of Defense.

(2) Design of Program.—The pilot program shall be designed to—

(A) identify any logistical challenges with respect to the use of sustainable aviation fuel by the Department;

(B) promote understanding of the technical and programmatic characteristics of sustainable aviation fuel when used in a military setting; and

(C) engage nearby commercial airports to communicate and coordinate with the Department of Commerce and partnerships on increased use of sustainable aviation fuel.

(b) Selection of Facilities.—

(1) In General.—Not later than one year after the date of enactment of this Act, the Secretary of Defense shall select not fewer than two eligible facilities of the Department at which to carry out the pilot program.

(2) Onsite Refinery.—Not fewer than one facility selected under subparagraph (A) shall be a facility with an onsite refinery that is located in proximity to not fewer than one major commercial airport that is also actively seeking to increase the use of sustainable aviation fuel.

(3) Notice to Congress.—Upon the selection of each facility under paragraph (1), the Secretary of Defense shall notify the committees on Armed Services of the Senate and the House of Representatives of the selection, including an identification of the facility selected.

(c) Use of Sustainable Aviation Fuel.—

(1) Plans.—For each facility selected under subsection (b), not later than one year after the selection of the facility, the Secretary shall—

(A) develop a plan on how to implement, by September 30, 2023, a target of exclusively using aviation fuel that is blended to contain at least 10 percent sustainable aviation fuel;

(B) submit the plan developed under subparagraph (A) to the Committees on Armed Services of the Senate and the House of Representatives; and

(C) provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on such plan that includes, at a minimum—

(i) a description of any operational, infrastructure, or logistical requirements and recommendations for the blending and use of sustainable aviation fuel; and

(ii) a description of any stakeholder engagement in the development of the plan, including any consultations with nearby commercial airport owners or operators.

(2) Implementation of Plans.—For each facility selected under subsection (b), during the period beginning on a date that is not later than September 30, 2023, and for five years thereafter, the Secretary shall, in accordance with the respective plan developed under paragraph (1), the exclusive use at the facility of aviation fuel that is blended to contain not less than 10 percent sustainable aviation fuel.

(d) Criteria for Sustainable Aviation Fuel.—Sustainable aviation fuel used under the pilot program shall meet the following criteria:

(1) Such fuel shall be produced in the United States from domestic feedstock sources.

(2) Such fuel shall constitute drop-in fuel that meets all specifications and performance requirements of the Department of Defense and the Armed Forces.

(e) Waiver.—The Secretary may waive the use of sustainable aviation fuel at a facility under the pilot program if the Secretary—

(1) determines such use is not feasible due to a lack of availability of sustainable aviation fuel or a national security contingency; and

(2) submits to the congressional defense committees notice of such waiver and the reasons for such waiver.

(i) Final Report.—

(1) In General.—At the conclusion of the pilot program, the Assistant Secretary of Defense for Energy, Installations, and Environment shall submit to the Committees on Armed Services of the Senate and the House of Representatives a final report on the pilot program.

(2) Elements.—The report required by paragraph (1) shall include each of the following:

(A) An assessment of the effect of using sustainable aviation fuel on the overall fuel consumption of the Armed Forces.

(B) A description of any operational, infrastructure, or logistical requirements and recommendations for the blending and use of sustainable aviation fuel, with a focus on scaling up adoption of such fuel throughout the Armed Forces.

(C) Recommendations with respect to how military installations can leverage proximity to commercial airports and other jet fuel consumers to increase the rate of use of sustainable aviation fuel, for both military and commercial consumers.

SEC. 319. RENEWAL OF ANNUAL ENVIRONMENTAL AND ENERGY REPORTS OF DEPARTMENT OF DEFENSE.

(a) Annual Environmental Report.—Section 2711 of title 10, United States Code, is amended by striking subsecions (a) and (b) and inserting the following new subsections:

(‘‘(a) Report Required.—Not later than March 31 of each year, the Secretary of Defense shall submit to Congress a report on progress made by environmental programs of the Department of Defense during the preceding fiscal year.’’)

(b) Annual Energy Report.—Each report under subsection (a) shall include, for the year covered by the report, the following:
"(1) With respect to environmental restoration activities of the Department of Defense, and for each of the military departments, information on the Energy Environment Restoration Program under section 2701 of this title, including—

(A) the total number of sites at which such program was carried out;

(B) an estimate of the remediation for sites that have not yet completed cleanup;

(C) the remaining cost to complete cleanup of known sites; and

(D) an assessment by the Secretary of the overall progress of such program.

(2) An assessment by the Secretary of achievements for environmental compliance by the Department.

(3) An assessment by the Secretary of achievements for climate resiliency by the Department.

(4) An assessment by the Secretary of achievements for environmental compliance by the Department.

(b) by striking subsections (a) and (b) and inserting the following new subsection:

"(a) REPORT REQUIRED.—Not later than 210 days after the end of each fiscal year, the Secretary of Defense shall submit to the congressional defense committees a report detailing the fulfillment during that fiscal year of the authorities and requirements under sections 2588, 2911, 2912, 2920, and 2925 of this title, including progress on energy related to operational energy in combat platforms and the fulfillment during that fiscal year and current fiscal year and requested for each initiative for the next five fiscal years.

"(b) E LEMENTS.—The report required under subsection (a) shall include the following:

(1) For the year covered by the report, the following:


(B) A description of the energy savings, return on investment, and enhancements to installations, including progress on energy savings, energy efficiency and performance goals and master planning for the Department of Defense, including associated metrics pursuant to subsections (c) and (d) of section 2921 of this title and requirements under section 2888(g) of this title.

(D) An evaluation of progress made by the Department in implementing the operational energy strategy of the Department, including the progress of key initiatives and technology investments related to operational energy demand and management.

(2) A detailed description of the purpose for resourcing of energy for the Department of Defense from entities described in sub-paragraph (B) and reconfiguring such resourcing instead from entities of the United States, academic institutions, nongovernmental organizations, and other foreign entities of concern.

(f) FOREIGN ENTITY OF CONCERN DEFINED.—In this section, the term ‘‘foreign entity of concern’’ has the meaning given that term in section 9901 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (10 U.S.C. 2371).

Subtitle C—Treatment of Perfluoroalkyl Substances and Polyfluoroalkyl Substances

SEC. 331. INCREASE TRANSFER AUTHORITY FOR FUNDING OF STUDY AND ASSESSMENT AND PUBLICA- TIONS OF PER- AND POLYFLUOROALKYL SUBSTANCES CONTAMINATION IN DRINKING WATER BY AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY.


(1) in clause (i), by striking ‘‘2023’’ and inserting ‘‘2022’’; and

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

"(iii) Without regard to section 2315 of title 10, United States Code, the Secretary of Defense may transfer not more than $20,000,000 in fiscal year 2023 to the Secretary of Health and Human Services to pay for the study and assessment required by this section.''.

SEC. 332. MODIFICATION OF LIMITATION ON DISCLOSURE OF RESULTS OF TESTING FOR PERFLUOROALKYL OR POLYFLUOROALKYL SUBSTANCES ON PRIVATE PROPERTY.

Section 345(a)(2) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81–137 Stat. 1643) is amended by inserting ‘‘personally identifiable information in connection with’’ after ‘‘publicly disclose’’.
alternative to aqueous film forming foam that contains perfluoralkyl or polyfluoralkyl substances, excluding any proprietary information that is business confidential.

(C) Regularly updated information on research projects supported or conducted by the Department pertaining to the health effects of perfluoroalkyl or polyfluoroalkyl substances, including information relating to the impact of such substances on firefighters, veterans, and military families and excluding any personally identifiable information.

(D) Regularly updated information on research projects supported or conducted by the Department to address the use of perfluoroalkyl or polyfluoroalkyl substances and the health effects of the use of such substances.

(E) Budget information, including specific spending information for the research projects relating to perfluoroalkyl or polyfluoroalkyl substances that are supported or conducted by the Department.

(F) Such other matters as may be relevant to ongoing research projects supported or conducted by the Department to address the use of perfluoroalkyl or polyfluoroalkyl substances and the health effects of the use of such substances.

(2) IMPORTANT.—The information published under paragraph (1) shall be made available in a downloadable, machine-readable, open, and a user-friendly format.

(3) DEFINITIONS.—In this subsection:

(A) MILITARY INSTALLATION.—The term ‘‘military installation’’ includes active, inactive, and former military installations.

(B) SIGNALISATION AND TASKFORCE.—Section 2714(e) of title 10, United States Code, describing the effectiveness of capital investments; and

(c) IN ısıring alignment with policies and procedures of the Department of Defense; and

(d) REPORT.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of the Navy shall enter into an agreement with a nonprofit entity or a federally funded research and development center to conduct research and analysis regarding the capacity and capability of private shipyards in the United States to repair, maintain, and modernize surface combatants and support ships of the Navy to ensure fleet readiness.

(b) ELEMENTS.—The research and analysis conducted under subsection (a) shall include the following:

(1) An assessment of the current progress of the Secretary towards implementing those requirements;

(2) An assessment of the projected maintenance needs of the Navy during the five-year period preceding the date of the enactment of this Act, including frequency of unplanned maintenance and average time it takes to repair ships.

(2) An assessment of the projected maintenance needs of the Navy during the 10-year period following the enactment.

(3) An assessment of whether current private shipyards in the United States have the capacity to meet and anticipated needs of the Navy to repair, maintain and repair ships, include whether there are adequate ship repair facilities and a sufficient trained workforce.

(4) An identification of barriers limiting success of intermediate-level and depot-level maintenance availability, including constraints of adding private depot capacity and capability.

(5) Recommendations based on the findings of paragraphs (1) through (4) regarding actions the Secretary of the Navy can take to ensure there is an industrial base of private ship repair facilities to meet the needs of the Navy and ensure fleet readiness, including whether the Secretary should institute a new force generation model, establish additional homeport facilities, or establish new hub-type maintenance facilities.

(c) INPUT FROM PRIVATE SHIPYARDS.—In conducting research and analysis under subsection (a), the nonprofit entity or federally funded research and development center shall report to the Secretary of the Navy entered into an agreement under subsection (a) shall submit to the Secretary a report on the results of the research and analysis undertaken under such subsection.

(3) TRANSFERAL TO CONGRESS.—Not later than 30 days after the Secretary receives the report under paragraph (1), the Secretary shall transmit to the congressional defense committees a copy of the report.

SEC. 353. LIMITATION ON FUNDS FOR THE JOINT MILITARY INFORMATION SUPPORT OPERATIONS WEB OPERATIONS CENTER

Not more than 50 percent of the amount authorized to be appropriated for the Joint Military Information Support Operations Web Operations Center for Operation and Maintenance, Defense-Wide, may be obligated and expended until the Secretary of Defense submits to the congressional defense committees a plan for:

(1) Appropriately scoping and tailoring messaging activities to foreign target audiences;

(2) Ensuring messages serve a valid military purpose;

(3) Effectively managing risk associated with web-based military information support operations;

(4) Maintaining alignment with policies and procedures of the Department of Defense;

(5) Adequately overseeing and approving the work of contractors;

(6) Ensuring alignment with policy guidance and procedures of the Department; and

(7) Coordinating activities with the Global Engagement Center of the Department of State and other relevant non-Department of Defense entities.

SEC. 354. NOTIFICATION OF INCREASE IN RETENTION RATES FOR NAVY SHIP REPAIR CONTRACTS

(a) IN GENERAL.—Not later than 30 days before making a change to increase the level of retention rates for a Navy ship repair contract following the enactment of this Act, the Secretary of the Navy shall provide written notification to the congressional defense committees.

(b) MATTERS TO BE INCLUDED.—A notification under subsection (a) with respect to a change to increase the level of retention rates for a Navy ship repair contract shall include the following information:

(1) An identification of any considerations that informed the decision to increase such rates.

(2) The desired effect the change will have on the Navy ship repair industrial base.

SEC. 355. INAPPLICABILITY OF ADVANCE BILLING DOLLAR LIMITATION FOR RELIEF EFFORTS FOLLOWING MAJOR DISASTERS OR EMERGENCIES.

Section 220(b)(3) of title 10, United States Code, is amended—

(1) by striking ‘‘The total’’; and inserting ‘‘(A) Except as provided in subparagraph (B), the total’’; and

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

‘‘(B) The dollar limitation under subparagraph (A) shall not apply with respect to advance billing for relief efforts following a declaration of a major disaster or emergency assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (2 U.S.C. 5121 et seq.).’’.
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SEC. 356. REPEAL OF COMPTROLLER GENERAL REVIEW ON TIME LIMITATIONS ON DURATION OF PUBLIC-PRIVATE COMPETITIONS.

Subsection (c) of section 322 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–64; 123 Stat. 2232) is repealed.

Subtitle E—Reports

SEC. 371. INCLUSION OF INFORMATION REGARDING JOINT MEDICAL ESTIMATES IN ARMED SERVICES REPORTS.

Section 482(b) of title 10, United States Code, is amended—

(1) by redesignating paragraph (11) as paragraph (12); and

(2) by inserting after paragraph (10) the following new paragraph:

"(11) A summary of the joint medical estimate under section 732(b)(1) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1817) prepared by the Joint Staff Surgeon with a mitigation plan to correct any readiness problem or deficiency and the timeline, cost, and any legislative action required to correct any such problem or deficiency.".

Subtitle F—Other Matters

SEC. 381. IMPLEMENTATION OF RECOMMENDATIONS RELATING TO ANIMAL FACILITY SANITATION AND MASTER PLAN FOR HOUSING AND CARE OF HORSES.

(a) IMPLEMENTATION BY SECRETARY OF THE ARMY OF COMMISSIONER OF COMMERCE RECOMMENDATIONS RELATING TO ANIMAL FACILITY SANITATION.—Not later than March 1, 2023, the Secretary of the Army shall implement the recommendations contained in the memorandum of the Department of the Army dated February 25, 2022, the subject of which is "Animal Facility Sanitation Inspection Findings for the Fort Myer Caisson Barns/Paddocks and the Fort Belvoir Caisson Pasture Facility" (MHCB–RN).

(b) MASTER PLAN FOR THE HOUSING AND CARE OF ALL HORSES WITHIN THE CARE OF THE OLD GUARD.—

(1) IN GENERAL.—Not later than March 1, 2023, the Secretary of the Army shall submit to Congress a master plan for the housing and care of all horses within the care of the 3rd United States Infantry (commonly known as the "Old Guard").

(2) ELEMENTS.—The plan required by paragraph (1) shall—

(A) describe all modifications planned or underway at the Fort Myer Caisson Barns/Paddocks, the Fort Belvoir Caisson Pasture Facility, and any other facility or location under consideration for stabling of the horses described in paragraph (1);

(B) identify adequate space at Fort Myer, Virginia, to properly care for the horses described in paragraph (1);

(C) prioritize the allotment of the space identified in paragraph (B) for the other functions of Fort Myer that could be placed elsewhere;

(D) include projected timelines and resource requirements to execute the plan; and

(E) describe—

(i) immediate remedies for the unsanitary and unsafe conditions present at the locations described in subparagraph (A); and

(ii) how long-term quality of life improvements will be provided for the horses described in paragraph (1).

SEC. 382. INCLUSION OF LAND UNDER JURISDICTION OF DEPARTMENT OF DEFENSE SUBJECT TO LONG-TERM REAL ESTATE CONTRACT AS COMMUNITY INFRASTRUCTURE FOR PURPOSES OF DEFENSE COMMUNITY INFRASTRUCTURE PROGRAM.

Section 2391i(e)(4)(A)(i) of title 10, United States Code, is amended by inserting before the semicolon the following: "or on land under the jurisdiction of a Secretary of a military department subject to a long-term real estate agreement, such as a lease or an easement".

SEC. 383. RESTRICTION ON PROCUREMENT OR PURCHASING BY DEPARTMENT OF DEFENSE OF TURNOUT GEAR FOR FIREFIGHTERS CONTAINING PERFLUOROALKYL SUBSTANCES OR POLYFLUOROALKYL SUBSTANCES.

(a) PROHIBITION.—Except as provided in subsection (b), the Secretary of the Navy may not obligate or expend funds to discontinue or prepare to discontinue, including through substitution in training and operational employment, the Marine Mammal System program that has been or is currently being used for—

(1) mine search capabilities, commonly known as Mark–6 systems; or

(2) to provide such support, as necessary, for the continued operation of such school.

SEC. 384. PROHIBITION ON USE OF FUNDS TO DISCONTINUE THE MARINE MAMMAL SYSTEM PROGRAM.

(a) PROHIBITION.—Except as provided in subsection (b), the Secretary of the Navy may not obligate or expend funds to discontinue or prepare to discontinue, including through substitution in training and operational employment, the Marine Mammal System program that has been or is currently being used for—

(1) identified a replacement capability and the necessary quantity of systems to carry out such capability to meet all operational requirements currently being met by the Marine Mammal System program with a detailed explanation of such capability and quantity;

(2) achieved initial operational capability of all systems described in paragraph (1) with a detailed explanation of such achievement; and

(3) deployed a sufficient quantity of systems described in paragraph (1) that have achieved initial operational capability to continue to meet or exceed all operational requirements currently being met by the Marine Mammal System program with a detailed explanation of such deployment.

SEC. 385. PROHIBITION ON USE OF FUNDS TO REPLACE NON-TACTICAL VEHICLE FLEET OF THE DEPARTMENT OF DEFENSE WITH ELECTRIC VEHICLES, ADVANCED-BIOFUEL-Powered VEHICLES, OR HYDROGEN-Powered VEHICLES.

(a) IN GENERAL.—Until the date on which the Secretary of Defense submits to the Committees on Armed Services of the Senate and House of Representatives the report described in subsection (b), the Secretary may not enter into an indefinite delivery indefinite quantity contract to procure and replace the existing non-tactical vehicle fleet of the Department of Defense with electric vehicles, advanced-biofuel-powered vehicles, or hydrogen-powered vehicles.

(b) ELEMENTS.—The report described in this subsection shall include the following:

(1) A complete cost estimate for the acquisition by the Department of Defense, or through contract mechanisms used by the Department, such as energy savings performance contracts, of electric non-tactical vehicles to replace the existing non-tactical vehicle fleet of the Department of Defense, which shall include—

(A) the cost per unit and number of units to be procured of each type of electric non-tactical vehicle (trucks, buses, vans, etc.);

(B) the cost associated with building the required infrastructure to support electric non-tactical vehicle powered charging stations and electric grid requirements;

(C) a per-unit lifecycle cost comparison between electric vehicles and combustion engine vehicles of each electric truck versus conventional truck, etc.;

(D) maintenance requirements of electric vehicles compared to combustion engine vehicles;

(E) for each military department, a cost comparison over periods of three, five, 10,
(d) DEFINITIONS.—In this section:

(1) SUBSTITUTE.—In this section, the term ‘‘substitute’’ means a vehicle that uses hydrogen as the main source of fuel for propulsion through a fuel cell or internal combustion.

(2) NON-TACTICAL VEHICLE.—The term ‘‘non-tactical vehicle’’ means any commercial motor vehicle or truck, material handling equipment, or engineering equipment that carries passengers or cargo acquired for the administrative, direct mission, or operational support of the National Guard or the military.”
SEC. 403. ADDITIONAL AUTHORITY TO VARY 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 joint operations would enhance training 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, 2023.

Subtitle B—Reserve Forces

SEC. 411. END STRENGTHS FOR SELECTED RESERVE.

(a) IN GENERAL.—The Armed Forces are authorized for Selected Reserve personnel of the reserve components as of September 30, 2023, as follows:

(1) The Army National Guard of the United States, 336,000.

(2) The Army Reserve, 189,500.

(3) The Navy Reserve, 97,700.

(4) The Marine Corps Reserve, 33,000.


(6) The Air Force Reserve, 70,000.

(7) The Coast Guard Reserve, 7,000.

(b) END STRENGTH REDUCTIONS.—The end strength prescribed by subsection (a) for the Selected Reserve of any reserve component shall be proportionally reduced by a member equal to not more than 10 percent of such 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, or 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 2023, the maximum number of members of the reserve component of the Armed Forces who may be serving at any time on full-time operational support duty under section 113(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 2023 to the following:

1. The Army National Guard of the United States, 30,845.

2. The Army Reserve, 16,511.

3. The Navy Reserve, 10,077.


5. The Air National Guard of the United States, 25,333.

(b) The Air Force Reserve, 6,003.

SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS (DUAL STATUS).

(a) IN GENERAL.—The minimum number of military technicians (dual status) as of the last day of fiscal year 2023 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 PERSONNEL.—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, or 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. 502. EXTENSION OF TIME LIMITATION FOR GRADE RETENTION WHILE AWAITING RETIREMENT.

Section 601(b)(5) of title 10, United States Code, is amended by striking ‘‘retirement, but not for more than 60 days.’’ and inserting the following: ‘‘retirement, but subject to subparagraph (B), not for more than 60 days; and

‘‘(B) with respect to an officer awaiting retirement following not less than one year of active duty or full-time duty, in the case of members of the United States to a combat zone (as defined in section 112(c) of the Internal Revenue Code of 1986) or in support of a contingency operation, for more than for more than 60 days; and

‘‘(C) the officer has not previously failed of selection for promotion to the grade for which the officer requests the exclusion from consideration.’’.

(b) PROMOTIONS: EFFECT OF FAILURE OF SELECT BOARD.—Section 601(b)(7) of title 10, United States Code, is amended by striking the period at the end of the second sentence and inserting ‘‘, or a warrant officer excluded under section 576(c) of title 10, United States Code, is amended by adding at the end the following new subsection:

‘‘(g)(1) Upon the request of a warrant officer, the Secretary of the military department concerned, or the Secretary of the Army, as the case may be, may authorize the Secretary concerned to prevent a Secretary concerned from considering a warrant officer for promotion to the next higher grade.

‘‘(2) The Secretary concerned may approve a request of a warrant officer under paragraph (1) only if

‘‘(A) the basis for the request is to allow the officer to complete a deepening assignment of significant value to the Department of Defense, or

‘‘(B) with respect to a warrant officer for whom a request is made under paragraph (1), the Secretary concerned determines that such assignment is in the best interest of the military department concerned; and

‘‘(C) the officer has not previously failed of selection for promotion to the grade for which the officer requests the exclusion from consideration.’’.

(c) RECOMMENDATION FOR PROMOTION BY SELECT BOARD.—Section 576(c) of title 10, United States Code, is amended by adding at the end the following new subsection:

‘‘(i) In selecting the warrant officers to be recommended for promotion, a selection board may, when authorized by the Secretary concerned, recommend warrant officers of particular merit, from among those warrant officers selected for promotion, to be placed on the list of warrant officers contained in the board’s report under section 576(c) of this title.

‘‘(1) A warrant officer may be recommended to be placed higher on a promotion list under paragraph (1) only if the warrant officer receives the recommendation of at least a majority of the board, unless the Secretary concerned establishes an alternative arrangement. Any such alternate arrangement shall be furnished to the board by the Secretary concerned, and shall be contained in the board’s report under section 576(c) of this title.

‘‘(2) For the warrant officers recommended to be placed higher on a promotion list under paragraph (1), the recommend officer is recommended to be placed higher on the list of warrant officers for the grade for which the officer requests the exclusion from consideration.’’.
(d) INFORMATION TO BE FURNISHED TO SELECTION BOARDS; SELECTION PROCEDURES.—
Section 576(c) of title 10, United States Code, is amended as follows:
(1) by striking subsection (c), (d), and (e) of subsection (d), and
(2) by reinserting subsection (f).''

(b) In General.—Section 328(b) of title 32, United States Code, is amended by adding at the end of the section the following new subsection:

(9) the Secretary of the Army and the Secretary of the Air Force shall each submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a brief description of how many members of the National Guard are performing Active Guard and Reserve duty for purposes of performing training of the regular components of the Armed Forces as the primary duty, and a description of how many members of the National Guard are performing Active Guard and Reserve duty for purposes of performing training of the regular components of the Armed Forces as the reserve duty.

(c) SHORT TITLE.—The Act amend- ing this title may be cited as the "Modernizing the National Guard Act."
the State and ready for review at the National Guard Bureau; and
“(ii) the date on which the officer occupies a billet in the next higher grade.”

SEC. 514. INDEPENDENT STUDY ON FEDERAL RECOGNITION PROCESS.

(a) INDEPENDENT STUDY.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into a contract with a federally funded research and development center to conduct a study on the National Guard commissioned officer and warrant officer promotion system and provide recommendations to the Department of the Army, the Department of the Air Force, the Department of the Army, the National Guard Bureau, and individual State National Guard commands.

(b) REQUIREMENTS.—The study referred to in paragraph (1) shall include a comprehensive review and assessment of the following:

(A) Reasons for delays in processing personnel actions for Federal recognition of State National Guard member promotions.

(B) The Federal recognition process used to extend Federal recognition to State promotions.

(C) Best practices among the various State National Guards for managing their requirements under the existing National Guard promotion system.

(D) Possible improvements to requirements, policies, procedures, workflow, or resources to reduce the Federal recognition of state promotions.

(E) An assessment of the feasibility of developing or adopting a commercially available system for an integrated enterprise information technology system for managing National Guard officer and warrant officer promotions that allows seamless transition for promotion through review at the National Guard Bureau, the Department of the Army, the Department of the Air Force, and the Department of Defense.

(F) Possible metrics to evaluate effectiveness of any recommendations made.

(G) Possible remedies for undue delays in Federal recognition, including adjustment to the effective date of promotion beyond current statutory authorities.

(H) Any other matters the federally funded research and development center determines relevant.

(3) REPORT.—

(A) IN GENERAL.—The contract under paragraph (1) shall require the federally funded research and development center to conduct the study under the contract to submit to the Secretary of Defense, the Secretary of the Army, the Secretary of the Air Force, and the Chief of the National Guard Bureau a report on the results of the study.

(B) SUBMISSION TO CONGRESS.—Upon receiving the report required under subparagraph (A), the Secretary of Defense shall submit an unedited copy of the report results to the congressional defense committees within 30 days of the report from the federally funded research and development corporation.

(b) REPORTING REQUIREMENT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and annually thereafter until the date specified in paragraph (3), the Secretary of Defense, in consultation with the Secretary of the Army and the Secretary of the Air Force as appropriate, 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 current status of the Federal recognition process for National Guard promotions.

(2) The report required under paragraph (1) shall include the following elements:

(A) An update on efforts to transition to fully digital processes in accordance with recommendations made pursuant to subsection (a).

(B) The average processing time for personnel actions related to Federal recognition of reserve commissioned officer promotions in the Army and Air National Guards, respectively, in the time in days from the date at which the National Guard Bureau received the promotion until the date at which Federal recognition was granted.

(C) The time it took during the previous fiscal year to extend Federal recognition.

(D) The number of Army and Air National Guard commissioned promotion delays greater than 90 days in the previous fiscal year.

(E) A summary of any additional resources or authorities needed to further streamline the Federal recognition processes to reduce average Federal recognition processing time to 90 days or fewer.

(F) Any other information that the Secretaries concerned deem relevant.

(3) EXPIRATION OF ANNUAL REPORTING REQUIREMENT.—The date referred to in paragraph (1) is the average processing time for personnel actions described under this subsection is reduced to 90 days or fewer for each of the Army and Air National Guards.

SEC. 515. CONTINUED NATIONAL GUARD SUPPORT FOR FIREGUARD PROGRAM.

(a) REQUIRED SUPPORT THROUGH FISCAL YEAR 2028.—Beginning on September 30, 2022, the Secretary of Defense shall continue to support the FireGuard program with National Guard personnel, including personnel from the California National Guard and Colorado National Guard, to aggregate, analyze, and assess multi-source remote sensing information for interagency partnerships in the initial detection and monitoring of wildfires across the United States.

(b) NOTICE AND WAIT REQUIREMENT AFTER FISCAL YEAR 2028.—Beginning on October 1, 2026, the Secretary of Defense may not reduce the support described under subsection (a), or transfer responsibility for such support to an interagency partner, until 30 days after any written notice submitted by a state to the committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives requesting such a reduction and the reasons for the change.

SEC. 516. INCLUSION OF UNITED STATES NATIONAL GUARD SAILORS AMONG YOUTH AND CHARITABLE ORGANIZATIONS AUTHORIZED TO RECEIVE ASSISTANCE FROM THE NATIONAL GUARD.

Section 308(b)(1) of title 32, United States Code, is amended—

(1) by redesignating paragraph (14) as paragraph (15); and

(2) by inserting after paragraph (13) the following new paragraph:

“(14) The United States Naval Sea Cadet Corps.”.

Subtitle C—General Service Authorities and Military Records

SEC. 521. MODERNIZATION OF THE SELECTIVE SERVICE SYSTEM.

(a) REFERENCE.—Except as expressly provided 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 President declares that the security of the Nation requires that adequate military strength be achieved and main-
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—

(i) by striking “his acceptability in all respects, including his person’s acceptability in all respects, including such person’s”; and

(ii) by striking “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 enlisted”;

(ii) in paragraphs (3), (4), and (5), by striking “which such person 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. 3805d(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”;

(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)—

(i) in paragraph (b)—

(A) in subsection (b)—

(i) by striking “his” and inserting “such individual’s”;

(ii) in paragraphs (4), (6), (8), and (9), by striking “who as such person’s regular and customary vocation” and inserting “who, as such person’s regular and customary vocation and in which such person resides”;

(B) by striking “he” and inserting “the President”;

(ii) by striking “such person’s customary vocation,” and inserting “such person’s”; and

(iii) by striking “such person’s” customary vocation,” and inserting “such person’s customary vocation, and in which such person resides”;

(B) in subsection (c)—

(i) by striking “who, as such person’s regular and customary vocation” and inserting “who, as such person’s regular and customary vocation, and in which such person resides”;

(ii) by striking “the President considers” and inserting “the President considers appropriate”;

(iii) by striking “such person’s” customary vocation,” and inserting “such person’s”; and

(iv) by striking “which such person resides” and inserting “in which such person resides”;

(C) by striking “his” each place it appears and inserting “the President’s”; and

(D) by striking “his consent” and inserting “the President’s consent”;

(5) in section 11(b) (50 U.S.C. 3810(b))—

(A) in paragraph (1), by striking “the President may prescribe” and inserting “the President is authorized”;

(B) in paragraph (2)—

(i) by striking “who as his regular and customary vocation” and inserting “who as such person’s regular and customary vocation”;

(ii) by striking “he is a member” and inserting “such person is a member”; and

(iii) by striking “such person” and inserting “such member”;

(B) by striking “who as his regular and customary vocation” and inserting “who as such person’s regular and customary vocation”;

(C) by striking “he is a member” and inserting “such person is a member”; and

(D) 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 “be” each place it appears and inserting “such person”; and

(B) by striking “his” each place it appears and inserting “such person’s”; and

(C) by striking “he” each place it appears and inserting “such person”; and

(D) by striking “present himself” each place it appears and inserting “such person’s”; and

(g) E FFECTIVE 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. 522. PROHIBITION ON INDUCTION UNDER THE MILITARY SELECTIVE SERVICE ACT WITHOUT EXPRESS AUTHORIZATION.

Section 9 of the Military Selective Service Act (50 U.S.C. 3809) is amended by adding at the end the following new subsection:

(1) Notwithstanding any other provision of law, the Secretary of the Army, in his own discretion, shall not order the induction of any person for service in the Armed Forces of the United States in the performance of the duties of the Selective Service System under the Act without written authorization of the Secretary of the Army.

SEC. 523. EXTENSION OF TEMPORARY AUTHORITY FOR TARGETED RECRUITMENT INCENTIVES.

Section 522(b) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 503) is amended—

(1) by striking the semicolon and inserting a comma; and

(2) by striking “2020” and inserting “2023”.

SEC. 524. HOME LEAVE DEMONSTRATION PROGRAM.

(a) In General.—During the period specified in subsection (f), the Secretary of a military department may reimburse an eligible member of the armed forces for the cost of airfare for that member to travel to the home of record of the member.

(b) Eligible Members.—A member of the armed forces is eligible for a reimbursement under subsection (a) with respect to travel described in that subsection if—

(1) the member—

(A) is assigned to a duty location in Alaska; and

(B) as of any date during the period specified in subsection (f), has been assigned to a duty location in Alaska for a period of one year or more;

(2) after an evaluation of the member by a mental health provider, that provider recommends, in writing, that the member leave to which the member was assigned under section 704 of title 10, United States Code, to travel away from Alaska for the health and well-being of the member; and

(3) an officer of the Department of Defense at a facility of the Department, or a provider designated by the officer, certifies that the member has traveled to the home of record of the member.

(c) Treatment of Time as Leave.—The time during which a member who receives a reimbursement under subsection (a) with respect to travel described in that subsection is absent from duty shall be treated as leave for purposes of section 704 of title 10, United States Code.

(d) AUTHORIZED DESTINATION.—Reimbursement under subsection (a) is authorized only for the cost of airfare for a member to travel to the home of record of the member. If a member travels to any other location pursuant to an authorized destination under subsection (b), the amount the member is reimbursed under subsection (a) may not exceed the cost the member would have incurred for airfare if the member had traveled to the home of record of the member.

(e) BRIEFING REQUIRED.—Not later than January 1, 2023, the Secretary shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the use and effectiveness of reimbursement authorized by subsection (a).

(f) PERIOD SPECIFIED.—The period specified in this subsection is the period—

(1) beginning on the date of the enactment of this Act; and

(2) ending on December 31, 2023.

(g) MENTAL HEALTH PROVIDER DEFINED.—In this section, the term “mental health provider” means—

(1) a health care provider of the Department of the Defense at a facility of the Department; or

(2) a non-Departmental health care provider (as defined in section 717 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat 688; 10 U.S.C. 1073 note)).

SEC. 525. PROHIBITION ON CONSIDERING STATE LAWS AND REGULATIONS WHEN DETERMINING INDIVIDUAL DUTY ASSIGNMENTS.

The Secretary of Defense may not use the agreement or disagreement of a member of the armed forces with the laws and regulations applicable to any duty station when determining the duty assignment of the member.

SEC. 526. MODIFICATION STUDY LIMITATIONS ON DISCHARGE OR RELEASE FROM ACTIVE DUTY.

Section 118(a) of title 10, United States Code, is amended by striking “A member of an armed force” and inserting “a member of an active or reserve component of an armed force”.

SEC. 527. SEX-NEUTRAL HIGH FITNESS STANDARDS FOR ARMY CONDUCT AND MILITARY OCCUPATIONAL SPECIALTIES.

Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army shall—

(1) establish sex-neutral fitness standards for combat Military Occupational Specialties (MOSs) that are higher than those for non-combat MOSs; and

(2) provide a briefing to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives describing—

(A) the list of combat MOSs established for purposes of paragraph (1); and

(B) the methodology used to determine whether to include each MOS on such list.

Subtitle D—Military Justice and Other Legal Matters

SEC. 541. BRIEFING AND REPORT ON RESOURCING REQUIRED FOR IMPLEMENTATION OF MILITARY JUSTICE REFORM.

(a) BRIEFING AND REPORT REQUIRED.—Not later than March 1, 2023, and no less frequently than once every 180 days thereafter through December 31, 2024, each Secretary concerned shall provide to the appropriate congressional committees a briefing that details the resourcing necessary to implement title D of title V of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) and the amendments made by that title.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, each Secretary concerned shall submit to the appropriate congressional committees a report that details the resourcing necessary to implement title D of title V of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) and the amendments made by that title.
by adding at the end the following new paragraph:

“(4) When convening a court-martial, the convening authority shall detail as members thereof officers of the armed forces under such regulations as the President may pre-

scribe for the randomized selection of quali-
fied personnel, to the maximum extent prac-
ticable.”.

(b) REGULATIONS.—Not later than 2 years after the date of the enactment of this Act, the President shall prescribe regulations im-

plementing the requirement under paragraph (4) of section 825(e) of title 10, United States C-ode (article 25 of the Uniform Code of Military Justice), as added by subsection (a).

SEC. 543. MATTERS IN CONNECTION WITH SPE-

CIAL TRIAL COUNSEL.

(a) DEFINITIONS.—In this section:

(1) in subsection (a) shall—

(1) A PPROPRIATE CONGRESSIONAL COMMIT-

TEES.—The term “appropriate congressional com-

mittees” means—

(1) the duties to be transferred under sub-

section (a) of such subsection, it is filed before the later of—

“(A) a timely appeal from the judgment of

martial assessed as meeting, or having been

assessed as potentially meeting, the defini-
tion of “covered offense”, disaggregated by of-
ficer and military justice system involved.

(5) A description of the resources and per-

sonnel required to maintain and execute the re-
forms made by such subtitle during the re-
porting period relative to fiscal year 2022.

(a) JURISDICTION.—Section 866 of title 10,
United States Code (article 66 of the Uniform
Code of Military Justice), is amended—

(1) in subsection (b)(1), by striking “shall
have jurisdiction over all” and all that follows
through the period at the end of subparagraph (D) and inserting the following: “shall
have jurisdiction over—

“(A) a timely appeal from the judgment of

martial assessed as meeting, or having been

assessed as potentially meeting, the defini-
tion of “covered offense”, disaggregated by of-
ficer and military justice system involved.

(5) A description of the resources and per-

sonnel required to maintain and execute the re-
forms made by such subtitle during the re-
porting period relative to fiscal year 2022.

(a) JURISDICTION.—Section 866 of title 10,
United States Code (article 66 of the Uniform
Code of Military Justice), is amended—

(1) in subsection (b)(1), by striking “shall
have jurisdiction over all” and all that follows
through the period at the end of subparagraph (D) and inserting the following: “shall
have jurisdiction over—

“(A) a timely appeal from the judgment of

martial assessed as meeting, or having been

assessed as potentially meeting, the defini-
tion of “covered offense”, disaggregated by of-
ficer and military justice system involved.

(5) A description of the resources and per-

sonnel required to maintain and execute the re-
forms made by such subtitle during the re-
porting period relative to fiscal year 2022.

(a) JURISDICTION.—Section 866 of title 10,
United States Code (article 66 of the Uniform
Code of Military Justice), is amended—

(1) in subsection (b)(1), by striking “shall
have jurisdiction over all” and all that follows
through the period at the end of subparagraph (D) and inserting the following: “shall
have jurisdiction over—

“(A) a timely appeal from the judgment of

martial assessed as meeting, or having been

assessed as potentially meeting, the defini-
tion of “covered offense”, disaggregated by of-
ficer and military justice system involved.

(5) A description of the resources and per-

sonnel required to maintain and execute the re-
forms made by such subtitle during the re-
porting period relative to fiscal year 2022.

(a) JURISDICTION.—Section 866 of title 10,
United States Code (article 66 of the Uniform
Code of Military Justice), is amended—

(1) in subsection (b)(1), by striking “shall
have jurisdiction over all” and all that follows
through the period at the end of subparagraph (D) and inserting the following: “shall
have jurisdiction over—

“(A) a timely appeal from the judgment of

martial assessed as meeting, or having been

assessed as potentially meeting, the defini-
tion of “covered offense”, disaggregated by of-
ficer and military justice system involved.

(5) A description of the resources and per-

sonnel required to maintain and execute the re-
forms made by such subtitle during the re-
porting period relative to fiscal year 2022.

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Code of Military Justice), is amended—

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ficer and military justice system involved.

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ficer and military justice system involved.

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forms made by such subtitle during the re-
porting period relative to fiscal year 2022.

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United States Code (article 66 of the Uniform
Code of Military Justice), is amended—

(1) in subsection (b)(1), by striking “shall
have jurisdiction over all” and all that follows
through the period at the end of subparagraph (D) and inserting the following: “shall
have jurisdiction over—

“(A) a timely appeal from the judgment of

martial assessed as meeting, or having been

assessed as potentially meeting, the defini-
tion of “covered offense”, disaggregated by of-
ficer and military justice system involved.

(5) A description of the resources and per-

sonnel required to maintain and execute the re-
forms made by such subtitle during the re-
porting period relative to fiscal year 2022.
“(a) In General.—Upon application by the accused or receipt of the record pursuant to section 864(c)(3) of this title (article 64(c)(3)) and subject to subsections (b), (c), and (d), the Judge Advocate General may—

“(1) with respect to a summary court-martial, modify or set aside, in whole or in part, the findings and sentence; or

“(2) in respect to a general or special court-martial, order such court-martial to be reviewed under section 866 of this title (article 66); and

(2) in subsection (b)—

(A) by inserting ‘‘(1)’’ before ‘‘To qualify’’; and

(B) by striking ‘‘not later than one year after’’ and all that follows through the period at the end and inserting the following: ‘‘not later than—’’

“(A) for a summary court-martial, one year after the date of completion of review under section 866 of this title (article 66); or

(B) for a general or special court-martial, one year after the date the accused is notified of the accused is provided notice of appellate rights under section 865(c) of this title (article 65(c)), unless the accused elects to receive or withdrawal of section of appellate review under section 861 of this title (article 61) before being provided notice of appeal, in which case the application must be submitted to the Judge Advocate General not later than one year after the entry of judgment under section 866c of this title (article 66); and

“(2) The Judge Advocate General may, for good cause shown, extend the period for submission of an application, but may not consider an application submitted more than three years after the completion date referred to in paragraph (1)(A).”;

(3) by inserting after subsection (d)(1) a new subsection:

“(2) by redesignating subsection (c) as subsection (d); and

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

“(c) Special Trial Counsel of Department of the Air Force.—In establishing policies under subsection (a), the Secretary of Defense shall—

“(1) in lieu of providing for separate offices for the Air Force and Space Force under subsection (a)(1), provide for the establishment of a single dedicated office from which office the activities of the special trial counsel of the Department of the Air Force shall be supervised and overhauled; and

“(2) in lieu of providing for separate lead special trial counsels for the Air Force and Space Force under subsection (a)(2), provide for the establishment of one lead special trial counsel who shall be responsible for the ultimate supervision and oversight of the activities of the special trial counsel of the Department of the Air Force.”

(b) Effective Date.—The amendments made by subsection (a) shall take effect immediately after the coming into effect of the amendments made by section 532 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1694) as provided in section 538C of such Act (10 U.S.C. 931 note)."
and youth under subsection (a)(2)(C) to determine whether to convene the Serious Harmful Behavior Between Children and Youth Multidisciplinary Team."

"(6) by inserting "as described in subsection (a)(2)(A) and (a)(2)(B)," after "reported incidents of child abuse;" and

"(7) by adding at the end the following new paragraph:"

"(8) SERIOUS HARMFUL BEHAVIORS BETWEEN CHILDREN AND YOUTH MULTIDISCIPLINARY TEAM DEFINED.—In this subsection, the term "Serious Harmful Behaviors Between Children and Youth Multidisciplinary Team" means the community response team on a military installation—"

"

"(A) composed of designated members with the requisite experience, qualifications, and skills of the institution; and

"(B) with objectives that include development of procedures for information sharing, collaborative and coordinated response, retrospective resolution, effective investigations and assessments, evidence-based clinical interventions and rehabilitation, and prevention of serious harmful behavior between children and youth.""

"SEC. 561. PRE-SERVICE EDUCATION DEMONSTRATION PROGRAM.

(a) ANNUAL PRIMARY PREVENTION RESEARCH AGENDA.—Section 549A(c) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) is amended—

(1) by redesignating paragraphs (2), (3), and (4) as paragraphs (5), (6), and (7), respectively;

(2) by inserting after paragraph (1) the following new paragraphs:

"(2) include a focus on whether and to what extent the military community may be targeted for interpersonal violence more than others;

"(3) seek to identify factors that influence the prevention, perpetration, and victimization of interpersonal and self-directed violence;

"(4) seek to improve the collection and dissemination of data on hazing and bullying related to interpersonal and self-directed violence; and

"(5) in paragraph (6), as redesignated by paragraph (2), in the text following the subsection—"

"(3) individuals participating in the demonstration program created under this section shall address the respective roles of the military departments and the United States Special Operations Command to monitor the promotion of special operations forces and coordinate with the military departments regarding the assignment, reten-

"(B) are approved by the Secretary and the Secretary concerned under this program, as the Secretary concerning under subsection (a).

"(c) DEMONSTRATION PROGRAM REQUIREMENTS.—Under regulations prescribed by the Secretary concerned, each demonstration program created under this section shall address the following requirements:

(1) The educational programs authorized under subsection (a) may not exceed a period of 3 years.

(2) Funds may not be provided under the program to an eligible individual unless the individual signs an enlistment contract for active duty military service upon the completion of the educational program for which the funds were provided.

(3) Individuals participating in the demonstration program shall be evaluated annually to ensure continued eligibility for military service.

(4) Individuals participating in the program shall be required to enroll in an ongoing service guidance and training in order to prepare such individuals for military service and ensure their continued fitness and eligibility for service. The course of instruction may be administered remotely or in-person, as the Secretary shall direct. The pre-service instruction shall be concurrent with the degree program authorized pursuant to subsection (a).

(5) Individuals who do not maintain eligibility for military service may be required to repay any funds provided by the Secretary concerned under this subsection to the Secretary shall direct.

"(d) REPORT.—For any demonstration programs initiated under this section, the Secretary concerned shall submit an annual report to Congress.
the Senate and the House of Representatives that includes—
(1) a description of the demonstration program;
(2) a statement of the goals or anticipated outcomes of the demonstration program;
(3) a description of the method and metrics used to evaluate the effectiveness of this demonstration program; and
(4) any other matters the Secretary concerned determines relevant.
(e) SUNSET.—The authority under this section expires on September 30, 2028.

Subtitle F—Military Family Readiness and Dependents’ Education

SEC. 571. CERTAIN ASSISTANCE TO LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.—

(a) CONTINUATION OF AUTHORITY TO ASSIST LOCAL EDUCATIONAL AGENCIES THAT BENEFIT 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 2023 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 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. 7710d).

(2) LOCAL EDUCATIONAL AGENCY DEFINED.—In this subsection, the term ‘local educational agency’ has the meaning given that term in section 7013(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(b)).

(b) IMPACT AID FOR CHILDREN WITH SEVERE DISABILITIES.—

(1) IN GENERAL.—Of the amount authorized to be appropriated for fiscal year 2023 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 payment 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; 20 U.S.C. 7710d).

(2) ADDITIONAL AMOUNT.—Of the amount authorized to be appropriated for fiscal year 2023 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 payment to local educational agencies determined by the Secretary to have higher concentrations of military children with severe disabilities.

(c) REPORT.—Not later than March 31, 2023, the Secretary shall brief the Committees on Armed Services of the Senate and the House of Representatives on the evaluation of education of military families with higher concentrations of military children with severe disabilities and subsequent determination of the amounts of impact aid each such school agency shall receive.

SEC. 572. ASSISTANCE TO LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF THE ARMED FORCES WITH ENROLLMENT CHANGES DUE TO BASE CLOSURES, FORCES RESTRUCTURE, OR FORCE RELOCATIONS.—

(a) ASSISTANCE AUTHORIZED.—To assist communities in making adjustments resulting from the size or location of the Armed Forces, the Secretary of Defense shall provide financial assistance to an eligible local educational agency described in subsection (b) if, during the period between the end of the school year preceding the fiscal year for which the assistance is authorized and the end of the immediately preceding that school year, the local educational agency—

(1) had (as determined by the Secretary of Education) an overall increase or reduction of—

(A) not less than five percent in the average daily attendance of military dependent students in the schools of the local educational agency; or

(B) not less than 500 military dependent students in average daily attendance in the schools of the local educational agency; or

(2) is projected to have an overall increase, between fiscal years 2023 and 2028, of not less than 500 military dependent students in average daily attendance in the schools of the local educational agency as the result of a signed record of decision.

(b) ELIGIBLE LOCAL EDUCATIONAL AGENCIES.—A local educational agency is eligible for assistance under subsection (a) for a fiscal year if—

(1) 20 percent or more of students enrolled in schools of the local educational agency are military dependent students; and

(2) in the case of the amount described in subsection (a)(1), the overall increase or reduction in military dependent students in schools of the local educational agency is the result of one or more of the following:

(A) The global rebasing plan of the Department of Defense.

(B) The official creation or activation of one or more new military units.

(C) The realignment of forces as a result of the base closure process.

(D) A change in the number of housing units on a military installation.

(E) A signed record of decision.

(c) CALCULATION OF AMOUNT OF ASSISTANCE.—

(1) PRO RATA DISTRIBUTION.—The amount of the assistance provided under subsection (a) to a local educational agency that is eligible for such assistance for a fiscal year shall be equal to the product obtained by multiplying—

(A) the per-student rate determined under paragraph (2);

(B) the net of the overall increases and reductions in the number of military dependent students in schools of the local educational agency, as determined under subsection (a); and

(2) PER-STUDENT RATE.—For purposes of paragraph (1)(A), the per-student rate for a fiscal year shall be equal to the dollar amount obtained by dividing—

(A) the total amount of funds made available for that fiscal year to provide assistance under subsection (a); and

(B) the sum of the overall increases and reductions in the number of military dependent students in schools of all eligible local educational agencies for that fiscal year under that subsection.

(d) DURATION.—Assistance may not be provided under subsection (a) after September 30, 2028.

(e) NOTIFICATION.—Not later than March 30, 2023, and June 30 of each fiscal year thereafter, for which funds are made available to carry out this section, the Secretary of Defense shall notify each local educational agency that is eligible for assistance under subsection (a) if, for that fiscal year under that subsection—

(1) the eligibility of the local educational agency for the assistance; and

(2) the amount of the assistance for which the local educational agency is eligible.

(f) DISBURSEMENT OF FUNDS.—The Secretary of Defense shall disburse assistance and funds as provided pursuant to subsection (e) for that fiscal year not later than 30 days after the date on which notification to the eligible local educational agencies is provided pursuant to subsection (e) for that fiscal year.

(g) BRIEFING REQUIRED.—Not later than March 1, 2023, the Secretary of Defense shall brief the Committees on Armed Services of the Senate and the House of Representatives on the estimated cost of providing assistance to local educational agencies under subsection (a) of section 301 and available for operation and maintenance for Defense-wide activities.$15,000,000 shall be available only for the purpose of providing assistance to local educational agencies under subsection (a).

(h) ELIGIBLE USES.—Amounts disbursed to a local educational agency under subsection (f) may be used by such local educational agency for—

(1) general fund purposes;

(2) special education;

(3) school maintenance and operation;

(4) school expansion; or

(5) school construction.

(i) DEFINITIONS.—In this section:

(1) BASE CLOSURE PROCESS.—The term ‘base closure process’ means any base closure and realignment process conducted after the date of the enactment of this Act under section 2807 of title 10, United States Code, or any other similar law enacted after that date.

(2) LOCAL EDUCATIONAL AGENCY.—The term ‘local educational agency’ has the meaning given that term in section 7013(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(b)).

(3) MILITARY DEPENDENT STUDENTS.—The term ‘military dependent students’ means—

(A) elementary and secondary school students who are dependents of members of the Armed Forces; and

(B) elementary and secondary school students who are dependents of civilian employees of the Department of Defense.

(4) STATE.—The term ‘State’ means each of the 50 States and the District of Columbia.

SEC. 573. PILOT PROGRAM FOR SPECIAL EDUCATION INCLUSION COORDINATORS FOR DEPARTMENT OF DEFENSE CHILD DEVELOPMENT CENTERS.—

(a) IN GENERAL.—The Secretary of Defense, in coordination with the Secretaries of the military departments, shall carry out a pilot program to hire special education inclusion coordinators at child development centers selected by the Secretary under subsection (b).

(b) SELECTION OF CENTERS.—The Secretary of Defense shall select the child development centers at which the program required by subsection (a) will be carried out based on—

(1) the number of dependent children enrolled in the Early Childhood Program at the military installation on which the center is located;

(2) the number of children with special needs enrolled in the center; and

(3) any other considerations as the Secretary, in consultation with the Secretaries of the military departments, considers appropriate.

(c) FUNCTIONS.—Each special education inclusion coordinator assigned to a child development center under the pilot program required by subsection (a) shall—

(1) coordinate intervention and inclusion services at the center;
SEC. 582. REPORT ON OFFICER PERSONNEL MANAGEMENT AND THE DEVELOPMENT OF THE PROFESSIONAL MILITARY ETHIC.

(a) REPORT REQUIRED.—Not later than June 1, 2023, the Secretary of the Air Force shall submit to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the pilot program required by subsection (a) that includes—

(A) the number of special education inclusion coordinators hired under the pilot program;

(B) a description of any issues relating to the retention of those coordinators;

(C) a recommendation with respect to whether the pilot program should be made permanent or expanded to other military installations; and

(D) an assessment of the amount of funding required to make the pilot program permanent or expand the pilot program to other military installations as the Secretary recommends under subparagraph (C).

(b) BRIEFING ON EFFECTIVENESS OF PROGRAM.—Not later than September 30, 2025, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the pilot program required by subsection (a) that includes—

(1) a description of issues related to officer development in the Space Force, including—

(A) the professional military education (PME) model for education and continual learning of officers in the Space Force;

(B) the career development model for officers in the Space Force, including key knowledge, skills, and attributes expected of Space Force officers at each of the company grade, field grade, and general officer levels;

(C) desired career trajectories for Space Force officers, including key assignments throughout identified Space Force career tracks and how the flexibilities in the Space Force Component structure will be used to achieve these desired career paths;

(D) how proposed constructive credit for civilian educational experience in related space industry or government sectors will fit in with the proposed PME and career development models; and

(E) how the Space Force Component proposal will enable officers to achieve joint qualifications required for promotion to general officer;

(2) a description of issues related to officer accessions in the Space Force, including—

(A) the expected sources of commissioning for officers in the Space Force, including the desired proportions of officer accessions from the Reserve Officer Training Corps (ROTC), Service Academies, Officer Training School (OTS), and direct commissionees at each grade above second lieutenant;

(B) the role of proposed constructive credit for civilian education and non-military experience in accessing officers at each grade above second lieutenant as the Secretary of Defense proposes to remove such barriers, including any proposed changes to the Uniform Code of Military Justice;

(c) INTERIM BRIEFING.—Not later than June 1, 2022, the Secretary of Defense shall provide to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a briefing on the pilot program for each academic year by location.

(d) BRIEFINGS REQUIRED.—

(1) BRIEFING ON ANTICIPATED COSTS.—Not later than March 1, 2023, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the anticipated costs for the pilot program required by subsection (a).

(2) BRIEFING ON EFFECTIVENESS OF PROGRAM.—Not later than September 30, 2025, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the pilot program required by subsection (a) that includes—

(A) a description of issues related to officer development in the Space Force, including—

(1) the professional military education (PME) model for education and continual learning of officers in the Space Force;

(2) how the Space Force Component proposal will enable officers to achieve joint qualifications required for promotion to general officer;

(3) a description of issues related to officer accessions in the Space Force, including—

(A) the expected sources of commissioning for officers in the Space Force, including the desired proportions of officer accessions from the Reserve Officer Training Corps (ROTC), Service Academies, Officer Training School (OTS), and direct commissionees at each grade above second lieutenant;

(B) the role of proposed constructive credit for civilian educational experience in accessing officers at each grade above second lieutenant as the Secretary of Defense proposes to remove such barriers, including any proposed changes to the Uniform Code of Military Justice;

(2) any other issues related to personnel management and professional development of officers in the Space Force that the Secretary concerned determines relevant.

SEC. 583. REPORT ON INCEPTION OF LAW BY MILITARY JOB CODE IN THE DEPARTMENT OF DEFENSE.

(a) REPORT.—Not later than December 31, 2023, the Secretary of Defense shall conduct a review and 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 rates of suicides in the armed forces, beginning after September 11, 2001, disaggregated by year, military job code (AFSC), military occupational specialty code (MOS), and status as active duty, guard, and reserve (as applicable per service).

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

(1) A compilation of suicide data by military job code to determine which military career fields have a higher per capita suicide rate compared to—

(A) other military career fields for the same period;

(B) the overall suicide rate for each service for the same period;

(C) the overall suicide rate for the Department of Defense for the same period; and

(D) the national suicide rate for the same period.

(2) A disaggregation of suicide data by age categories consistent with the Department of Defense Annual Suicide Report.

(c) INTERIM BRIEFING.—Not later than June 1, 2022, the Secretary of Defense shall provide to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a briefing on the findings of the review conducted under this section.

SEC. 584. WAIVER OF TIME LIMITATIONS FOR ACTS OF VALOR DURING WORLD WAR II.

(a) WAIVER OF TIME LIMITATIONS.—Notwithstanding the time limitations specified in section 7271 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the President may award the Medal of Honor under section 7271 of title 10, United States Code, to Master Sergeant Roderick W. Edmonds for the acts of valor described in subsection (b).

(b) ACTS OF VALOR DESCRIBED.—The acts of valor referred to in subsection (a) are the actions of Master Sergeant Roderick W. Edmonds on January 27, 1945, as a prisoner of war and member of the Army serving in Germany.

SEC. 585. AUTHORIZATION TO AWARD MEDAL OF HONOR TO SENIOR MAJORS DAVID R. HALBRUNER FOR ACTS OF VALOR IN SUPPORT OF AN UNNAMED OPERATIONAL UNIT IN 2012.

(a) WAIVER OF TIME LIMITATIONS.—Notwithstanding the time limitations specified in section 7271 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to
persons who served in the Armed Forces, the President may award the Medal of Honor under section 7271 of title 10 U.S.C. for valor described in subsection (b).

(b) ACTS OF VALOR DISCHARGED.—The acts of valor referred to in subsection (a) are the actions of—

(1) Lieutenant General Frank Maxwell Andrews, who was named for Lieutenant Frank Maxwell Andrews, was born in Nashville, Tennessee, in 1884, and graduated from the United States Military Academy, West Point, in 1906, where he received a commission in the cavalry.

(2) In 1917, Lieutenant General Andrews was transferred to the aviation section of the Army Signal Corps, where he commanded various airfields around the United States, serving in a number of leadership positions, including—

(A) Commander of the Advanced Flying School at Kelly Field in Texas;

(B) Commander of the 1st Pursuit Group at Selfridge Field, Michigan;

(C) Chief of the Army Air Corps’ Training and Operations Division.

(3) During World War I, Lieutenant General Andrews served as the Air Officer for the Army of Occupation in Germany.

(4) In 1935, Lieutenant General Andrews was selected to command the new General Headquarters Aviation, where he had oversight of all Air Corps units and led the development of the Army Air Force.

(5) In 1939, Lieutenant General Andrews was chosen as Army G3, the Assistant Chief of Staff for Operations and Training, making him responsible for preparing operational plans for the entire Army for the impending war.

(6) During World War II, Lieutenant General Andrews led a number of global critical missions for the impending war, serving as commander of—

(A) the Caribbean Defense Command, which was responsible for defending the United States’ southern borders;

(B) all United States forces in the Middle East, where he helped to defeat Rommel’s Afrika Corps;

(C) all United States troops in the European Theater of Operation, where he succeeded General Dwight D. Eisenhower and oversaw plans for the future invasion of Western Europe.

(7) Lieutenant General Andrews was killed in an B-24 bomber crash during an inspection tour of Iceland.

(8) A number of Lieutenant General Andrews’ colleagues and subordinates have been posthumously promoted to the rank of four-star general for their contributions during World War II.

(9) Lieutenant General Andrews was considered one of General Douglas MacArthur’s “great generals” and is remembered for his strong airpower capabilities, which empowered future leaders to lead United States ground and air forces to victory during World War II.

(10) Joint Base Andrews, a United States military base previously known as Andrews Air Force Base, was named for Lieutenant General Andrews on February 7, 1945, for his leadership in designating sections (b) of the Air Force General Headquarters and Commanding General of the United States forces in the European Theater of Operations.

(11) Joint Base Andrews, addition to the military facilities and installations, was named after Lieutenant General Andrews for his contributions to the United States forces, including—

(A) Royal Air Force (RAF) Andrews Field, a former RAF station, in England;

(B) Andrews Airmen, a major road leading to the Philippines’ International Airport in Metro Manila, Philippines; and

(C) Andrews Theater, a theater previously serving the Naval Air Station Keflavik in Iceland.

(12) Lieutenant General Andrews is considered one of the founders of the United States Air Force as the United States Air Force, due to his efforts to pursue and empower a separate and independent Air Force.

(13) Lieutenant General Andrews served honorably in the United States military for over 37 years.

(14) Lieutenant General Andrews is considered one of the United States’ key military commanders of World War II.

(b) RECOGNITION OF SERVICE.—The Senate honors and recognizes Lieutenant General Frank Maxwell Andrews for—

(1) his 37 years of loyal service to the United States Army and Army Air Corps;

(2) his heroic leadership during World War I and World War II;

(3) his lasting legacy and selfless sacrifice on behalf of the United States.

SEC. 587. POSTHUMOUS APPOINTMENT OF ULYSSES S. GRANT.—The President is authorized to appoint Ulysses S. Grant posthumously to the grade of General of the Armies of the United States.

The President may also authorize to appoint Ulysses S. Grant posthumously to the grade of General of the Armies of the United States equivalent to the rank and precedence held by General John J. Pershing pursuant to the Act entitled “An Act Relating to the rank and precedence held by General John J. Pershing”, approved September 3, 1919 (36 Stat. 910).''.

SEC. 588. MODIFICATION TO NOTIFICATION ON MANNING OF AFOCAL NAVIT FORCES.

(a) CROWNING REQUIREMENT.—Subsection (e) of section 597 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92, 10 U.S.C. 5013 note) is amended to read as follows:

“(e) SURFACE COMBATANT CROWING REQUIREMENT.—Beginning October 1, 2025, the Secretary of the Navy may not assign more than one crewman to a surface combatant vessel if any surface combatant vessel is included on a report required under subsection (a) in the most recent 12 months."

(b) SURFACE VESSEL DEFINITION.—Subsection (d) of such section is amended by adding at the end the following new paragraph:

“(3) the term ‘surface combatant vessel’ means any littoral combat ship (including the LCS–1 and LCS–2 classes), frigate (including the FFG–52 class), destroyer (including the DDG–51 and DDG–1000 classes), or cruiser (including the CG–47 class).”.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subchapter XII—Compensation

SEC. 601. TEMPORARY CONTINUATION OF BASIC ALLOWANCE FOR HOUSING FOR MEMBERS WHOSE SOLE DEPENDENT DIES WHILE RESIDING WITH THE MEMBER.

(a) IN GENERAL.—Section 430 of title 37, United States Code, is amended—

(1) by inserting after subsection (m) through (q), respectively, and (r); and

(2) by inserting after subsection (l) the following new subsection (m):

“(m) TEMPORARY CONTINUATION OF ALLOWANCE FOR MEMBERS WHOSE SOLE DEPENDENT DIES WHILE RESIDING WITH THE MEMBER.—(1) Notwithstanding subsection (a)(2) or any other provision of law, the Secretary of Defense, or the Secretary of Homeland Security in the case of the Coast Guard when not operating as a service in the Navy, may continue to pay to a member described in paragraph (2) for the period described in paragraph (3) at the rate to which the member was entitled on the day before the date of the death of the dependent of the member.

(2) A member described in this paragraph is a member of the uniformed services whose sole dependent dies while—

(A) the member is active duty; and

(B) the dependent resides with the member, unless separated—

(i) by the necessity of military service;

(ii) to receive institutional care as a result of disability or incapacity; or

(iii) under such other circumstances as the Secretary concerned may by regulation prescribe.

(3)(A) Except as provided by subparagraph (B), the period described in this paragraph is the 365-day period beginning on the date of the death of the dependent of a member described in paragraph (2).

(B) A member described in paragraph (2) who is transferred to—

(i) a Combat Zones, during the period described in subparagraph (A), an order for a permanent change of station or permanent change of assignment with movement of personnel property and household goods authorized under section 430(c) may not continue to receive a basic allowance for housing at the rate provided for under paragraph (1) after the permanent change of station or permanent change of assignment.

(c) CONFORMING AMENDMENT.—Section 2650(a)(20) of title 10 United States Code, is amended by striking “section 436(a)” and inserting “section 436(b).”

SEC. 602. BASIC ALLOWANCE FOR HOUSING FOR MEMBERS WHOSE SOLE DEPENDENT DIES WHILE RESIDING WITH THE MEMBER.

(a) IN GENERAL.—Section 430 of title 37, United States Code, as redesignated by section 601(a)(1), is further amended—

(1) in the subsection heading, by striking “LOW-COST AND NO-COST” and inserting “LOW-COST”;

(2) by inserting “(1)” before “In the case of a member who is assigned”;

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

“(2) A member described in this paragraph is a member of the uniformed services who is assigned to a unit that undergoes a change of home port or a change of permanent duty station, if the Secretary concerned determines that it would be inequitable to base the member’s entitlement to, and amount of, a basic allowance for housing on the new home port or permanent duty station, the Secretary concerned may—

(i) waive the requirement to base the member’s entitlement to, and amount of, a basic allowance for housing on the new home port or permanent duty station; and

(ii) treat that member for the purposes of this section as if the unit to which the member is assigned did not undergo such a change of home port or permanent duty station.

(B) The Secretary concerned may grant a waiver under subparagraph (A) to not more than 500 members in any fiscal year.

(C) Not later than March 1 of each calendar year, the Secretary concerned shall provide a briefing to the Committees on Armed Services of the Senate and the House of Representatives on the use of the authority provided by subparagraph (A) during the preceding calendar year that includes—

(i) the number of members granted a waiver under subparagraph (A) during that year; and

(ii) the number of members granted a waiver under subparagraph (D) during that year; and
“(ii) for each such waiver, an identification of—
“(I) the grade of the member;
“(II) the home port or permanent duty station of the unit to which the member is assigned before the change described in subparagraph (A); and
“(III) the new home port or permanent duty station of that unit.
“(D) This paragraph shall cease to be effective on December 31, 2027.”.

SEC. 603. EXTENSION OF AUTHORITY TO TEMPORARILY ADOPT BASIC ALLOWANCE FOR HOUSING IN CERTAIN AREAS. Section 453(b)(C) of title 37, United States Code, is amended by striking "2022" and inserting "2024".

SEC. 604. INCREASE IN INCOME FOR PURPOSES OF ELIGIBILITY FOR BASIC NEEDS ALLOWANCE. (a) In General.—Section 402b(b)(3) of title 37, United States Code, is amended by striking "130 percent" both places it appears and inserting "150 percent".

(b) Implementation.—Not later than January 1, 2024, the Secretary concerned (as defined in section 101 of title 37, United States Code) shall modify the calculation of the basic needs allowance under section 402b of title 37, United States Code, to implement the amendment to section 402b(b)(3) of title 37, United States Code, made by subsection (a).

SEC. 605. CONFORMING AMENDMENTS TO UPDATES TO DATE REFERENCES TO TRAVEL AND TRANSPORTATION AUTHORITIES. (a) BALANCED BUDGET AND EMERGENCY DEFENSE ACT OF 1985. Section 236(f)(4)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 906(g)(2)(B)(ii)) is amended by striking "section 474" and inserting "section 452(c)".

(b) AUTHORITY RELATING TO TITLE 37 CONGRESSIONAL RECORD — SENATE October 11, 2022

(c) ADMINISTRATION COMMISSIONED OFFICER CORPS ACT OF 2002.—Section 236(f)(4)(A) of the Administration Commissioned Officer Corps Act of 2002 (37 U.S.C. 12503(a)(4)(D)) is amended by striking "section 474" and inserting "section 452(f)".

(d) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION COMMISSIONED OFFICER CORPS ACT OF 2002.—Section 236(f)(4)(A) of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (37 U.S.C. 12503(a)(4)(D)) is amended by striking "section 474" and inserting "section 452(e)".

(e) TITLE 32.—Section 115 of title 32, United States Code, is amended by striking "December 31, 2022" and inserting "December 31, 2023".

(f) TITLE 10.—Section 115 of title 10, United States Code, is amended—

(1) in section 403(b)(8)(C) of title 37, United States Code, is amended by striking "December 31, 2023" and inserting "December 31, 2024";

(2) in section 701(f) of title 10, United States Code, is amended by striking "December 31, 2024" and inserting "December 31, 2025";

(3) in subsection (a), in the third sentence, by striking "section 402b(b)(3)" and inserting "section 452(c)";

(4) in subsection (b)(2)(A), in the matter preceding clause (i), by striking "section 475" and inserting "section 452(c)";

(5) in subsection (b)(2)(F), by striking "section 475a(a)" and inserting "section 452(c)";

(6) in section 403(b)(8)(C) of title 37, United States Code, is amended by striking "December 31, 2023" and inserting "December 31, 2024"; and

(7) in section 2493(j)(1)(B)(ii), by striking "section 481(d)" and inserting "section 459(f)";

(8) in section 2613(g), by striking "section 481(h)" and inserting "section 459(i)"; and

(9) in section 12503—

(A) in subsection (a), in the second sentence, by striking "section 468 and 495" and inserting "section 458 and 495"; and

(B) in subsection (b)(2)(A), by striking "section 495" and inserting "section 458";

(C) in subsection (c), by striking "chapter 7" and inserting "chapter 5";

(d) TITLE 14.—Section 2164 of title 14, United States Code, is amended by striking "December 31, 2022" and inserting "December 31, 2023".

(e) TITLE 10.—AUTHORITIES RELATING TO HEALTH CARE PROFESSIONALS.—The following sections of title 10, United States Code, are amended by striking "December 31, 2022" and inserting "December 31, 2023":

(1) Section 2130a(a)(1), relating to nurse officer candidate accession program.

(2) Section 16932(d), relating to repayment of educational 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, 2022" and inserting "December 31, 2023".

(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—

(1) in paragraph (7) (E), by striking "December 31, 2022" and inserting "December 31, 2023";

(2) in paragraph (7)(F), by striking "December 31, 2022" and inserting "December 31, 2023";

(3) in subsection (a), relating to general bonus authority for enlisted members.

(4) Section 333(i), relating to special bonus authority for officers.

(5) Section 334(i), relating to special aviation incentive pay and bonus authorities for officers.

(6) Section 335(k), relating to special bonus and incentive pay authorities for officers in both professions.

(7) Section 335(l), relating to skill incentive pay or proficiency bonus.

(8) Section 335(l), relating to retention incentives for members qualified in critical military skills or assigned to high priority units.

(9) AUTHORITY TO PROVIDE TEMPORARY ADJUSTMENTS IN RATES OF BASIC ALLOWANCE FOR HOUSING.—Section 468(b) of title 37, United States Code, is amended by inserting "climate," after "location."

Subtitle B—Bonus and Incentive Pays

SEC. 611. ONE-YEAR EXTENSION OF CERTAIN EXPIRING BONUS AND SPECIAL PAY AUTHORITIES.

(a) AUTHORITIES RELATING TO RESERVE FORCED-SERVICE BONUSES.—Section 468(b)(2)(B)(ii) 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, 2022" and inserting "December 31, 2023".

(b) TITLES 10, 32, AND 50 AUTHORITIES RELATING TO HEALTH CARE PROFESSIONALS.—The following sections of title 10, United States Code, are amended by striking "December 31, 2022" and inserting "December 31, 2023":

(1) Section 333(i), relating to general bonus authority for enlisted members.

(2) Section 333(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 both professions.

(5) Section 336(g), relating to contracting bonus for cadets and midshipmen enrolled in the Senior Reserve Officers’ Training Corps.

(d) TITLES 10, 32, AND 50 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, 2022" and inserting "December 31, 2023":

(1) in paragraph (7)(E), by striking "December 31, 2022" and inserting "December 31, 2023"; and

(2) in paragraph (8)(C), by striking "September 30, 2022" and inserting "December 31, 2023".

SEC. 612. REPEAL OF SUNSET OF HAZARDOUS DUTY PAY. Subsection (b) of section 351 of title 37, United States Code, is repealed.

SEC. 613. AUTHORIZATION OF ASSIGNMENT PAY OR SPECIAL DUTY PAY BASED ON CLIMATE IN WHICH A MEMBERS DUTIES ARE PERFORMED. Section 353(a)(2) of title 37, United States Code, is amended by inserting "climate, after “location.”

Subtitle C—Leave

SEC. 621. MODIFICATION OF AUTHORITY TO ALLOW MEMBERS OF THE ARMED FORCES TO ACCUMULATE LEAVE IN EXCESS OF 60 DAYS. (a) In General.—Section 701(f) of title 10, United States Code, is amended to read as follows:

"(D) The Secretary concerned, under uniform regulations to be prescribed by the Secretary of Defense, may authorize a member
described in paragraph (2) who, except for this subsection, would lose at the end of the fiscal year any accumulated leave in excess of the number of days of leave authorized to be accumulated under whose subsection (b), to retain an accumulated total of 90 days leave.

“(2) This subsection applies to a member who—

“(A) serves on active duty for a continuous period of at least 120 days in an area in which the member is entitled to special pay under section 310(a) of title 37.

“(B) is assigned to a deployable ship or mobile unit or to other duty designated for the purpose of this section; or

“(C) serves on active duty in a duty assignment in support of a contingency operation.

“(3) Leave accumulated by a member under this subsection in excess of the number of days of leave authorized under subsection (b) is forfeited unless it is used by the member before the end of the second fiscal year after the fiscal year in which the service or assignment described in paragraph (B) of the member terminated.”.

(b) Transition Rule.—Notwithstanding paragraph (3) of section 701(f) of title 10, United States Code, as amended by section 701(f) of title 10, United States Code, on or before September 30, 2025, or the retention of such leave is authorized under another provision of law.

(c) Exception.—The amendment made by subsection (a) takes effect on January 1, 2023.

SEC. 622. TECHNICAL AMENDMENTS TO LEAVE ENTITLEMENT AND ACCUMULATION.

(a) REPEAL OF OBSOLETE AUTHORITY.—Section 701 of title 10, United States Code, is amended—

(1) by striking subsection (d); and

(2) by redesignating subsections (e) through (m) as subsections (d) through (l).

(b) CONFORMING AMENDMENTS TO SECTION 701 OF TITLE 10.—Section 701 of title 10, United States Code, is amended—

(1) in subsection (b), by striking “section 701(a)” and inserting “sections (e) and (f)”;

(2) in subsection (f), as redesignated by subsection (a)(2), in the first sentence, by striking “subsection (d)” and inserting “sections (e) and (f)”;

(3) in subsection (i), as so redesignated, in the first sentence, by striking “subsection (d)” and inserting “sections (e) and (f)”;

(c) CONFORMING AMENDMENTS TO OTHER PROVISIONS OF LAW.

(1) TITLE II.—Section 2508(a) of title 14, United States Code, is amended by striking “section 701(f)(2)” and inserting “section 701(e).”

(2) TITLE M.—Title 37, United States Code, is amended—

(A) in section 501—

(i) in subsection (b)(6), by striking “120 days of leave under section 701(f)(1)” and inserting “90 days of leave under section 701(e)”; and

(ii) in subsection (h), by striking “section 701(g)” and inserting “section 701(f)”;

(B) in section 502(b), by striking “section 701(h)” and inserting “section 701(g).”

(d) Estates Code, as amended by section 701(e), is amended—

“(m)(1) Except as provided by subsection (b)(3), and under regulations prescribed by the Secretary of Defense, a member of the armed forces diagnosed with a medical condition is allowed convalescent leave if—

“(A) the medical or behavioral health provider determines the member is not fit for duty as a result of that condition; and

“(B) the member meets all requirements for the member to receive such leave as provided by subsection (b).”

“(2) A member may take not more than 30 days of convalescent leave under paragraph (1) with respect to a condition described in that paragraph unless—

“(A) such leave in excess of 30 days is authorized by—

“(i) the managing officer; or

“(ii) an individual at the level designated by the Secretary concerned, but not below the grade of O-5 or the civilian equivalent; or

“(B) the member is authorized to receive convalescent leave under subsection (b)(3) in conjunction with the birth of a child.

“(3) Leave accumulated by a member under paragraph (1) only for a medical condition of a member and may not be authorized for a member in connection with a condition of a dependent or other family member of the member.

“(4) A member taking convalescent leave under paragraph (1) shall have the member’s leave account reduced as a result of taking such leave.

“(5) In this subsection, the term ‘military treatment facility’ means a facility described in subsection (b), (c), or (d) of section 1073.”.

(b) ADMISSION OF CONVALESCENT LEAVE FOR BIRTH OF CHILD.—Paragraph (3) of subsection (b) of such section, as redesignated by section 622(a), is amended—

(1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and by moving such clauses, as so redesignated, two ems to the right;

(2) by inserting “(A)” after “(C)”; and

(3) by adding at the end the following new subparagraph—

“(B) Convalescent leave may be authorized under this subsection for a medical condition of a member and may not be authorized for a member in connection with a condition of a dependent or other family member of the member;

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2023.

SEC. 623. CONVALESCENT LEAVE FOR MEMBERS OF THE RESERVE COMPONENT OF THE AIR FORCE

(a) In General.—Section 701 of title 10, United States Code, as amended by section 622(a), is further amended by adding at the end the following:

“(m)(1) Except as provided by subsection (b)(3), and under regulations prescribed by the Secretary of Defense, a member of the armed forces diagnosed with a medical condition is allowed convalescent leave if—

“(A) the medical or behavioral health provider determines the member is not yet fit for duty as a result of that condition; and

“(B) the commanding officer of the member or the commander of the military medical treatment facility authorizes such leave for the member.

“(2) A member may take not more than 30 days of convalescent leave under paragraph (1) with respect to a condition described in that paragraph unless—

“(A) such leave in excess of 30 days is authorized by—

“(i) the Secretary concerned; or

“(ii) an individual at the level designated by the Secretary concerned, but not below the grade of O-5 or the civilian equivalent; or

“(B) the member is authorized to receive convalescent leave under subsection (b)(3) in conjunction with the birth of a child.

“(3) Leave accumulated by a member under paragraph (1) only for a medical condition of a member and may not be authorized for a member in connection with a condition of a dependent or other family member of the member.

“(4) A member taking convalescent leave under paragraph (1) shall have the member’s leave account reduced as a result of taking such leave.

“(5) In this subsection, the term ‘military treatment facility’ means a facility described in subsection (b), (c), or (d) of section 1073.”.

(b) ADMISSION OF CONVALESCENT LEAVE FOR BIRTH OF CHILD.—Paragraph (3) of subsection (b) of such section, as redesignated by section 622(a), is amended—

(1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and by moving such clauses, as so redesignated, two ems to the right;

(2) by inserting “(A)” after “(C)”; and

(3) by adding at the end the following new subparagraph—

“(B) Convalescent leave may be authorized under this subsection for a medical condition of a member and may not be authorized for a member in connection with a condition of a dependent or other family member of the member;

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2023.
with respect to premium sharing plans referred to in subparagraph (d)(1), the following elements:

(A) A third party administrator shall manage the administrative features of such plans, including eligibility, enrollment, plan change and premium payment processes, submission of qualifying life events changes, and access opportunities.

(B) Such plans shall include the following three enrollment options:

(i) Self.

(ii) Self plus one.

(iii) Family.

(C) In the United States, to the extent practicable, eligible members in pay grade E–1, E–2, E–3, or E–4 shall be offered options to enroll in plans of not fewer than four national dental insurance carriers.

(D) To the extent practicable, each carrier described in subparagraph (C) shall:

(i) manage dental care delivery matters, including claims adjudication (with required electronic submission of claims), coordination of benefits, covered services, enrollment verification, and provider networks;

(ii) shall, in addition to offering a standard option plan consistent with the requirements of this section, offer a high option plan that provides more covered services;

(iii) in addition to managed care plans managed as a dental health maintenance organization plan;

(iv) shall establish and operate dental provider networks that provide:

(I) accessible care with a prevention or wellness focus;

(II) continuity of care;

(III) coordinated care (including appropriate dental and medical referrals);

(IV) patient-centered care (including effective communications, individualized care, and shared decision-making); and

(V) high-quality, safe care;

(v) shall develop and implement adult and pediatric dental quality measures, including effective measurements for—

(I) access to care;

(II) continuity of care;

(III) cost;

(IV) patient experiences;

(V) dental outcomes; and

(VI) patient experiences; and

(VII) access to services.

(2) The Secretary of Defense for the purpose of ensuring help-seeking behavior by members of the Armed Forces, including members of the Reserve components of the Armed Forces, pursuant to mental health care services provided to members voluntarily seek such services; and

(B) in cases in which there are exigent circumstances, prevent health care providers from disclosing more than the minimum amount of information necessary to address the exigent circumstances.

(b) ELEMENTS.—The standards required by subparagraph (a)(2) shall include the following elements:

(1) Requirements for confidentiality regarding the results of any drug testing incident to mental health care services.

(2) Procedures that reflect best practices of the mental health profession with respect to suicide prevention.

(3) Prohibition on retaliating against a member of the Armed Forces who requests mental health care services.

(4) Such other elements as the Secretary determines will most effectively support the policies of eliminating stigma in obtaining mental health care services; and

(B) encouraging help-seeking behavior by members of the Armed Forces.

(c) JOINT POLICY WITH THE SECRETARY OF VETERANS AFFAIRS.—

(1) IN GENERAL.—Not later than July 1, 2023, the Secretary of the Army shall issue a joint policy that provides, except in the case of exigent circumstances, for confidentiality of mental health care services provided to the Department of Veterans Affairs.

(2) Elements.—The joint policy issued under subparagraph (1) shall, to the extent practicable, establish standards comparable to the standards developed under subsection (a)(2) and the joint policy issued under subsection (c)(e).

(d) REPORT.—Not later than July 1, 2023, the Secretary of the Army shall submit to the Committees on Armed Services of the Senate and the House of Representatives a copy of the standards developed under subsection (a)(2) and the joint policy issued under subsection (c)(e).

(e) EXIGENT CIRCUMSTANCE DEFINED.—In this section, the term "exigent circumstance" means a circumstance in which the Secretary of Defense determines the need to prevent serious harm to individuals or essential military functions clearly outweighs the need for confidentiality of information obtained by a health care provider inpatient mental health care services voluntarily sought by a member of the Armed Forces.
SEC. 704. IMPROVEMENT OF REFERRALS FOR SPECIALTY CARE UNDER TRICARE PRIME DURING PERMANENT CHANGES OF STATION.  
(a) IN GENERAL.—Section 714 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 1095f) is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following new subsection (e):

“(e) IMPROVEMENT OF SPECIALTY CARE REFERRALS DURING PERMANENT CHANGES OF STATUS.—In conducting evaluations and improvements to the referral process described in subsection (a), the Secretary shall ensure beneficiaries enrolled in TRICARE Prime who are undergoing a permanent change of station receive referrals from their primary care manager to such specialty care providers in the new location as the beneficiary may need before undergoing the permanent change of station.”.

(b) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the technical challenges preventing record sharing between civilian provider networks under the TRICARE program that lead to increased wait times for care for members of the Armed Forces and their dependents undergoing permanent changes of status across provider network regions.

SEC. 705. STUDY ON PROVIDING BENEFITS UNDER TRICARE RESERVE SELECT AND TRICARE DENTAL PROGRAM TO MEMBERS OF THE SELECTED RESERVE AND THEIR DEPENDENTS.  
(a) STUDY.—The Secretary of Defense may conduct a study on the feasibility, potential cost effects, and benefits of the Department of Defense, changes in out-of-pocket costs to beneficiaries, and effects on other Federal programs of expanding eligibility for TRICARE Reserve Select and the TRICARE dental program to include all members of the Selected Reserve of the Ready Reserve of a reserve component of the Armed Forces, their dependents, and their non-dependent children under the age of 26.

(b) SPECIFICATIONS.—If the Secretary conducts the study under subsection (a), the Secretary shall include in the study an assessment of the following:

(1) Cost-shifting to the Department of Defense to support the expansion of TRICARE Reserve Select and the TRICARE dental program from—

(A) health benefit plans under chapter 89 of title 5, United States Code;

(B) employer-sponsored health insurance;

(C) private health insurance;

(D) insurance under a State health care exchange; and

(E) the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

(2) New costs for the Department of Defense to enroll in TRICARE Reserve Select and the TRICARE dental program members of the Selected Reserve of the Ready Reserve of a reserve component of the Armed Forces who were previously uninsured.

(3) The resources needed to implement TRICARE Reserve Select and the TRICARE dental program for all members, their dependents, and their non-dependent children under the age of 26.

(4) Cost-savings, if any, resulting from the expansion of TRICARE Reserve Select and the TRICARE dental program with the increased training days performed in support of mass medical events during battle assem-

blies of the reserve components, including an assessment of the impact of such expansion on—

(A) medical readiness;

(B) overall deployment readiness rates;

(C) deployability timelines;

(D) failure rates at mobilization sites;

(E) cross-leveling of members of the reserve components to backfill medical failures at mobilization sites; and

(F) any other readiness metrics affected by such expansion.

(5) Any impact of such expansion on recruitment and retention of members of the Armed Forces, including members of the Ready Reserve of the reserve components of the Armed Forces.

(6) Cost-savings, if any, in contracts that implement the Reserve Health Readiness Program of the Department of Defense.

(c) DETERMINATION OF COST EFFECTS.—If the Secretary of Defense studies the potential cost effects to the budget of the Department of Defense to expand eligibility for TRICARE Reserve Select and the TRICARE dental program to include all members of the Selected Reserve of the Ready Reserve of a reserve component of the Armed Forces, their dependents, and their non-dependent children under the age of 26.

(1) Premium free for members of the Selected Reserve of the Ready Reserve of a reserve component of the Armed Forces, their dependents, and their non-dependent children under the age of 26.

(2) Premium free for such members and subsidized premiums for such dependents and non-dependent children.

(3) Subsidized premiums for such members, dependents, and non-dependent children.

(4) Cost-savings, if any, resulting from the expansion of TRICARE Reserve Select and the TRICARE dental program members of the Selected Reserve of the Ready Reserve of a reserve component of the Armed Forces who were previously uninsured.

(5) Any impact of such expansion on the return to combat readiness command (referred to in this section as the "Directorate").

(b) USE OF A FEDERALLY FUNDED RESEARCH AND DEVELOPMENT CENTER.—The Secretary may contract with a federally funded research and development center that is qualified and approved to conduct the study under subsection (a).

(c) BRIEFING; REPORT.—

(1) BRIEFING.—The Secretary shall brief the Committees on Armed Services of the Senate and the House of Representatives a briefing on the methodology and approach of the study.

(2) REPORT.—If the Secretary conducts the study under subsection (a), not later than one year after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the results of the study.

(d) DEFINITIONS.—In this section:

(1) TRICARE DENTAL PROGRAM.—The term ‘‘TRICARE dental program’’ means dental benefits under section 1076a of title 10, United States Code.

(2) TRICARE RESERVE SELECT.—The term ‘‘TRICARE Reserve Select’’ means health benefits under section 1076d of such title.

Subtitle B—Health Care Administration

SEC. 721. IMPROVEMENTS TO ORGANIZATION OF MILITARY HEALTH SYSTEM.  
(a) FRAIBILITY STUDY FOR SUPERSEEDING ORGANIZATION FOR DEFENSE HEALTH AGENCY.—

(1) STUDY AND REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense (referred to in this section as the ‘‘Secretary’’), shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on a study, conducted by an entity that the Secretary considers appropriate for purposes of the report, on the feasibility and requirements for the establishment of a defense health and medical readiness command (referred to in this section as the ‘‘command’’), a super-regional organization to support the command.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following:

(A) A description of the responsibilities of the commander of the command.

(B) A description of any organizations that support the Defense Health Agency, such as the medical departments and medical logistics organizations of each military department.

(C) A description of any authorities required for the leadership and direction of the command.

(D) A description of the organizational structure of the command, including any subordinate commands.

(E) A description of resourcing executive leadership of the command.

(F) A description of the location or locations of headquarters elements of the command.

(G) A description of how the current Defense Health Agency functions as a provider of optimally trained, clinically proficient health care professionals to support combatant commands.

(H) A description of how the command may further serve as a provider of optimally trained, clinically proficient health care professionals to support combatant commands.

(I) A description of the relationship of the command to the military departments, the combatant commands, and the Joint Staff.

(J) A timeline for the establishment of the command.

(K) A description of additional funding required to establish the command.

(L) A description of any additional legislative action required for the establishment of the command.

(M) Any other matters in connection with the establishment, operations, and activities of the command that the Secretary considers appropriate.

(b) ESTABLISHMENT OF MILITARY HEALTH SYSTEM EDUCATION AND TRAINING DIRECTORATE.—

(1) PLAN REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a plan to establish within the Defense Health Agency a subordinate organization, to be called the Military Health System Education and Training Directorate (referred to in this subsection as the ‘‘Directorate’’).

(c) REQUIREMENTS.—The plan required under paragraph (1) shall include the following:

(A) A description of any authorities required for the leadership and direction of the Directorate.

(B) A description of the organizational structure of the Directorate, including any subordinate organizations.

(C) A description of resourcing executive leadership of the Directorate.

(D) A description of the location or locations of elements of the Directorate.

(E) A description of the location or locations of headquarters of the Directorate.

(F) A description of any additional legislative action required for the establishment of the Directorate.

(G) A description of any other matters in connection with the establishment, operations, and activities of the Directive that the Secretary considers appropriate.

(3) ESTABLISHMENT.—

(A) IN GENERAL.—Not later than one year after the submission of the plan required under paragraph (1), the Secretary shall establish the Directorate within the Defense Health Agency.
SEC. 722. INCLUSION OF LEVEL THREE TRAUMA CENTERS IN REQUIREMENTS FOR MEDICAL CENTERS.

Section 1073(b)(3) of title 10, United States Code, is amended by striking “or level two'' and inserting “level two, or level three''.

SEC. 723. EXTENSION OF ACCOUNTABLE CARE ORGANIZATION DEMONSTRATION AND ANNUAL REPORT REQUIREMENTS FOR MEDICAL CENTERS.

(a) In general.—The Secretary of Defense, acting through the Director of the Defense Health Agency, shall extend the duration of the Accountable Care Organization demonstration carried out by the Secretary, notice of which appeared in the Federal Register on August 16, 2019 (84 Fed. Reg. 41974), (in this section referred to as the “Demonstration’’) through December 31, 2023.

(b) Annual report required.—

(1) In general.—Not later than March 1 of each year during which the Demonstration is carried out beginning in 2023, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report that describes the conduct of the Demonstration for the one-year period preceding the date of the report.

(2) Elements.—Each report submitted under paragraph (1) shall include the following:

(A) A description of how the Demonstration delivered performance of better health, better care, and lower cost.

(B) A description of the results of the Demonstration with respect to the following outcome measures:

(i) Clinical performance.

(ii) Utilization and engagement.

(iii) Beneficiary engagement.

(iv) Membership growth and retention.

(v) Case management.

(vi) Continuity of care.

(vii) Telehealth utilization.

(C) A description of how the Demonstration shifted financial risk from the TRICARE program to health care providers.

(D) A description of how investment in the Demonstration serves as a bridge to competitive demonstrations by the Department of Defense with accountable care organizations in the future.

(E) A detailed description of locations for future competitive demonstrations by the Department with accountable care organizations.

(3) TRICARE program defined.—In this subsection, the term ‘‘TRICARE program’’ has the meaning given that term in section 1072 of title 10, United States Code.

SEC. 724. MODIFICATION OF REQUIREMENT TO TRANSFER DIRIGENT MEDICAL FUNCTION TO DEFENSE HEALTH AGENCY.

(a) Temporary retention of public health functions.—At the determination of the Secretary of Defense, a military department may retain, until not later than Sep-

tember 30, 2023, a public health function that would otherwise become part of the Defense Health Agency Public Health under section 1073(e)(2)(B) of title 10, United States Code, if such function

(1) addresses a need that is unique to the military department; and

(2) is in direct support of operating forces and necessary to provide public health functions that the Secretary has determined may be retained by a military department pursuant to subsection (a).

(b) Report.—

(1) In general.—Not later than March 1, 2022, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report that describes each public health function that the Secretary has determined may be retained by a military department pursuant to subsection (a).

(2) Elements.—The report required by paragraph (1) shall include the following:

(A) A description of each public health function that the Secretary has determined may be retained by a military department pursuant to subsection (a).

(B) The rationale for each such determination.

(c) Recommendations for amendments to title 10, United States Code, to permit ongoing retention of public health functions by military departments.

SEC. 725. ESTABLISHMENT OF MILITARY HEALTH SYSTEM MEDICAL LOGISTICS DIRECTORATE.

(a) Plan required.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a plan to establish within the Defense Health Agency a subordinate organization to carry out the function of the Medical Logistics Directorate under section 332 of title 10, United States Code.

(b) Types of centers of excellence.—

(1) In general.—Centers of excellence shall be established under subsection (a) for the following areas of specialty care:

(A) Oncology.

(B) Burn injuries and wound care.

(C) Rehabilitation medicine.

(D) Psychological health and traumatic brain injury.

(E) Amputations and prosthetics.

(F) Neurosurgery.

(G) Orthopedic care.

(H) Substance abuse.

(I) Transplants.

(J) Cardiothoracic surgery.

(K) Such other areas of specialty care as the Secretary considers appropriate to ensure the military medical force readiness of the Department and the medical readiness of the Armed Forces.

(2) Multiple specialties.—A major medical center of the Department may be established as a center of excellence for more than one area of specialty care.

(3) Primary source for specialty care.—

(A) In general.—Centers of excellence established under subsection (a) shall be the primary source within the military health system for the receipt by eligible beneficiaries of specialty care.

(B) Eligible beneficiaries seeking specialty care services through the military health system shall be referred to the nearest center of excellence under this section or to an appropriate specialty care provider in the private sector if health care services at such a center are unavailable.

(c) Establishment.—The plan required under subsection (a) shall be established within 240 days after the date of the enactment of this Act.

(d) Report.—

(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 Committees on Armed Services of the Senate and the House of Representatives a report that describes the plan for the Department to establish centers of excellence under this section.

(2) Elements.—The report required by paragraph (1) shall include the following:

(A) A list of the centers of excellence to be established under this section and the locations of such centers.

(B) A description of the specialty care services to be provided at each such center and a staffing plan for each such center.
mean a beneficiary under chapter 55 of title section, the term ''eligible beneficiary'' may be provided by the Department of Veterans Affairs to members after such separation.

Among the Armed Forces during the process of such separation.

In the Armed Forces for post-traumatic stress disorder and traumatic brain injury.

Under the jurisdiction of such Secretary to policies under this section or centers of excellence in the private sector.

A plan to assist eligible beneficiaries with travel and lodging, if necessary, in connection with the receipt of specialty care services at centers of excellence.

 hei of the Department to centers of excellence established under this section and centers of excellence in the private sector.

A policy to ensure accountability for actions taken under the authorities of the Defense Health Agency and the military departments concerning wounded, ill, and injured members of the Armed Forces during the integrated disability evaluation system process of the Department of Defense.

(b) ELEMENTS.—The policy required by subsection (a) shall include:

(1) A requirement that determination of fitness for duty under chapter 61 of title 10, United States Code, of a member of the Armed Forces falls under the jurisdiction of the Secretaries of the military department concerned.

(2) A requirement that medical evaluation board.

(g) A plan to monitor access to care, beneficiary satisfaction, experience of care, and clinical outcomes to understand better the impact of such centers on the health care of eligible beneficiaries.

(c) ELIGIBILITY.—The Secretary of Defense shall notify the Committees on Armed Services of the Senate and the House of Representatives not later than 90 days prior to the establishment of a center of excellence under this section.

(f) ELIGIBLE BENEFICIARY DEFINED.—In this section, the term "eligible beneficiary" means a beneficiary under chapter 55 of title 10, United States Code.

SEC. 727. REQUIREMENT TO ESTABLISH ACADEMIC HEALTH SYSTEM.

Section 1076 of title 10, United States Code, is amended by striking "may" and inserting "shall".

SEC. 728. ADHERENCE TO POLICIES RELATING TO MILD TRAUMATIC BRAIN INJURY AND POST-TRAUMATIC STRESS DISORDER.

Not later than 1 year after the date of enactment of this Act, the Secretary of Defense—

(1) direct the Secretary of the Navy and the Secretary of the Air Force to address inconsistencies between the policies of the Department of Defense, the Department of the Navy, and the Department of the Air Force relating to all members of the Armed Forces on the identification of symptoms of mild traumatic brain injury in deployed locations; and

(2) ensure the Secretary of each military department routinely monitors the adherence of members of the Armed Forces under the jurisdiction of such Secretary to policies of the Department of Defense relating to post-traumatic stress disorder and traumatic brain injury, including policies related to—

(A) screening certain members of the Armed Forces for post-traumatic stress disorder and traumatic brain injury prior to any separation of such a member from the Armed Forces for misconduct.

SEC. 729. POLICY ON ACCOUNTABILITY FOR ACTIONS TAKEN UNDER DISABILITY EVALUATION.

(a) In General.—Not later than April 1, 2023, the Secretary of Defense shall establish a policy to ensure accountability for actions taken under the authorities of the Defense Health Agency and the military departments concerning wounded, ill, and injured members of the Armed Forces during the integrated disability evaluation system process of the Department of Defense.

(b) ELEMENTS.—The policy required by subsection (a) shall include:

(1) A requirement that determination of fitness for duty under chapter 61 of title 10, United States Code, of a member of the Armed Forces falls under the jurisdiction of the Secretaries of the military department concerned.

(2) A requirement that medical evaluation board.

SEC. 745. TERMINATION OF VETERANS ADVISORY BOARD ON RADIATION DOSE INFORMATION.

Section 601 of the Veterans Benefit Act of 2003 (Public Law 108–183; 38 U.S.C. 1114 note) is amended—

(1) in subsection (b), by striking "enacted" and inserting "enacted and implemented";

(2) by redesigning subsections (e) through (g) as subsections (f) through (1), respectively; and

(3) by inserting after subsection (e) the following new subsection (f):

"(f) COMPENSATION.—

(1) IN GENERAL.—The Secretary may compensate members of the committee established under subsection (a) for the work of such members for the committee.

(2) TREATMENT OF COMPENSATION.—A member of the committee established under subsection (a) who receives compensation under paragraph (1) shall not be considered a civilian employee of the Department of Defense for purposes of section 5193a of title 5, United States Code, or section 5195 of title 5, United States Code.

SEC. 746. SCHOLARSHIP-FOR-SERVICE PILOT PROGRAM FOR CIVILIAN BEHAVIORAL HEALTH PROVIDERS.

(a) In General.—Commencing not later than two years after the date of the enactment of this Act, the Secretary of Defense shall carry out a pilot program under which—

(1) the Secretary may provide—

(A) scholarships to cover tuition and related fees at an institution of higher education to an individual enrolled in a program of study leading to a graduate degree in clinical psychology, social work, counseling, or a related field (as determined by the Secretary); and

(B) student loan repayment assistance to a credentialed behavioral health provider who is an exhausted service member (as determined by the Secretary); and

SEC. 747. SEVEN-YEAR EXTENSION OF AUTHORITY TO IMPLEMENT VA HEALTH CARE SHARING INCENTIVE FUND.

Section 8111(d)(3) of title 38, United States Code, is amended by striking "September 30, 2023" and inserting "September 30, 2029".

SEC. 748. EXTENSION OF AUTHORITY FOR JOINT DEPARTMENT OF DEFENSE–DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY DEMONSTRATION FUND.

(2) in exchange for such assistance, the recipient shall commit to work as a covered civilian behavioral health provider in the direct care component of the military health system for the 10-year period beginning on the commencement of the pilot program.

(b) DURATION.—The Secretary of Defense shall carry out the pilot program under subsection (a) during the 10-year period beginning on the date of the enactment of this Act.

(c) POST-AWARD EMPLOYMENT OBLIGATIONS.—(1) IN GENERAL.—Subject to paragraph (2), a condition of receiving assistance under subsection (a), the recipient of such assistance shall enter into an agreement with the Secretary of Defense pursuant to which the recipient agrees to work on a full-time basis as a covered civilian behavioral health provider in the direct care component of the military health system for a period that is at least equivalent to the period during which the recipient received assistance under such paragraph.

(2) OTHER TERMS AND CONDITIONS.—An agreement entered into pursuant to paragraph (1) may include such other terms and conditions as the Secretary of Defense may determine necessary to protect the interests of the United States or otherwise appropriate for purposes of this section, including terms and conditions providing for exceptions from the post-award employment obligation specified in such subparagraph.

(d) REPAYMENT.—(1) IN GENERAL.—An individual who receives assistance under subsection (a) and does not complete the employment obligation required under the agreement entered into pursuant to subsection (c) shall repay to the Secretary of Defense a prorated portion of the financial assistance received by the individual under subsection (a).

(2) DETERMINATION OF AMOUNT.—The amount of any repayment required under paragraph (1) shall be determined by the Secretary.

(e) IMPLEMENTATION PLAN.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a plan for the implementation of this section.

(f) REPORTS.—(1) IN GENERAL.—Not later than each of one, five, and nine years after the commencement of the pilot program under subsection (a), the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the pilot program.

(2) ELEMENTS.—Each report under paragraph (1) shall include, with respect to the pilot program under subsection (a), the following:

(A) The number of students receiving scholarships under the pilot program.

(B) The locations of such students.

(C) The amount of total scholarship money expended per academic school year under the pilot program.

(D) The average scholarship amount per student under the pilot program.

(E) The number of students hired as behavioral health providers by the Department of Defense under the pilot program.

(F) Any recommendations for terminating the pilot program, extending the pilot program, or making the pilot program permanent.

(2) DEFINITIONS.—In this section:

(1) BEHAVIORAL HEALTH.—The term "behavioral health" includes psychiatry, clinical psychology, social work, counseling, and related fields.

(2) CIVILIAN BEHAVIORAL HEALTH PROVIDER.—The term "civilian behavioral health provider" means a behavioral health provider who is a civilian employee of the Department of Defense.

(3) COVERED CIVILIAN BEHAVIORAL HEALTH PROVIDER.—A covered civilian behavioral health provider means a civilian behavioral health provider whose employment by the Secretary of Defense involves the provision of behavioral health services at a military medical treatment facility.

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

SEC. 747. EXPANSION OF EXTRAMEDICAL MATERIALS PROVIDERS DEMONSTRATION PROJECT TO INCLUDE MEMBERS OF THE ARMED FORCES ON ACTIVE DUTY AND OTHER INDIVIDUALS RECEIVING CARE AT MILITARY MEDICAL TREATMENT FACILITIES.


(1) in subsection (a), by inserting "covered civilian behavioral health provider" after "covered individual"; and

(2) in subsection (c), by striking "covered beneficiary" and inserting "covered beneficiaries".

(3) in subsection (f)(2), by striking "covered beneficiaries" each place it appears and inserting "covered individuals";

and

(4) in subsection (a), by amending paragraph (1) to read as follows:

"(1) The term 'covered individual' means a beneficiary described in paragraph 55 of title 10, United States Code."; and

(5) by adding at the end of the following paragraph:

"(f) TRICARE program.—"(1) "TRICARE program" has the meaning given that term in section 1072 of title 10, United States Code.".

SEC. 748. AUTHORITY TO CARRY OUT STUDIES AND DEMONSTRATION PROJECTS RELATING TO DELIVERY OF HEALTH AND MEDICAL CARE THROUGH USE OF OTHER TRANSACTION AUTHORITY.

(a) IN GENERAL.—Section 1092(b) of title 10, United States Code, is amended by inserting "or transactions (other than contracts, cooperative agreements, and grants)" after "contracts".

(b) BUDGETING.—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 on how the Secretary intends to use the authority to enter into transactions under section 1092(b) of title 10, United States Code, as amended by subsection (a).

SEC. 749. CAPABILITY ASSESSMENT AND ACTION PLAN WITH RESPECT TO EFFECTS OF EXPOSURE TO OPEN BURN PITS AND OTHER ENVIRONMENTAL HAZARDS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall—

(1) conduct a capability assessment of potential improvements to activities of the Department of Defense to reduce the effects of environmental exposures with respect to members of the Armed Forces; and

(2) develop an action plan to implement such improvements assessed under paragraph (1) as the Secretary considers appropriate.

(b) ELEMENTS.—The capability assessment required by subsection (a)(1) shall include the following:

(1) With respect to the conduct of periodic health assessments, the following:

(A) An assessment of the feasibility and advisability of adding additional screening questions regarding to environmental and occupational exposures to current health assessments of members of the Armed Forces conducted by the Department of Defense, including pre- and post-deployment assessments and pre-separation assessments.

(B) An assessment of occupational health and safety data and feasibility of regularly requiring spirometry or other pulmonary function testing pre- and post-deployment for all members, or selected members, of the Armed Forces.

(2) With respect to the conduct of outreach and education, the following:

(A) An evaluation of clinician training on the health effects of environmental hazards and how to document exposure information in health records maintained by the Department of Defense and the Department of Veterans Affairs.

(B) An assessment of the adequacy of current actions by the Secretary of Defense and the Secretary of Veterans Affairs to increase awareness among members of the Armed Forces and veterans of the purposes and uses of the Airborne Hazards and Open Burn Pit Registry and the effect of a potential requirement that individuals meeting applicable criteria be automatically enrolled in the registry unless they opt out of enrollment.

(C) An assessment of occupational plans for deployment with respect to the adequacy of educational activities for and evaluations of performance of command authorities, medical personnel, and members of the Armed Forces on deployment on anticipated environmental exposures and potential means to minimize and mitigate any adverse health effects of such exposures, including through the use of monitoring, protective equipment, and medical responses.

(D) An evaluation of potential means to improve the education of health care providers of the Department of Defense with respect to the diagnosis and treatment of health conditions associated with environmental exposures.

(3) With respect to monitoring of exposure during deployment operations, the following:

(A) An evaluation of potential means to strengthen tactics, techniques, and procedures used in deployment operations to document—

(i) specific locations where members of the Armed Forces served;

(ii) environmental exposures in such locations; and

(iii) any munitions involved during such service in such location.

(B) An assessment of potential improvements in the acquisition and use of wearable monitoring technology and remote sensing capabilities to record environmental exposures by geographic location.

(C) An analysis of the potential value and feasibility of maintaining a repository of forensic samples from exposure locations to be later tested as needed when concerns relating to environmental exposures are identified.

(D) With respect to the use of the Individual Longitudinal Exposure Record (referred to in this paragraph as "ILER"), the following:

(i) An evaluation of the feasibility and advisability of recording individual clinical diagnosis and treatment information in ILER to be integrated with exposure data.

(ii) An evaluation of—

(A) the progress toward making ILER operationally capable and accessible to members of the Armed Forces and veterans by 2023; and

(B) the integration of ILER data with the electronic health records of the Department
of Defense and the Department of Veterans Affairs.

(C) An assessment of the feasibility and ad-
visability of making ILER data accessible to the
supporting family members of members of the
Armed Forces and veterans.

5. With respect to the conduct of research,
the following:

(A) An assessment of the potential use of
the Airborne Hazards and Open Burn Pit
Registry for research and monitoring and
identifying the health consequences of expo-
sure to burn pits and other environmental
hazards, including the establishment of a
joint program executive office for such man-
agement.

(B) An analysis of options for increasing the
amount and the relevance of additional research into the health effects of open burn
pits and effective treatments for such health
effects.

(C) An evaluation of potential research of
biomarker monitoring to document environ-
mental exposures during deployment or through-out the military career of a member of the
Armed Forces.

(D) An analysis of potential organizational
strengthening with respect to the manage-
ment of research on environmental exposure
hazards, including the establishment of a
joint program executive office for such man-
agement.

(E) An assessment of the findings and rec-
ommendations of the 2020 report entitled
"Respiratory Health Effects of Airborne Haz-
ards and Open Burn Pits in the Southwestern Asia The-
ter of Military Operations" by the National Academies of Science, Engineering, and Medi-
cine.

(F) An evaluation of such other matters as
the Secretary determines appropriate to en-
sure a comprehensive review of activities rel-
ating to the effects of exposure to open burn
pits and other environmental hazards.

(c) SUBMISSION OF PLAN AND REPORT.—Not
later than 240 days after the date of the en-
dactment of this Act, the Secretary shall submit
a report to the Committees on Armed Services of the Senate and the House of Representa-
tives describing:

(i) the action plan required by subsection
(2); and

(ii) a report on the results of the capability
assessment required by subsection (a)(1).

(d) DEFINITIONS.—In this section:

(A) AIRBORNE HAZARDS AND OPEN BURN PIT
REGISTRY.—The term "Airborne Hazards and
Open Burn Pit Registry" means the registry
established under section 201 of the Dignified

(B) ENVIRONMENTAL EXPOSURES.—The term
"environmental exposures" means exposure to open burn pits and other environmental
hazards as the Secretary determines.

(C) OPEN BURN PIT.—The term "open burn
pit" means the term defined in section
201(c) of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112–260; 38 U.S.C. 527 note).

SEC. 750. INDEPENDENT ANALYSIS OF DEPART-
MENT OF DEFENSE COMPREHENSIVE
AUTISM CARE DEMONSTRATION
PROGRAM.

Section 737 of the National Defense Au-
thorization Act for Fiscal Year 2022 (Public Law
117–81; 135 Stat. 1800) is amended—

(A) in subsection (c)(4), by inserting "since its inception" after "after demonstration program"; and

(B) in subparagraph (F), by inserting "cost
effective, comprehensive, and clinical" after "measure the";

(i) by inserting after subparagraph (G) the following new subparagraph (H):

"(H) By reference to subparagraph (H) as
subparagraph (I); and

(ii) in the matter preceding paragraph (1), by striking "nine" and inserting "31".

SEC. 751. REPORT ON SUICIDE PREVENTION RE-
FORMS FOR MEMBERS OF THE
ARMED FORCES.

(a) IN GENERAL.—Not later than March 1, 2023, the Secretary shall submit to the
Committees on Armed Services of the Senate and the House of Representa-
tives a report on behavioral health workforce
requirements for members of the Armed Forces.

(1) Eliminating mental health history as a
qualification for service in the Armed Forces, including eliminating restrictions related to mental health history that are specific to military occupational specialties.

(2) Requiring comprehensive in-person an-
nual mental health assessments of members of the Armed Forces.

(3) Requiring military behavioral health providers under the TRICARE program, including providers contracted through such program, to undergo evidence-based and suicide-specific training.

(4) Requiring leaders at all levels of the
Armed Forces to be trained on the following:

(A) Total wellness.

(B) Suicide warning signs and risk factors.

(C) Evidence-based, suicide-specific inter-
ventions.

(2) ELEMENTS.—The report required under
paragraph (1) shall include, with respect to each
military department, the number of positions authorized for military behavioral health providers within such workforce, and the number of such posi-
tions filled, disaggregated by the professions
described in paragraph (3).

(3) PROVIDER TYPES.—The professions
described in this paragraph are as follows:

(A) Clinical psychologists.

(B) Social workers.

(C) Counselors.

(D) Such other professions as the Secretary
determines appropriate.

(b) PLAN TO ADDRESS SHORTFALLS IN BE-
HAVIORAL HEALTH WORKFORCE.—

(i) In GENERAL.—Not later than one year
after the date of the enactment of this Act, the Secretary of Defense shall submit to the
Committees on Armed Services of the Senate and the House of Representatives a plan to
address any shortfall of the behavioral health workforce identified under subsection
(2)(G).

(ii) PROVISIONS.—The plan required by par-
agraph (1) shall—

(A) address, with respect to any shortfall of
military behavioral health providers addressed separately with respect to such pro-
viders assigned to military medical treatment facilities and such providers assigned to be embedded within operational units—

(v) recruitment;

(vi) accession;

(vii) retention;

(iv) special pay and other aspects of com-
petition;

(v) workload;

(vi) the role of the Uniformed Services Uni-
versity of the Health Sciences and the
Armed Forces Health Professions Scholar-
ship Program under chapter 105 of title 10,
United States Code;

(vii) any additional authorities or re-
sources necessary for the Secretary to in-
crease the number of such providers; and

(viii) such other considerations as the Sec-
retary may determine appropriate.

(b) PLAN TO ADDRESS SHORTFALLS IN BE-
HAVIORAL HEALTH WORKFORCE.—

(i) In GENERAL.—Not later than 180 days
after the date of the enactment of this Act, the Secretary of Defense shall conduct an
analysis of the behavioral health workforce under the direct care component of the mili-
tary health system and submit to the Com-
mittees on Armed Services of the Senate and
the House of Representatives a report con-
taining the results of such analysis.

(2) ELEMENTS.—The report required under
paragraph (1) shall include, with respect to each
military department, the following:

(A) The number of positions authorized for
military behavioral health providers within such workforce, and the number of such posi-
tions filled, disaggregated by the professions
described in paragraph (3).

(B) The number of positions authorized for civilian behavioral health providers within
such workforce, and the number of such posi-
tions filled, disaggregated by the professions
described in paragraph (3).

(C) For each military department, the ratio
of military behavioral health providers assigned to military medical treatment fa-
milities compared to civilian behavioral health providers so assigned, disaggregated by the
professions described in paragraph (3).

(D) For each military department, the number of military behavioral health pro-
viders authorized to be embedded within an
operational unit, and the number of such posi-
tions filled, disaggregated by the profes-
sions described in paragraph (3).

(E) Data on the historical demand for be-
havioral health services by members of the
Armed Forces.

(F) An estimate of the number of health care
providers necessary to meet the demand by
such members for behavioral health serv-
ices under the direct care component of the
military health system, disaggregated by
provider type.

(G) An identification of any shortfalls be-
tween the estimated number under para-
graph (F) and the total number of positions
for behavioral health providers filled within
such workforce.

(H) Such other information as the Sec-
retary may determine appropriate.
(ii) hiring; (iii) retention; (iv) pay and benefits; (v) workload; (vi) educational scholarship programs; (vii) any additional authorities or resources necessary for the Secretary to increase the number of such providers; and (viii) considerations as the Secretary may consider appropriate;  

(C) recommend whether the number of military behavioral health providers in each military department should be increased, and if so, by how many;  

(D) include a plan to expand access to behavioral health services under the military health system through the use of telehealth;  

(E) include a plan by each military department to allocate additional uniformed mental health providers in military medical treatment facilities at remote installations; and  

(F) assess the feasibility of hiring civilian mental health providers at remote installations to augment the provision of mental health care services by uniformed mental health providers.  

DEFINITIONS.—In this section:  

(1) BEHAVIORAL HEALTH.—The term ‘‘behavioral health’’ includes psychiatry, clinical psychology, social work, counseling, and related fields.  

(2) CIVILIAN BEHAVIORAL HEALTH PROVIDER.—The term ‘‘civilian behavioral health provider’’ means a behavioral health provider who is a civilian employee of the Department of Defense.  

(3) MILITARY BEHAVIORAL HEALTH PROVIDER.—The term ‘‘military behavioral health provider’’ means a behavioral health provider who is a member of the Armed Forces.  

(4) UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES.—The term ‘‘Uniformed Services University of the Health Sciences’’ means the university established under section 2112 of title 10, United States Code.

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

Subtitle A—Acquisition Policy and Management

SEC. 801. MODIFICATIONS TO MIDDLE TIER ACQUISITION AUTHORITY.  
Section 804 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 321 note prec.) is amended by striking subsection (b) and inserting after the heading the following new subsection:  

‘‘(a) ELECTRONIC PLANNING.—Within one year of a program being designated as either a rapid prototyping or rapid fielding program, as defined by this section, the component acquisition executive concerned shall approve an acquisition plan that includes—  

(1) a potential transition pathway or pathways to an existing or planned program of record;  

(2) a life-cycle cost estimate; and  

(3) a test plan to verify desired performance goals.’’.  

SEC. 802. EXTENSION OF DEFENSE MODERNIZATION ACCOUNT AUTHORITY.  

SEC. 803. PROHIBITION ON CERTAIN PROCUREMENT CONTRACTS FOR DEFENSE ACQUISITION PROGRAMS.  

(a) Prohibition on Procurement.—The Secretary of Defense may not enter into, extend, or renew a contract to procure any major defense acquisition program that contains covered items.

(b) Certification Required.—The Secretary of Defense shall include in any solicitation for contract proposals, extensions, or renewals a requirement for prime contractors to certify with respect to—  

(i) items identified by the Secretary of Defense as covered items;  

(ii) items identified by the Secretary of Defense as covered items;  

(iii) items identified by the Secretary of Defense as covered items;  

(iv) can appropriately be acquired under fixed price contracts; or  

(v) that can be developed or procured under a section 804 rapid acquisition pathway.

(2) Definition.—In this section, the term ‘‘section 804 rapid acquisition pathway’’ means the rapid fielding acquisition pathway that is established under section 804 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 321 prec.).

(b) Matters to be Included.—The procedures prescribed under subsection (a) shall include the following:  

(1) A process for streamlined communications between the Chairman of the Joint Chiefs of Staff, the acquisition community, and the research and development community, including—  

(A) a process for the commanders of the combatant commands and the Chairman of the Joint Chiefs of Staff to communicate their needs to the acquisition community and the research and development community; and  

(B) a process for the acquisition community, and the research and development community to propose capability that meet the needs communicated by the combatant commands and the Chairman of the Joint Chiefs of Staff;  

(2) Procedures for demonstrating, rapidly acquiring, and deploying a capability proposed pursuant to paragraph (1)(B), including—  

(A) a process for demonstrating performance and evaluating for current operational purposes the performance of the capability; and  

(B) a process for making deployment and utilization determinations based on information obtained pursuant to subparagraphs (A) and (B) of section 804 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 321 prec.).

(3) A process to determine the disposition of a capability, including termination (de-militarization or disposal), continued sustainment, or transition to a program of record.

(4) Specific procedures in accordance with the guidance developed under section 804(a) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 321 prec.).

(c) Response to Combat Emergencies and Other Certain Urgent Operational Needs.—  

(1) Determination of Need for Urgent Acquisition and Deployment.—(A) In the case of any capability that, as determined in writing by the Secretary of Defense, is urgently needed to eliminate a documented deficiency that has resulted in combat casualties, or is likely to result in combat casualties, the Secretary may use the procedures developed under this section in order to accomplish the urgent acquisition and deployment of the needed capability.  

(B) In the case of a capability that, as determined in writing by the Secretary of Defense, is urgently needed to eliminate a documented deficiency that has resulted in combat casualties, or is likely to result in combat casualties, the Secretary may use the procedures developed under this section in order to accomplish the urgent acquisition and deployment of the needed capability.

(2) (i) In the case of any cyber capability that, as determined by the Secretary of Defense, is urgently needed to eliminate a documented deficiency that impacts an ongoing or anticipated contingency operation and that, if left unfulfilled, could potentially result in loss of life or critical mission failure, the Secretary may use the procedures developed under this section in order to accomplish the urgent acquisition and deployment of the needed capability.

(II) In the case of any cyber capability that, as determined by the Secretary of Defense, is urgently needed to eliminate a documented deficiency that impacts an ongoing or anticipated contingency operation and that, if left unfulfilled, could potentially result in loss of life or critical mission failure, the Secretary may use the procedures developed under this section in order to accomplish the urgent acquisition and deployment of the needed capability.

(3) Definitions.—In this section:  

(B) In the case of any capability that, as determined in writing by the Secretary of Defense, is urgently needed to eliminate a documented deficiency that has resulted in combat casualties, or is likely to result in combat casualties, the Secretary may use the procedures developed under this section in order to accomplish the urgent acquisition and deployment of the needed capability.  

(C) a process for making deployment and utilization determinations based on information obtained pursuant to subparagraphs (A) and (B) of section 804 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 321 prec.).

(C) a process for making deployment and utilization determinations based on information obtained pursuant to subparagraphs (A) and (B) of section 804 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 321 prec.).
loss of life, property destruction, or economic effects, the Secretary may use the procedures developed under this section in order to accomplish the urgent acquisition and deployment of the needed offensive or defensive cyber capability.

(2) DESIGNATION OF SENIOR OFFICIAL RESPONSIBLE FOR ACQUISITION.—(A) In the case of a determination by the Secretary that funds are necessary to immediately initiate a project under a section 804 rapid acquisition pathway, in an amount aggregating not more than $200,000,000 during any fiscal year; and

(B) Upon designation of a senior official under paragraph (1)(B), in an amount aggregating not more than $200,000,000 during any fiscal year;

(C) In exercising the authority under this section, the use of funds is limited as follows:

(i) When operation and maintenance (O&M) funds are utilized as a source, special O&M funds established for a dedicated or prescribed purpose may not be used.

(ii) When funds are utilized for sustainment of the capability, the authority may not be used for more than 2 years.

(3) USE OF FUNDS.—(A) In any fiscal year in which the Secretary makes a determinations under subparagraph (A), (B), or (C) of paragraph (1) that a capability is urgently needed in a time-frame not to exceed a specified period, the Secretary may use such funds to fulfill any requirement for the capability. Such access shall be provided in a manner that minimizes adverse consequences resulting from the urgent need.

(B) Under designation of a senior official under subparagraph (A) with respect to a needed capability, the Secretary shall authorize that official to waive any provision of law or regulation described in subsection (d) that such official determines in writing would unnecessarily impede the urgent acquisition and deployment of the needed capability. In a case in which the Secretary determines that such a waiver would unnecessarily impede the urgent acquisition and deployment of the needed capability, the Secretary shall require that an interim solution be implemented and deployed using the procedures developed under this section to minimize adverse consequences resulting from the urgent need.

(4) LIMITATIONS.—Nothing in this sub-section shall apply to the acquisition of a capability that is not certified as being necessary to the national security and other relevant operational requirements.

(5) NOTIFICATION TO CONGRESSIONAL DEFENSE COMMITTEES.—The authority to make determinations under this section shall be exercised only by the Secretary or Deputy Secretary of Defense. For a capability that is identified in the operational assessment as being necessary to fulfill any requirement to provide information to Congress for a program referred to as "new start program" that has not previously been specifically authorized by law or for which funds have not previously been appropriated.

(6) AUTHORITY TO WAIVE CERTAIN LAWS AND REGULATIONS.—(1) AUTHORITY.—The Secretary or Deputy Secretary of Defense, for a capability required to address the needs described in subsection (c)(1) or, upon a determination described in subsection (c)(1), and the senior official designated in accordance with subsection (c)(2), with respect to that determination, is authorized to waive any provision of law or regulation addressing:

(A) the establishment of a requirement or specification for the capability to be acquired;

(B) the research, development, test, and evaluation of the capability to be acquired;

(C) the production, fielding, and evaluation of the capability. Such access shall be provided in consultation with the Director of Operational Test and Evaluation.

(2) LIMITATION.—Nothing in this subsection authorizes the waiver of—

(A) any requirement for any deficiency of capability identified in the operational assessment to be the determining factor in deciding whether to deploy the capability.

(B) A requirement to make determinations under paragraph (1) and under paragraph (3)(A) that funds are necessary to immediately initiate a project under a section 804 rapid acquisition pathway, in an amount aggregating not more than $200,000,000 during any fiscal year; and

(C) a requirement for any deficiency of capability identified in the operational assessment to be the determining factor in deciding whether to deploy the capability.

(3) DIRECTOR OF OPERATIONAL TEST AND EVALUATION.—The senior official designated as the Director of Operational Test and Evaluation shall have access to operational records and data relevant to such capability in accordance with section 133(b) for the purpose of completing operational test and evaluation of the capability. Such access shall be provided in a manner and time that is determined by the Secretary of Defense consistent with requirements of operational security and other relevant operational requirements.

(b) CLERICAL AMENDMENT.—The table of chapters at the beginning of subtitle A, and at the beginning of part V of subtitle A, of title 10, United States Code, is amended by striking the item relating to chapter 253 and inserting the following:

"253. Rapid Acquisition Procedures . . . 3601"
SEC. 806. MODIFICATION OF REPORTING REQUIREMENTS IN CONNECTION WITH REQUESTS FOR MULTITRACK PROCUREMENT AUTHORITY FOR LARGE DEFENSE ACQUISITIONS.

Section 306l(i)(2) of title 10, United States Code, is amended—

(1) by striking “shall include in the request the following:” and all that follows through “(A) A report” and inserting “shall include in the request—” and (B) by striking subparagraph (B);

SEC. 807. MODIFICATION OF LIMITATION ON CANCELATION OF DESIGNATION OF EXECUTIVE AGENT FOR A CERTAIN DEFENSE PRODUCTION ACT PROGRAM.

Section 226 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1335) is amended—

(1) in subsection (a), by striking “The Secretary” and inserting “Except as provided in subsection (d)”; and

(2) by redesignating subsection (e) as subsection (f); and

(3) by adding at the end of subsection (d) the following new subsection:

“(e) DESIGNATION OF OTHER EXECUTIVE AGENTS.—The Secretary of Defense may designate other Executive Agents within the Department to implement Defense Production Act transactions entered into under the authority of section 3602, 4803 and 4804 of title 10, United States Code.”

SEC. 808. COMPTROLLER GENERAL ASSESSMENT OF ACQUISITION PROGRAMS AND RELATED REPORTS.

(a) In General.—Section 3072 of title 10, United States Code, is amended—

(1) in the section heading, by striking “INITIATIVES” and inserting “EFFORTS”;

(2) by striking “initiatives” each place it appears and inserting “efforts”; and

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

“(e) TREATMENT OF CERTAIN CLAUSES IMPLEMENTING EXECUTIVE ORDER MANDATES.—

SECTION 3862 OF TITLES 10, 3862 OF TITLES 32, AND 3865 OF TITLE 41, UNITED STATES CODE, IS AMENDED—

(1) in the matter preceding subparagraph (A), by striking “only” and inserting “in the comparable manner”;

(2) in subsection (a), by striking “within 120 days after the date of enactment of this Act” and inserting “within 240 days after the date of enactment of this Act”;

(3) by adding at the end of subsection (a) the following new subparagraph:

“(A) by striking paragraphs (1) and (2) as amended of section 3703(a) of this title, and inserting the offeror shall be required, on an annual basis, to provide the contracting officer or provide access to—

(1) by striking “all” before “prices paid”;

(2) by striking “and” after “prices paid”; and

(3) by striking “or” after “prices paid”;

(b) AMENDMENTS RELATING TO COMPONENTS OF MAJOR WEAPONS SYSTEMS.—

SECTION 3455(b) OF TITLE 10, UNITED STATES CODE, IS AMENDED—

(1) by redesigning paragraphs (1) and (2) as subparagraphs (A) and (B); and

(2) by inserting “(1)” before “A subsystem of a major weapon system”;

and

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

“(2) For subsystems proposed as commercial as defined in title 10, United States Code, and that have not been previously determined commercial in accordance with section 3703 of title 10, the offeror shall be required to identify the comparable commercial product that is customarily used by the general public or non-governmental entities that serves as the basis for the ‘of a type’ assertion. The offeror shall submit a comparison of the essential physical characteristics and functionality between the proposed ‘of a type’ product and the comparable commercial product so identified as a change directed by the contracting officer pursuant to, and subject to, the Changes clause of the underlying contractual instrument.

“(2) In this subsection, the term ‘covered clause’ means any clause implementing the requirements of an Executive order issued by the President.”; and

(2) by striking “DEFINITION and inserting “DEFINITIONS”; and

(3) by striking “DEFINITION”.

(b) by striking “DEFINITION” and inserting “DEFINITIONS”;

and

(c) by adding by the end the following new paragraph:

“(c) AMENDMENTS RELATING TO INFORMATION SECURITY.—Section 3455(d) of such title is amended—

(1) in the section heading, by inserting after “SUBMITTED” the following: “FOR PROPOSALS THAT NOT COVERED BY THE EXCEPTIONS IN SECTION 3703(A)(1) OF THIS TITLE”;

(2) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking “the contracting officer shall require the offeror to submit—” and inserting “the offeror shall be required, on an annual basis, to provide the contracting officer or provide access to—”;

(B) in subparagraph (A), by striking “all” before “prices paid”;

and

(ii) by inserting “‘terms and conditions’” after “‘terms and conditions’”;

and

(2) by striking “information on—” and all that follows through “of a type assertion. The offeror shall submit a comparison of the essential physical characteristics and functionality between the proposed of a type product and the comparable commercial product so identified”;

and

(B) by striking “the offeror shall be required, on an annual basis, to provide the contracting officer or provide access to—”;

(ii) by inserting “‘terms and conditions’” after “‘terms and conditions’”;

and

(2) in paragraph (2)—

(i) by striking clauses (ii), (iii), and (iv); and

(ii) by striking “information on—” and all that follows through “of a type assertion. The offeror shall submit a comparison of the essential physical characteristics and functionality between the proposed of a type product and the comparable commercial product so identified”;

and

(E) by striking “on which the prime contractor adds no, or negligible, value”.

SEC. 823. TASK AND DELIVERY ORDER CONTRACTING FOR ARCHITECTURAL AND ENGINEERING SERVICES.

Section 3456 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(b) ARCHITECTURAL AND ENGINEERING SERVICES.—(1) Task or delivery orders for architectural and engineering services issued under section 3403 or 3405 of this title shall be qualification-based selections executed in accordance with chapter 5 of title 41. The head of an agency shall not routinely request additional information from contractors, but may request additional information or conduct discussions with contractors when available information is insufficient, in order to determine the most highly qualified contractor to perform the work in accordance with chapter 5 of title 41.

SEC. 824. EXTENSION OF PILOT PROGRAM FOR DISTRIBUTION SUPPORT AND SERVICES FOR WEAPONS SYSTEMS CONTRACTORS.


(1) in subsection (a), by striking “six-year pilot program” and inserting “seven-year pilot program”;

and

(2) in subsection (g), by striking “six years” and inserting “seven years”.

SEC. 825. PILOT PROGRAM TO ACCELERATE TRADING AND PRICING PROCEEDS.

Section 890(c) of the John S. McCain National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 2306a note) is amended by striking “January 2, 2023” and inserting “January 2, 2024”.

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SEC. 826. EXTENSION OF NEVER CONTRACT WITH THE ENEMY.
Section 841(m) of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3455) is amended by striking “December 31, 2023” and inserting “December 31, 2025”.

SEC. 827. PROGRESS PAYMENT INCENTIVE PILOT.
(a) PILOT PROGRAM.—The Secretary of Defense, acting through the Under Secretary of Defense for Acquisition and Sustainment, shall implement a pilot program, to be known as the “Progress Payment Incentive Pilot Program”, to make accelerated progress payments contingent upon responses to Department of Defense goals for effectiveness, efficiency, and increasing small business contract opportunities.

(b) PURPOSE.—The purpose of the pilot program is to reward Department of Defense contractors who meet contract delivery dates, respond to Department solicitations for required certified cost or pricing data, meet small business contracting goals, and provide subcontracting opportunities for AbilityOne contracts.

(c) EXCEPTIONS.—(1) LIMITATIONS FOR LARGE CONTRACTORS.—Except as provided under paragraph (2), under the pilot program, the Department of Defense may not award to large business contractors progress payments in excess of 50 percent.

(2) EXCEPTIONS.—The Department of Defense may increase the rate of progress payments, up to a total of 95 percent, by the following percentages:

(A) 10 percent if the relevant division of the contractor met contract delivery dates for contract end items and contract data requirement lists or performance milestone schedules, as the case may be, at least 95 percent of the time during the preceding Government fiscal year.

(B) 10 percent if the division does not have open level III or IV corrective action requests.

(C) 10 percent if all applicable contractor business systems are acceptable, without significant deficiencies.

(D) 7.5 percent if at least 95 percent of the time during the preceding Government fiscal year, when responding to solicitations that required certified cost or pricing data, the division met the due date in the request for proposal.

(E) 5 percent if the contractor has met its small business subcontracting goals during the preceding Government fiscal year.

(F) 2.5 percent if the contractor has provided subcontracting opportunities for the blind and severely disabled.

(g) DEFINITIONS.—In this section:

(1) LARGE DEFENSE CONTRACTOR.—The term “large defense contractor” means a contractor (other than an institution of higher education or a federally funded research and development center) that received more than $10,000,000 in annual revenue from the Department of Defense contracts or licenses in any of the previous three years.

(2) PAYMENTS.—The term “progress payments” means payments provided for under section 3804 of title 10, United States Code.

SEC. 828. REPORT ON DEPARTMENT OF DEFENSE STRATEGIC CAPABILITIES OFFICE CONTRACTING CAPABILITIES.
(a) REPORT.—Not later than March 1, 2023, the Secretary of Defense, in coordination with the Under Secretary of Defense for Acquisition and Sustainment, the Under Secretary of Defense for Research and Engineering, and the Director of the Strategic Capabilities Office (SCO), shall submit to the congressional defense committee a report on the adequacy of SCO contracting authorities.

(b) ELECTRONIC REPORT.—The report required under subsection (a) shall include—

(1) a summary of the existing authorities of the SCO, including the mechanisms for contracting and any other contracting programs;

(2) an assessment of the average amount of time needed to conduct contracting actions through current mechanisms described in paragraph (1);

(3) an assessment of the pros and cons of the current contracting processes for SCO in relation to their ability to rapidly develop and deploy technology in support of Department of Defense operational units;

(4) an assessment of the type or types of contracting authority that would be most beneficial to the SCO in carrying out its mission in order to achieve desired speed and scale for the organization, including any limits or oversight measures that should be put into place;

(5) an assessment of structural changes that may be needed in order to accommodate the preferred contracting approach for SCO; and

(6) the Secretary of Defense’s recommendations for future authorities for the SCO.

SEC. 841. ANALYSIS OF CERTAIN ACTIVITIES FOR ACTION TO ADDRESS SOURCING AND INDUSTRIAL CAPACITY.
(a) ANALYSIS REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense, acting through the Under Secretary of Defense for Acquisition and Sustainment and other appropriate officials, shall review the items under subsection (c) to determine and develop appropriate actions, consistent with the policies, programs, and activities required under subpart I of part V of subtitle A of title 10, United States Code, chapter 83 of title 41, United States Code, and the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.), including—

(A) restricting procurement, with appropriate waivers for cost, emergency requirements, and non-availability of suppliers, including restrictions on suppliers of—

(i) suppliers in the United States;

(ii) suppliers in the national technology and industrial base (as defined in section 4801 of title 10, United States Code); and

(iii) suppliers in other allied nations; or

(iv) other suppliers;

(B) increasing investment in use of research and development or procurement activities and acquisition authorities to—

(i) expand production capacity;

(ii) diversify sources of supply; or

(iii) promote alternative approaches for addressing military requirements;

(C) prohibiting procurement from selected sources or nations;

(D) taking a combination of actions described under subparagraphs (A), (B), and (C); or

(E) taking no action.

(2) CONSIDERATIONS.—The analyses conducted pursuant to paragraph (1) shall consider national security, economic, and treaty implications, as well as impacts on current and potential suppliers of goods and services.

(b) REPORTING ON ANALYSES, RECOMMENDATIONS, AND ACTIONS.—The items described in this subsection are the following:

(1) Solar components for satellites.

(2) Satellite ground station service contracts.

SEC. 842. MODIFICATION TO MISCELLANEOUS LIMITATIONS ON THE PROCUREMENT OF GOODS OTHER THAN UNITED STATES GOODS.
Section 4814 of title 10, United States Code, is amended by inserting after subsection (j) the following new subsection:

“(k) PERIODIC REVIEW REQUIREMENT.—

“(1) REQUIRED DETERMINATION.—Not later than November 1, 2023, and every two years thereafter, the Under Secretary of Defense for Acquisition and Sustainment shall review each item included in sections (a) and (e) of this section and make and submit to the congressional defense committees a written determination with one of the following recommendations:

“(A) Recommend continued inclusion of the item under this section.

“(B) Recommend continued inclusion of the item under this section with modifications.

“(C) Recommend discontinuing inclusion of the item under this section.

“(D) Elements.—The review required under paragraph (1) shall include the following elements for the most recent five-year period:

“(A) The criticality of the item to a military unit’s mission accomplishment or other national security objectives.

“(B) The extent to which such item is fielded in current programs of record.

“(C) The number of such items to be procured by current programs.

“(D) The extent to which cost and pricing data for such item has been deemed fair and reasonable.

“(E) Justification.—The determination required under paragraph (1) shall also include the findings of the review conducted under…
such paragraph and other key justifications for the determination.’’.

SEC. 843. DEMONSTRATION EXERCISE OF EN- HANCED PLANNING FOR INDUS-
TRIAL MOBILIZATION AND SUPPLY
CHAIN MANAGEMENT.

(a) Demonstration Exercise Required.—Not
later than December 31, 2024, the Secretary of Defense shall conduct a demonstration exercise of industrial mobilization and supply chain management planning capabilities in support of declared operational or contingency plan use case, as selected in consulta-
tion with the Chairman of the Joint Chiefs of Staff and the Secretary of Defense for Acquisition and Sustainment. The demo-
stration exercise shall identify a current program that is both fielded and still in produc-
tion with the Chairman of the Joint Chiefs of Staff and the Secretary of Defense for
Management, as associated with the selected oper-
ational contingency plan.

(b) Elements.—The demonstration exercise
required under subsection (a) shall include the following elements:

(1) The exercise of processes and authori-
ties that support the Department for indus-
trial mobilization and supply chain manage-
ment, as associated with the selected opera-
tional or contingency plan.

(2) The identification of process improve-
ments or gaps in resources, capabilities, or
authorities to support industrial mobilization or
contingency operations.

(3) The implementation of analytical tools
and processes to monitor and assess the health of the industrial base and near-
time data and visualization capabilities in
making production and distribution deci-
sions, with an emphasis on identifying,
assessing, and demonstrating commercially available tools.

(4) An establishment and tracking of goals
and metrics to support institutionalization
of defense industrial base health assessment
and planning.

(c) Briefing Required.—Not later than No-

vember 1, 2023, the Secretary shall provide to the congressional defense committees an in-
term briefing on the demonstration exercise required under subsection (a), including—

(1) an identification of the programs and
use cases to be demonstrated;

(2) a description of methodology for exe-
cuting the demonstration exercise, including analytical tools or metrics identified to sup-
port the process; and

(3) preliminary findings.

(d) Assessment.—Not later than March 1, 2025, the Secretary shall submit to the con-
gressional defense committees a final assess-
ment report of the demonstration exercise, including a description of—

(1) the use cases considered in this dem-
onstration exercise;

(2) the elements required under subsection
(b); and

(3) outcomes and conclusions;

(4) lessons learned; and

(5) any recommendations for legislative ac-
tion that may be required as a result.

(e) Definitions.—In this section, the terms ‘‘military department,’’ ‘‘Defense Agency,’’ and Defense Field Activity’’ have the mean-
ings given those terms in section 101 of title
10, United States Code.

SEC. 844. RARE EARTH ELEMENTS AND STRATEGIC AND CRITICAL MA-
TERIALS.

(a) Disclosures Concerning Rare Earth Elements and Strategic and Critical Materials by Contractors of Department of Defense.—

(1) Requirement.—Beginning on the date
that is 30 months after the date of the enact-
ment of this Act, the Secretary of Defense shall
require that any contractor that pro-
vides to the Department of Defense a system
that may be required as a result.

(2) Declaration.—In general.—For purposes of sub-
section (a), and except as provided in para-
graph (2), the goods and services described in
such subsection are goods and services—

(A) on the munitions list of the Inter-
national Traffic in Arms Regulations; or

(B) on the Commerce Control List that—

(i) are classified in the 599 series; or

(ii) contain strategic and critical mate-
rials, rare earth elements, or energetic mate-
rials used to manufacture missiles or munici-
plaries.

(3) Exemptions.—Goods and services de-
scribed in this subsection do not include—

(A) a system that is necessary to meet the
demands of a national emergency declared
under section 201 of the National Emergencies
Act (50 U.S.C. 1701) or—

(i) the continued procurement of the sys-
tem to meet the demands of a national
declassified national emergency declared
under section 201 of the National Emergencies
Act (50 U.S.C. 1701) or—

(ii) the contractor cannot currently make
the disclosure required by paragraph (1) but
is making significant efforts to comply with
the requirements of that paragraph.

(B) Waivers.—(A) The Secretary may make
a waiver under subparagraph (A)(ii) if the Con-
gressional Defense Committees appropri-
ate funds for the items described in that
paragraph.

(B) The establishment and tracking of goals
and metrics to support institutionalization
of defense industrial base health assessment
and planning.

(c) Briefing Required.—Not later than 30
days after the submission of each report re-
quired by subsection (b), the Secretary of
Defense shall provide to the Committees on
Armed Services of the Senate and the House of
Representatives that—

(1) the exercise of processes and authori-
ties necessary to meet the demands of a na-
tional emergency declared under section
201 of the National Emergencies Act (50
U.S.C. 1701) or—

(2) the contractor cannot currently make
the disclosure required by paragraph (1) but
is making significant efforts to comply with
the requirements of that paragraph.

(d) Waivers.—(A) The Secretary may make
a waiver under subparagraph (A)(ii) if the Con-
gressional Defense Committees appropri-
ate funds for the items described in that
paragraph.

(B) Waivers.—(A) The Secretary may make
a waiver under subparagraph (A)(ii) if the Con-
gressional Defense Committees appropri-
ate funds for the items described in that
paragraph.

(c) Briefing Required.—Not later than 30
days after the submission of each report re-
quired by subsection (b), the Secretary of
Defense shall provide to the Committees on
Armed Services of the Senate and the House of
Representatives that—

(1) the exercise of processes and authori-
ties necessary to meet the demands of a na-
tional emergency declared under section
201 of the National Emergencies Act (50
U.S.C. 1701) or—

(2) the contractor cannot currently make
the disclosure required by paragraph (1) but
is making significant efforts to comply with
the requirements of that paragraph.

(d) Waivers.—(A) The Secretary may make
a waiver under subparagraph (A)(ii) if the Con-
gressional Defense Committees appropri-
ate funds for the items described in that
paragraph.

(B) Waivers.—(A) The Secretary may make
a waiver under subparagraph (A)(ii) if the Con-
gressional Defense Committees appropri-
ate funds for the items described in that
paragraph.

(c) Briefing Required.—Not later than 30
days after the submission of each report re-
quired by subsection (b), the Secretary of
Defense shall provide to the Committees on
Armed Services of the Senate and the House of
Representatives that—

(1) the exercise of processes and authori-
ties necessary to meet the demands of a na-
tional emergency declared under section
201 of the National Emergencies Act (50
U.S.C. 1701) or—

(2) the contractor cannot currently make
the disclosure required by paragraph (1) but
is making significant efforts to comply with
the requirements of that paragraph.

(d) Waivers.—(A) The Secretary may make
a waiver under subparagraph (A)(ii) if the Con-
gressional Defense Committees appropri-
ate funds for the items described in that
paragraph.

(B) Waivers.—(A) The Secretary may make
a waiver under subparagraph (A)(ii) if the Con-
gressional Defense Committees appropri-
ate funds for the items described in that
paragraph.

(c) Briefing Required.—Not later than 30
days after the submission of each report re-
quired by subsection (b), the Secretary of
Defense shall provide to the Committees on
Armed Services of the Senate and the House of
Representatives that—

(1) the exercise of processes and authori-
ties necessary to meet the demands of a na-
tional emergency declared under section
201 of the National Emergencies Act (50
U.S.C. 1701) or—

(2) the contractor cannot currently make
the disclosure required by paragraph (1) but
is making significant efforts to comply with
the requirements of that paragraph.

(d) Waivers.—(A) The Secretary may make
a waiver under subparagraph (A)(ii) if the Con-
gressional Defense Committees appropri-
ate funds for the items described in that
paragraph.

(B) Waivers.—(A) The Secretary may make
a waiver under subparagraph (A)(ii) if the Con-
gressional Defense Committees appropri-
ate funds for the items described in that
paragraph.
REQUIREMENTS.—Not later than 30 days after

ANNUAL REPORT ON INDUSTRIAL BASE

Korea.''.

Authorization Act for Fiscal Year 2020 (10

Code, is amended by inserting ''New Zea-

Designated as strategic and critical under sec-

and critical materials'' means materials des-

be used to field technologies under the pro-

Session shall terminate on the date that

program for Phase II, four years for Phase II,
or three years for Phase III;''

in paragraph (6), as so redesignated, by inser-
ting ''and universities that make pro-

small business concerns''; and

by adding at the end the following new para-

(7) A description of potential invest-

3) A list of contracts for munitions with

DX or DO ratings under the Defense Prior-

(11) A list of contracts for munitions with

(12) A prioritized list of munitions or ca-

(3) Clerical Amendment.—The table of

(2) Clerical Amendment.—The table of

(5) Current maximum rate of production

(2) Average procurement unit cost per

(3) Contract type.

(4) Current minimum sustaining rate of

production per month and year.

(5) By amending subsection (d) to read as

(4) FUNDING.—(1) Not less than 3.2 percent

of the extramural budget for research, devel-

opment, test, and evaluation of the Depart-

ment in excess of $100,000,000 shall be used to

field technologies under the pro-

(2) Up to 0.5 percent of the amount re-

quired under paragraphs (3) and (6), respec-

(3) SEC. 861. MODIFICATIONS TO THE DEFENSE RE-

search and Development Rapid

INNOVATION PROGRAM.

(a) In general.—Section 4601 of title 10,

United States Code, is amended—

(1) in subsection (b)(1), by striking "field-

ing of technologies developed pursuant to

phase II Small Business Innovation Research

Program projects, the Small Business

Technology Transfer Program projects" and

inserting "fielding of technologies developed

pursuant to other programs within the De-

partment that received funding the program

operations and efforts to transition those pro-

grams into programs of record or fielded

systems; and
"(C) a description of each incentive that has been used by the Secretary under paragraph (2) and the effectiveness of that incentive with respect to meeting the goal under paragraph (1).

(b) **PUBLIC-PRIVATE PARTNERSHIP TECHNOLOGY INVESTMENT PILOT PROGRAM.**—

(1) **IN GENERAL.**—Chapter 303 of title 10, United States Code, is amended by inserting after section 4062 the following new section:

> **§ 4063. Public-private partnership technology investment pilot program**

"(a) **ESTABLISHMENT.**—(1) Subject to the availability of appropriations for this purpose, the Secretary of Defense shall, acting through the Under Secretary of Defense for Research and Engineering, and in coordination with the Secretary of Defense for Acquisition and Sustainment, carry out a pilot program, for no less than five years, to accelerate the development of advanced technology for national security by creating incentives for trusted private capital to invest in domestic small businesses or nontraditional businesses that are developing technology that the Secretary considers necessary to support the modernization of the Department of Defense and national security priorities.

(2) The criteria established for purposes of the program required by paragraph (1) are as follows:

(A) To promote the global superiority of the United States in advanced technologies of importance to national security, which are not adequately supported by private sector investment.

(B) To accelerate the transition and deployment of advanced technologies into the Armed Forces.

(C) To inform Department investment through coordinating planning considerations, defense roadmaps, and other analyses, as appropriate.

(b) **PUBLIC-PRIVATE PARTNERSHIP.—** (1) In carrying out subsection (a), the Secretary shall enter into a public-private partnership with one or more for-profit persons using criteria that the Secretary shall establish for purposes of this subsection.

(2) The criteria established under paragraph (1) for entering into a public-private partnership with a person shall include the following:

(A) The person shall be independent.

(B) The person shall be free from foreign oversight, control, influence, or beneficial ownership.

(C) The person shall have commercial private capital fund experience with technology development in the defense and commercial sectors.

(D) The person shall be eligible for access to classified information (as defined in the procedures established pursuant to section 801(a) of the National Security Act of 1947 (50 U.S.C. 3161(a))).

(3) The Secretary and a person with whom the Secretary enters a partnership under paragraph (1) shall enter into an operating agreement that sets forth the roles, responsibilities, authorities, reporting requirements, and governance framework for the partnership.

(c) **INVESTMENT AND RAISING OF CAPITAL.**—

(1) A partnership pursuant to a public-private partnership entered into under subsection (b), a person in good faith on a written representation of the mentor firm as provided in subsection (e), the mentor firm may enter into agreements under subsection (c)(1) if the mentor firm—

(i) demonstrates by evidence that it—

(A) is eligible for award of Federal contracts; and

(B) demonstrates that it—

(i) is of good financial health and character and does not appear on a Federal list of debarred or suspended contractors; and

(ii) can impart value to a protege firm based on experience gained as a Department of Defense contractor or through knowledge of general business operations and government contracting, as demonstrated by evidence that—

(I) during the fiscal year preceding the fiscal year in which the mentor firm enters into the agreement, the total amount of the Department of Defense contracts awarded to such mentor firm and the subcontracts awarded such mentor firm under Department of Defense contracts was equal to or greater than $3,000,000; or

(II) the mentor firm demonstrates the capability to assist in the development of protege firms, and is approved by the Secretary of Defense pursuant to funds specified in the regulations prescribed pursuant to subsection (j).

(2) The purposes of this subsection include—

(A) the mentor firm as provided in subsection (e), the mentor firm may enter into agreements under subsection (c)(1) if the mentor firm—

(i) demonstrates by evidence that it—

(A) is eligible for award of Federal contracts; and

(B) demonstrates that it—

(i) is of good financial health and character and does not appear on a Federal list of debarred or suspended contractors; and

(ii) can impart value to a protege firm based on experience gained as a Department of Defense contractor or through knowledge of general business operations and government contracting, as demonstrated by evidence that—

(I) during the fiscal year preceding the fiscal year in which the mentor firm enters into the agreement, the total amount of the Department of Defense contracts awarded to such mentor firm and the subcontracts awarded such mentor firm under Department of Defense contracts was equal to or greater than $3,000,000; or

(II) the mentor firm demonstrates the capability to assist in the development of protege firms, and is approved by the Secretary of Defense pursuant to funds specified in the regulations prescribed pursuant to subsection (j).

"(2) The purposes of the program shall be—

(A) to promote the global superiority of the United States in advanced technologies of importance to national security, which are not adequately supported by private sector investment.

(B) To accelerate the transition and deployment of advanced technologies into the Armed Forces.

(C) To inform Department investment through coordinating planning considerations, defense roadmaps, and other analyses, as appropriate.

(D) The person shall be eligible for access to classified information (as defined in the procedures established pursuant to section 801(a) of the National Security Act of 1947 (50 U.S.C. 3161(a))).

(E) To accelerate the development of advanced technology for national security by creating incentives for trusted private capital to invest in domestic small businesses or nontraditional businesses that are developing technology that the Secretary considers necessary to support the modernization of the Department of Defense and national security priorities.

(F) To provide assistance designed to—

(1) enhance the capabilities of disadvantaged small business concerns to perform as subcontractors and suppliers under Department of Defense contracts and other contracts and subcontracts; and

(2) increase the participation of such business concerns as subcontractors and suppliers under Department of Defense contracts, other Federal Government contracts, and commercial contracts.

SEC. 862. PERMANENT EXTENSION AND MODIFICATION OF MENTOR-PROTEGE PROGRAM.

(a) **PERMANENT EXTENSION AND MODIFICATION.**—Chapter 387 of title 10, United States Code, is amended by adding at the end the following new section:

> **§ 4902. Mentor-Protege Program**

(1) **ESTABLISHMENT OF PROGRAM.**—The Secretary of Defense shall establish a program to be known as the ‘Mentor-Protege Program’.

(2) **PURPOSE.**—The purpose of the program is to provide incentives for major Department of Defense contractors to furnish disadvantaged small business concerns with assistance that includes—

(A) enhance the capabilities of disadvantaged small business concerns to perform as subcontractors and suppliers under Department of Defense contracts and other contracts and subcontracts; and

(B) increase the participation of such business concerns as subcontractors and suppliers under Department of Defense contracts, other Federal Government contracts, and commercial contracts.

(3) **MENTOR PARTICIPANTS.**—(1) A business concern meeting the eligibility requirements set out in subsection (d) may enter into agreements under subsection (e) and furnish assistance characterized as small business concerns upon making application to the Secretary of Defense and being approved by the Secretary. A business concern participating in the program pursuant to such an approval shall be known, for the purposes of this program, as a ‘mentor firm’.

(2) A disadvantaged small business concern eligible for the award of Federal contracts may obtain assistance from a mentor firm upon entering into an agreement with the mentor firm as provided in subsection (e). A disadvantaged small business concern may not be a party to more than one agreement concurrently. The authority to enter into agreements under subsection (e) shall only be available to such concern during the 5-year period following the date such concern enters into the first such agreement. A disadvantaged small business concern receiving such assistance shall be known, for the purposes of the program, as a ‘protege firm’.

(3) In entering into an agreement pursuant to subsection (e), a mentor firm may rely in good faith on a written representation of a small business concern that such business concern is a disadvantaged small business concern. The Small Business Administration shall determine the status of a small business concern as a disadvantaged small business concern in the event of a protest regarding the status of such business concern. If at any time the business concern is determined by the Small Business Administration not to be a disadvantaged small business concern, assistance furnished such business concern by the mentor firm after the date of the determination may not be considered assistance furnished under the program.
"(2) A mentor firm may not enter into an agreement with a protege firm if the Administrator of the Small Business Administration has made a determination finding affiliation or control between the mentor firm and the protege firm.

"(3) If the Administrator of the Small Business Administration has not made such a determination and if the Secretary has reason to believe (based on the regulations promulgated by the Administrator regarding affiliation) that the mentor firm is affiliated with the protege firm, the Secretary shall request a determination regarding affiliation from the Administrator of the Small Business Administration.

"(e) MENTOR–PROTEGE AGREEMENT.—Before providing assistance to a protege firm under the purposes described in subsection (f), the department or agency shall enter into a mentor-protege agreement with the protege firm regarding the assistance to be provided by the mentor firm. The agreement shall include the following:

"(1) A developmental program for the protege firm, in such detail as may be reasonable, including:

"(A) factors to assess the protege firm’s developmental progress under the program;

"(B) a description of the quantitative and qualitative benefits to the Department of Defense resulting from assistance provided by the mentor firm.

"(C) goals for additional awards that the protege firm can compete for outside the Mentor-Protege Program; and

"(D) the mentor firm will provide to the protege firm in understanding contract regulations of the Federal Government and the Department of Defense (including the Federal Acquisition Regulation and the Defense Federal Acquisition Regulation Supplement) after award of a subcontract under this section, if applicable.

"(2) A program participation term for any period of not more than three years, except that the term may be a period of up to five years if the Secretary of Defense determines in writing that unusual circumstances justify a program participation term in excess of three years.

"(3) Procedures for the protege firm to terminate the agreement voluntarily and for the mentor firm to terminate the agreement for cause.

"(f) AIDS OF ASSISTANCE.—A mentor firm may provide a protege firm the following:

"(1) Assistance, by using mentor firm personnel, in—

"(A) general business management, including organizational management, financial management, and personnel management, marketing, and overall business planning;

"(B) technical and technical matters such as production, inventory control, and quality assurance; and

"(C) any other assistance designed to develop the capabilities of the protege firm under the developmental program referred to in subsection (e).

"(2) Award of subcontracts on a non-competitive basis to the protege firm under the Department of Defense or other contracts.

"(3) Payment of progress payments for performance of the protege firm under such a subcontract in amounts as provided for in the subcontract, but in no event may any such progress payment exceed 100 percent of the costs incurred by the protege firm for the performance.

"(4) Advance payments under such subcontracts.

"(5) Assistance.

"(6) Assistance obtained by the mentor firm for the protege firm from one or more of the following—

"(A) the business development centers established pursuant to section 21 of the Small Business Act (15 U.S.C. 648);

"(B) entities providing procurement technical assistance pursuant to this chapter;

"(C) a historically Black college or university or a minority institution of higher education;


"(g) INCENTIVES FOR MENTOR FIRMS.—(1) The Secretary of Defense may provide to a mentor firm reimbursement for the total amount of any progress payment or advance payment made under the program by the mentor firm to a protege firm in connection with a Department of Defense contract awarded the mentor firm.

"(2)(A) The Secretary of Defense may provide to a mentor firm reimbursement for the costs of the assistance furnished to a protege firm pursuant to paragraphs (1) and (6) of subsection (f) (except as provided in subparagraph (D)) as provided for in a line item in a Department of Defense contract under which the mentor firm is furnishing products or services to the Department, subject to a maximum amount of reimbursement specified in such contract, except that this sentence does not apply in such a case in which the Secretary of Defense determines in writing that unusual circumstances justify reimbursement using a separate contract.

"(B) The decision in annual performance reviews of a mentor firm’s mentor-protege agreement shall be a major factor in the determinations of amounts of reimbursement. A mentor firm is eligible to receive in the remaining years of the program participation term under the agreement.

"(C) The total amount reimbursed under this paragraph to a mentor firm for costs of assistance furnished in a fiscal year to a protege firm may not exceed $15,000,000, except in a case in which the Secretary of Defense determines in writing that unusual circumstances justify a reimbursement of a higher amount.

"(D) The Secretary may not reimburse any fee assessed by the mentor firm for services provided to the protege firm pursuant to subsection (f)(6) or for business development expenses incurred by the mentor firm under a contract awarded to the mentor firm while participating in a joint venture with the protege firm.

"(3)(A) Costs incurred by a mentor firm in providing assistance to a protege firm that are not reimbursed pursuant to paragraph (2) shall be recognized in determining whether the mentor firm attains a subcontracting participation goal applicable to such mentor firm under a Department of Defense contract, under a contract with another executive agency, or under a divisional or company-wide subcontracting plan negotiated with the Department of Defense or another executive agency.

"(B) The amount of the credit given a mentor firm for such costs shall be equal to—

"(i) four times the total amount of such costs attributable to assistance provided by entities described in subsection (f)(6);

"(ii) three times the total amount of such costs attributable to assistance furnished by the mentor firm’s employees; and

"(iii) two times the total amount of any other such costs.

"(C) Under regulations prescribed pursuant to subsection (j), the Secretary of Defense shall determine whether a mentor firm pursuant to subparagraphs (A) and (B) if the Secretary determines that the mentor firm’s performance regarding the award of subcontracting participation goals under small business concerns has declined without justifiable cause.

"(4) A mentor firm shall receive credit toward the attainment of a subcontracting participation goal applicable to such mentor firm for each subcontract for a product or service awarded under such contract by a mentor firm to a business concern that, except for its size, would be a small business concern owned and controlled by socially and economically disadvantaged individuals, but only if—

"(A) the size of such business concern is not more than two times the maximum size specified by the Administrator of the Small Business Administration for purposes of determining whether a business concern furnishing such product or service is a small business concern;

"(B) the business concern formerly had a mentor-protege agreement with such mentor firm that was not terminated for cause.

"(h) RELATIONSHIP TO SMALL BUSINESS ACT.—(1) For purposes of the Small Business Act (15 U.S.C. 631 et seq.), no determination of affiliation or control (either direct or indirect) may be found between a protege firm and its mentor firm on the basis that the mentor firm has agreed to furnish (or has furnished) to its protege firm pursuant to a mentor-protege agreement or to its mentor firm to a protege firm in connection with a Department of Defense contract awarded the mentor firm.

"(2) Notwithstanding section 8 of the Small Business Act (15 U.S.C. 637(d)), the Secretary of Defense may not determine a disadvantaged small business concern to be ineligible to receive any assistance authorized under the Small Business Act on the basis that such business concern has participated in the Mentor-Protege Program or has received assistance pursuant to any development or assistance agreement authorized under such program.

"(3) The Small Business Administration may not require a firm that is entering into, or entering into, an agreement under section (e) as a protege firm to submit the agreement, or any other document required by the Secretary of Defense in the administration of the Mentor-Protege Program, to the Small Business Administration for review, approval, or any other purpose.

"(i) PARTICIPATION IN MENTOR–PROTEGE PROGRAM NOT TO BE A BASIS FOR AWARD OF A CONTRACT OR SUBCONTRACT.—A mentor firm may not require a business concern to enter into an agreement with the mentor firm to subcontract with a mentor firm for being awarded a contract by the mentor firm, including a subcontract under a contract awarded to the mentor firm.

"(j) REGULATIONS.—The Secretary of Defense shall prescribe regulations to carry out the Mentor-Protege Program. Such regulations shall include the requirements set forth in section 8(d) of the Small Business Act (15 U.S.C. 637(d)) and shall prescribe procedures by which mentor firms may terminate participation in the program. The Department of Defense shall publish and maintain as an appendix to the Department of Defense Supplement to the Federal Acquisition Regulation a report by mentor firms.

"(k) REPORT BY MENTOR FIRMS.—To comply with section 8(d)(7) of the Small Business Act (15 U.S.C. 637(d)(7)), each mentor firm shall submit a report to the Secretary not less than once each fiscal year that includes, for the preceding fiscal year—

"(1) all technical or management assistance provided by mentor firm personnel for the purposes described in subsection (k)(1);

"(2) any new awards of subcontracts on a competitive or noncompetitive basis to the protege firm under Department of Defense contracts or other contracts, including the value of such subcontracts;
"(3) any extensions, increases in the scope of work, or additional payments not previously reported for prior awards of subcontract or contracts on a competitive or noncompetitive basis or subcontract or contracts under Department of Defense contracts or other contracts, including the value of such subcontract or contracts;

(4) the amount of any payment of progress payments or advance payments made to the protege firm for performance under any subcontract made under the Mentor-Protege Program;

(5) any loans made by the mentor firm to the protege firm;

(6) all Federal contracts awarded to the mentor-protege firm as a small business, Prime venture, designating whether the award was a restricted competition or a full and open competition;

(7) any assistance obtained by the mentor firm for the protege firm from one or more—

(A) small business development centers established pursuant to section 21 of the Small Business Act (15 U.S.C. 646);

(B) entities providing procurement technical assistance pursuant to this chapter; or

(C) historically Black colleges or universities or minority institutions of higher education;

(8) whether there have been any changes to the terms of the mentor-protege agreement;

(9) a narrative describing the success assistance provided under subsection (f) that has had in addressing the developmental needs of the protege firm, the impact on Department of Defense contracts, and addressing any problems encountered.

(1) REVIEW OF REPORT BY THE OFFICE OF SMALL BUSINESS PROGRAMS.—The Office of Small Business Programs of the Department of Defense shall review the report required by subsection (k) and, if the Office finds that the mentor-protege agreement is not furthering the purpose of the Mentor-Protege Program, decide not to approve any continuation of the agreement.

(2) ESTABLISHMENT OF PERFORMANCE GOALS AND PERIODIC REVIEWS.—The Office of Small Business Programs of the Department of Defense shall—

(1) establish performance goals consistent with the stated purpose of the Mentor-Protege Program and outcome-based metrics to measure progress in meeting those goals; and

(2) annually convene such committees, not later than February 1, 2020, a report on progress made toward implementing those performance goals and metrics as well as metrics used to evaluate the procedures used to approve mentor-protege agreements.

(n) DEFINITIONS.—In this section:

(1) The term 'affiliation', with respect to a relationship between a mentor firm and a protege firm, means a relationship described under section 121.103 of title 13, Code of Federal Regulations (or any successor regulations).

(2) The term 'disadvantaged small business concern' means a firm that is not more than the size standard corresponding to its primary North American Industry Classification System code, is not owned or managed by individuals or entities that directly or indirectly have stock options or convertible securities in the mentor firm, and is—

(A) a small business concern owned and controlled by socially and economically disadvantaged individuals;

(B) a business entity owned and controlled by an Indian tribe as defined by section 312(b)(3) of the Small Business Act (15 U.S.C. 637(d)(3));

(C) a business entity owned and controlled by a Native Hawaiian Organization as defined by section 8(a)(15) of the Small Business Act (15 U.S.C. 637(a)(15));

(D) a qualified organization employing severely disabled individuals;

(E) a small business concern owned and controlled by women, as defined in section 8(d)(3)(D) of the Small Business Act (15 U.S.C. 637(d)(3)(D));

(F) a small business concern owned and controlled by service-disabled veterans (as defined in section 8(d)(3) of the Small Business Act (15 U.S.C. 637(d)(3))); or

(G) a small business concern designated as a HUBZone small business concern (as defined in section 3(i) of the Small Business Act (15 U.S.C. 657a(b))); or

(H) a small business concern that—

(i) is a business entity that—

(1) is a nontraditional defense contractor, as such term is defined in section 3014 of this title; or

(ii) currently provides goods or services in the private sector that are critical to enabling the capabilities of the Department of Defense;

and

(ii) historically Black college or university means any of the historically Black colleges and universities referred to in section 2323 of this title, as of March 1, 2020.

(4) The term 'minority institution of higher education' means an institution of higher education with a student body that is at least 50 percent composed of students who

(i) are Indians;

(ii) are Alaska Natives;

(iii) are American Indians;

(iv) are Asian Indians;

(v) are Aleutians;

(vi) are Eskimos;

(vii) are members of the Hawaiian Islands; or

(viii) are of Native Hawaiian origin;

and

that—

(A) is certified by the Secretary of Commerce as such term is defined in section 3014 of this title; or

(B) is certified by the Secretary of Education as such term is defined by section 312(b)(3) of the Higher Education Act of 1965 (20 U.S.C. 1058(b)(3), (4), and (5));

(5) The term 'qualified organization employing severely disabled individuals' means a business entity operated on a for-profit or non-profit basis that—

(A) uses rehabilitative engineering to provide employment opportunities for severely disabled individuals and integrates severely disabled individuals into its workforce;

(B) employs severely disabled individuals at a rate of at least 20 percent of its total workforce;

(C) employs each severely disabled individual in its workforce generally on the basis of 40 hours per week; and

(D) pays not less than the minimum wage prescribed pursuant to section 6 of the Fair Labor Standards Act (29 U.S.C. 206) to those employees who are severely disabled individuals.

(6) The term 'severely disabled individual' means an individual who is blind (as defined in section 312(b)(3), (4), and (5)) of the Higher Education Act of 1965 (20 U.S.C. 1058(b)(3), (4), and (5));

(7) The.term 'small business concern' has the meaning given such term under section 3 of the Small Business Act (15 U.S.C. 632).''.

SEC. 864. DEMONSTRATION OF COMMERCIAL DUE DILIGENCE FOR SMALL BUSINESS PROGRAMS.

(a) DEMONSTRATION REQUIRED.—Not later than December 31, 2027, the Secretary of Defense shall conduct a demonstration of commercial due diligence tools, techniques, and processes in order to support small businesses in identifying attempts by malicious foreign actors to gain undue access or for extraneous control, control over technology they are developing on behalf of the Department of Defense.

(b) MEMBERSHIP.—The demonstration required under subsection (a) shall include the following elements:

(1) Identification of an entity to be responsible for the commercial due diligence processes, including interfacing with small business and law enforcement community.

(2) An assessment of existing commercial due diligence processes conducted by component small business offices.

(3) Development of tactics, techniques, and procedures for tools and processes that support commercial due diligence analysis to monitor and assess attempts by malicious foreign actors to gain undue access or foreign oversight, control, and influence over technologies under development by the small business community, including—

(A) providing a feedback loop with small business to provide two-way information sharing; and

(B) identifying, assessing, and demonstrating commercially available tools and services.

(4) Development of training and awareness materials for small business that can be shared directly or through the Procurement Technical Assistance Centers.
The Director of the Defense Health Agency shall—

(1) not later than one year after the issuance of the guidance required under subsection (a), develop and publish an implementing guidance for risk management for the Department of Defense supply chain for pharmaceuticals; and

(2) establish a working group—

(A) to assess risks to the Department’s pharmaceutical supply chain;

(B) to identify the pharmaceuticals most critical to beneficiary care at military treatment facilities; and

(C) to establish policies for allocating scarce pharmaceutical resources of the Department of Defense in case of a supply disruption.

SEC. 872. KEY ADVANCED SYSTEM DEVELOPMENT AREA.

(a) In General.—Not later than March 1, 2023, and every 180 days thereafter, the Secretary of Defense shall establish a key advanced system development area for each key advanced system development area.

(b) Responsibilities.—The Secretary of Defense, the Department of the Army, the Department of the Navy, and the Department of the Air Force, and the Commanders of the United States Air Force, the United States Navy, and the United States Air Force Cyber Command, shall have primary responsibility for the following tasks at the industry days required under subsection (a) for each key advanced system development area:

(1) identifying related or potentially related existing, planned, or potential military requirements, including urgent and emergent operational needs;

(2) identifying and describing related or potentially related capability needs or gaps in non-warfighting support areas;

(3) identifying and describing related or potentially related exercise, demonstration, or experimentation opportunities.

(c) Elements.—The Guidance under paragraph (b) shall—

(1) be developed and provided to industry—

(A) not later than one year after the issuance of the guidance required under subsection (a), and

(B) every 180 days thereafter;

(2) contain the following:

(A) a description of any identified instances of attempts by malicious foreign actors to gain undue access or foreign oversight, control, and influence over small business technology, and

(B) any preliminary findings;

(d) Assessment.—Not later than March 1, 2023, the Secretary shall provide a final assessment report of the demonstration required under subsection (a), including any analytical tools or metrics identified to support the process;

(e) Risk Management for Department of Defense Pharmaceutical Supply Chains.—The Director of the Defense Health Agency shall not later than one year after the issuance of the guidance required under subsection (a), develop and publish an implementing guidance for risk management for the Department of Defense supply chain for pharmaceuticals; and

(2) establish a working group—

(A) to assess risks to the Department’s pharmaceutical supply chain;

(B) to identify the pharmaceuticals most critical to beneficiary care at military treatment facilities; and

(C) to establish policies for allocating scarce pharmaceutical resources of the Department of Defense in case of a supply disruption.

SEC. 873. MODIFICATION OF PROVISION RELATING TO DETERMINATION OF CERTAIN ACTIVITIES WITH UNUSUALLY HAZARDOUS RISKS.

Section 1684 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81) is amended—

(1) in subsection (a), by striking “2022 and 2023” and inserting “2022 through 2024”;

(2) in subsection (b), by striking “September 30, 2023” and inserting “September 30, 2024.”

SEC. 874. INCORPORATION OF CONTROLLED UNCLASSIFIED INFORMATION GUIDANCE INTO PROGRAM CLASSIFICATION GUIDES AND PROGRAM PROTECTION PLANS.

(a) Updates Required.—

(1) In General.—The Secretary shall ensure that each program being developed under the Under Secretary of Defense for Intelligence and Security and the Under Secretary of Defense for Research and Engineering, ensure that all program classification guides (for classified programs) and all program protection plans (for unclassified programs) include guidance for the proper marking of controlled unclassified information at their next regularly scheduled update.

(b) Elements.—For the United States Cyber Command, cybersecurity situational awareness systems.

(c) Requests for Information.— requests for information are used properly and consistently.

(d) Monitoring of Progress.—In tracking the progress in carrying out subsection (a), the Under Secretary of Defense for Intelligence and Security and the Under Secretary of Defense for Research and Engineering shall implement a process for monitoring progress that includes the following:

(1) Tracking of all program classification guides and program protection plans so they

(2) provide to the congressional defense committees on a publicly accessible website.
TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

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

SEC. 901. INCREASE IN AUTHORIZED NUMBER OF ASSISTANT AND DEPUTY ASSISTANT SECRETARIES OF DEFENSE.

(a) ASSISTANT SECRETARY OF DEFENSE FOR CYBER POLICY.—

(b) INCREASE.—Section 138(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

"(2) One of the Assistant Secretaries is the Assistant Secretary of Defense for Cyber Policy. The principal duty of the Assistant Secretary shall be the overall supervision of policy and matters relating to cyber activities of the Department of Defense. The Assistant Secretary is the Principal Cyber Advisor described in section 932(c) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 10 U.S.C. 2224 note).".

SEC. 902. CONFIRMING AMENDMENTS RELATING TO REPEAL OF POSITION OF CHIEF INFORMATION OFFICER.

Section 2222 of title 10, United States Code, is amended—

(1) in subsection (c)(2), by striking "the Chief Management Officer of the Department of Defense, the Under Secretary of Defense for Acquisition and Sustainment, the Chief Information Officer, and the Chief Management Officer of the Department of Defense, the Under Secretary of Defense for Acquisition and Sustainment, and the Chief Information Officer";

(2) in subsection (c)(6), by striking "shall"; and

(3) by inserting "the Chief Information Officer,''; and

in coordination with the Chief Data and Artificial Intelligence Officer of the Department of Defense'' and inserting "the Chief Information Officer'';

SEC. 903. LIMITATION ON USE OF FUNDS UNTIL DEPARTMENT OF DEFENSE COMPLETES ANALYSIS THAT ARE RESPONSIBILITY OF ARMED FORCES.—

The funds authorized to be appropriated by section 501 for fiscal year 2023 for operation and maintenance, Defense-wide, and available as specified in the funding table in section 4301 for the Office of the Secretary of Defense, not more than 75 percent may be obligated or expended until the Department of Defense demonstrates a minimum viable product—

(1) to optimize and modernize the process described in section 908(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-283; 10 U.S.C. 111 note) for identifying reports to Congress required by annual national defense authorization Acts, assigning responsibility for preparation of such reports, and managing the collection and delivery of such reports to Congress; and

(2) that includes capabilities to enable—

(a) direct access by direct access by intergovernmental defense committees to the follow-on system to that process using secure credentials;

(b) rapid automatic ingestation of data provided by those intergovernmental defense committees to reports and briefings required to be submitted to Congress in a comma-separated value spreadsheet;

(c) sortable and exportable database views for tracking and research purposes;

(d) automated notification of relevant congressional staff and archival systems; and

(E) integration with Microsoft Office.

SEC. 904. LIMITATION ON USE OF FUNDS UNTIL DEPARTMENT OF DEFENSE COMPLETES ANALYSIS THAT ARE RESPONSIBILITY OF CENTRAL MANAGEMENT.—

The funds authorized to be appropriated by section 501 for fiscal year 2023 for operation and maintenance, Defense-wide, and available as specified in the funding table in section 4301 for the Office of the Secretary of Defense, not more than 75 percent may be obligated or expended until the Department of Defense demonstrates a minimum viable product—

(1) to optimize and modernize the process described in section 908(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-283; 10 U.S.C. 111 note) for identifying reports to Congress required by annual national defense authorization Acts, assigning responsibility for preparation of such reports, and managing the collection and delivery of such reports to Congress; and

(2) that includes capabilities to enable—

(a) direct access by direct access by intergovernmental defense committees to the follow-on system to that process using secure credentials;

(b) rapid automatic ingestation of data provided by those intergovernmental defense committees to reports and briefings required to be submitted to Congress in a comma-separated value spreadsheet;

(c) sortable and exportable database views for tracking and research purposes;

(d) automated notification of relevant congressional staff and archival systems; and

(E) integration with Microsoft Office.

SEC. 905. LIMITATION ON USE OF FUNDS UNTIL DEPARTMENT OF DEFENSE COMPLETES ANALYSIS THAT ARE RESPONSIBILITY OF CENTRAL MANAGEMENT.—

The funds authorized to be appropriated by section 501 for fiscal year 2023 for operation and maintenance, Defense-wide, and available as specified in the funding table in section 4301 for the Office of the Secretary of Defense, not more than 75 percent may be obligated or expended until the Department of Defense demonstrates a minimum viable product—

(1) to optimize and modernize the process described in section 908(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-283; 10 U.S.C. 111 note) for identifying reports to Congress required by annual national defense authorization Acts, assigning responsibility for preparation of such reports, and managing the collection and delivery of such reports to Congress; and

(2) that includes capabilities to enable—

(a) direct access by direct access by intergovernmental defense committees to the follow-on system to that process using secure credentials;

(b) rapid automatic ingestation of data provided by those intergovernmental defense committees to reports and briefings required to be submitted to Congress in a comma-separated value spreadsheet;

(c) sortable and exportable database views for tracking and research purposes;

(d) automated notification of relevant congressional staff and archival systems; and

(E) integration with Microsoft Office.
“(2) REQUIREMENTS NOT REQUIRED TO BE VALIDATED.—Except for requirements specified in subsections (b)(4) and (b)(5), requirements described in paragraph (1) are not required to be reviewed by the Joint Requirements Oversight Council.

“(3) INVENTORY OBJECTIVE REQUIREMENTS FOR NAVAL VESSELS TO TRANSPORT MARINES.—The Commandant of the Marine Corps shall be responsible for inventory objective requirements for naval vessels with the primary mission of transporting Marines.

SEC. 912. REPEAL AND REVISIONS TO UNIFIED COMMAND PLAN.
Section 161(b)(2) of title 10, United States Code, is amended—

(1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and by moving such clauses, as so redesignated, two ems to the right;

(2) by striking “the President shall notify” and inserting the following: “the President shall—

(A) notify:—

(3) in clause (ii), as redesignated by paragraph (1), by striking the period at the end and inserting “; and”;

(4) in paragraph (3), as so redesignated, by redesignating paragraph (6) as paragraph (9); and

(B) during that 60-day period, provide to the congressional defense committees a briefing, and such other authorities as the Secretary considers appropriate—

(A) to help spur innovative technological or process approaches; and

(B) to attract new entrants to solve the data management and visualization challenges of the Department.

(2) AUTHORITY TO REDESIGNATE.—The authorities described in this paragraph are the authorities provided under the following provisions of title 10, United States Code, is amended by adding at the end the following new subsection:

(3) INVENTORY OBJECTIVE REQUIREMENTS

(A) by redesignating paragraph (6) as paragraph (9); and

(B) by inserting after paragraph (9) the following new paragraphs:

“(6) Development and implementation of a uniform methodology for tracking and assessing cost savings and cost avoidance from reform initiatives.

“(7) Implementation of reform-focused research to improve management and administrative science.

“(8) Tracking and implementation of technology to improve management decision-making, such as artificial intelligence tools.”.

SEC. 913. UPDATES TO MANAGEMENT REFORM FRAMEWORK.
Section 1252(b) of title 10, United States Code, is amended—

(1) in subsection (c)—

(A) in paragraph (1), by striking “2022” and inserting “2023”;

(B) in paragraph (3), by inserting “the Director for Administration and Management of the Department of Defense,” after “the Chief Information Officer of the Department of Defense,”; and

(2) in subsection (d)—

(A) by redesignating paragraph (6) as paragraph (9); and

(B) by inserting after paragraph (9) the following new paragraph:

“(6) Development and implementation of a uniform methodology for tracking and assessing cost savings and cost avoidance from reform initiatives.

“(7) Implementation of reform-focused research to improve management and administrative science.

“(8) Tracking and implementation of technology to improve management decision-making, such as artificial intelligence tools.”.

SEC. 914. STRATEGIC MANAGEMENT DASHBOARD DEMONSTRATION.
(a) IN GENERAL.—The Secretary of Defense shall conduct a demonstration of a strategic management dashboard to automate the data collection and visualization of the primary management goals of the Department of Defense.

(b) REQUIREMENTS.—The Secretary shall ensure that the strategic management dashboard demonstrated under subsection (a) includes the following:

(1) The capability for real-time monitoring of the performance of the Department in meeting the management goals of the Department.

(2) An integrated analytics capability, including the ability to dynamically add or upgrade new capabilities when needed.

(3) Integration with the framework required by subsection (c) of section 125a of title 10, United States Code, for measuring the progress of the Department toward covered elements of reform (as defined in subsection (a) of that section).

(4) Incorporation of the elements of the strategic management plan required by section 904(d) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 2201 note), as derived from automated data feeds from existing information systems and databases.

(5) Incorporation of the elements of the most recent annual performance plan of the Department required by section 1115(b) of title 10, United States Code, and the most recent annual performance plan of the Department required by section 1116 of that title.

(6) Use of artificial intelligence and machine learning to improve decision-making and assessment relating to data analytics.

(7) Adoption of leading and lagging indicators for key strategic management goals.

(c) AUTHORITIES.—

(1) IN GENERAL.—In conducting the demonstration required by subsection (a), the Secretary may use the authorities described in paragraph (1), and such other authorities as the Secretary considers appropriate—

(A) to help spur innovative technological or process approaches; and

(B) to attract new entrants to solve the data management and visualization challenges of the Department.

(2) AUTHORITY TO DESCRIBE.—The authorities described in this paragraph are the authorities provided under the following provisions of title 10, United States Code, is amended by adding at the end the following new subsection:

“§ 9025. Vice Chief of Space Operations.

(a) APPOINTMENT.—There is a Vice Chief of Space Operations, appointed by the President, by and with the advice and consent of the Senate, from officers on the active-duty list of the Space Force not restricted in the performance of duty.

“(b) GRADE.—The Vice Chief of Space Operations, while so serving, has the grade of general or flag officer without vacating his permanent grade.

“(c) AUTHORITY AND DUTIES.—The Vice Chief has such authority and duties with respect to the Space Force as the President, with the approval of the Secretary of the Air Force, may delegate or prescribe for the Vice Chief. Orders issued by the Vice Chief in performing such duties have the same effect as those issued by the Chief.

“(d) VACANCY.—When there is a vacancy in the office of the Vice Chief of Space Operations, or during the absence or disability of the Chief—

“(1) the Vice Chief of the Space Operations shall perform the duties of the Chief until a successor is appointed or the absence or disability ceases; or

“(2) if there is a vacancy in the office of the Vice Chief of Space Operations or the Vice Chief is absent or disabled, unless the President directs otherwise, the most senior officer of the Space Force in the Headquarters, Space Force, who is not absent or disabled and who is not restricted in performance of duty shall perform the duties of the Chief until a successor to the Chief or the Vice Chief is appointed or until the absence or disability ceases, whichever occurs first.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 908 of title 10, United States Code, is amended by inserting after the item relating to section 9082 the following new item:

“9082a. Vice Chief of Space Operations.

SEC. 922. ESTABLISHMENT OF FIELD OPERATING AGENCIES AND DIRECT REPORTING UNITS OF THE SPACE FORCE.
(a) IN GENERAL.—Chapter 908 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 9087. Field operating agencies and direct reporting units.

(a) AUTHORITY.—The Secretary of the Air Force may establish within the Space Force the following:

(1) An Enterprise Talent Management Office to provide whole-life cycle talent management aligned to the needs of the Space Force.

(2) A Space Warfighting Analysis Center to conduct analysis, wargaming, and experimentation to create operational concepts and develop future force design options.

(b) ORGANIZATION.—

(1) ENTERPRISE TALENT MANAGEMENT OFFICE.—If, pursuant to the authority provided...
by subsection (a)(1), the Secretary establishes a Enterprise Talent Management Office, the Office shall operate as a field operating agency of the headquarters of the Space Force.

“(2) SPACE WARFIGHTING ANALYSIS CENTER.—If, pursuant to the authority provided by subsection (a)(2), the Secretary establishes a Space Warfighting Analysis Center, the Center shall operate as a direct reporting unit of the Chief of Space Operations.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 908 of title 10 of the United States Code, is amended by adding at the end the following new item:

“9087. Field operating agencies and direct reporting units.”

SEC. 923. FRAMEWORK FOR NEW SUBTITLE F OF TITLE 10, UNITED STATES CODE, ON SPACE COMPONENT.

(a) In General.—Title 10, United States Code, is amended by adding at the end the following new subtitle:

“Subtitle F—Space Component”

“Sec. 2001. [Reserved].

* 2002. [Reserved]...

* 2003. [Reserved]...

* 2004. [Reserved]...

* 2005. [Reserved]...

“CHAPTER 2001—[RESERVED]”

“Sec. 20101. [Reserved].

§ 20101. [Reserved].

“CHAPTER 2002—[RESERVED]”

“Sec. 20201. [Reserved].

§ 20201. [Reserved].

“CHAPTER 2003—[RESERVED]”

“Sec. 20301. [Reserved].

§ 20301. [Reserved].

“CHAPTER 2004—[RESERVED]”

“Sec. 20401. [Reserved].

§ 20401. [Reserved].

“CHAPTER 2005—[RESERVED]”

“Sec. 20501. [Reserved].

§ 20501. [Reserved].

(b) CLERICAL AMENDMENTS.—

(1) TABLE OF SUBTITLES.—The table of subtitles at the beginning of title 10, United States Code, is amended by adding at the end the following new item:

“F. Space Component................. 20101

(contingent repeal.—If subtitle F of title 10, United States Code, as added by subsection (a), or any chapter of that subtitle, as so added, is not amended during the period beginning on the day after the date of the enactment of this Act and ending on December 31, 2023, such subtitle or chapter, as the case may be, is repealed effective on January 1, 2027.

SEC. 924. STUDY OF PROPOSED SPACE FORCE REORGANIZATION.

(a) In General.—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 one or more federally funded research and development centers to conduct a study on the proposed reorganization of the Space Force and the establishment of the Space Component.

(b) Elements.—The study referred to in subsection (a) shall include a comprehensive review and assessment of—

(1) the feasibility and advisability of—

(A) exempting the proposed Space Component from the existing ‘‘up or out’’ system of officer career advancement first established by the Secretary of Defense, with the approval of the Congress, as set forth in section 1071 of title 10, United States Code, made by the Defense Officer Personnel Management Act (Public Law 96-513; 94 Stat. 2835); and

(B) combining active and reserve components in a new, single Space Component and whether a similar outcome could be achieved using the existing active and reserve components; and

(2) the implications of the proposed reorganization of the Space Force on the development of space as a warfighting domain in the profession of arms, particularly with respect to officer leadership, development, and stewardship of the profession;

(3) whether existing government ethics regulations are adequate to address potential conflicts of interest for Space Component officers who seek to move back and forth between sustained active duty and working for private sector organizations in the space industry as reserve officers in the Space Component;

(4) whether the proposed Space Component framework is consistent with the joint service requirements of chapter 38 of title 10, United States Code;

(b) budgetary implications of the establishment of the Space Component;

(5) the nature of the relationship with private industry and civilian employers that would be consistent with and consistent with professional ethics to successfully implement the Space Component; and

(6) any other issues the Secretary or the Secretary's agencies and development center considers relevant.

(c) DIVERSITY AND INCLUSION.—The study referred to in section (a) shall include an assessment of the proposed reorganization of the Space Force and the establishment of the Space Component on advancing diversity and inclusion in the Space Component.

(d) LIMITATION ON DELETION.—The authority of the Secretary to enter into a contract under subsection (a) may not be delegated by the Secretary of Defense to any other officer, employee, or contractor of the Department of Defense.

(e) REPORT REQUIRED.—Not later than December 31, 2023, 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 study referred to in subsection (a).

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 under this division to the budget of the Department of Defense in this division for fiscal year 2023 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.

(b) EXCEPTIO FOR TRANSFERS BETWEEN MILITARY PERSONNEL AUTHORIZATIONS.—A transfer made under subsection (a) of this section shall be treated as a transfer of authorizations under title IV shall not be counted toward the dollar limitation in paragraph (2).

(c) 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.

SECTION 1002. REPORT ON BUDGETARY EFFECTS OF INFLATION.

(a) ANNUAL REPORT.—Not later than 90 days following the submission of the President's budget under section 1105 of title 31, United States Code, the Secretary of Defense shall deliver to congressional defense committees a report on observed and anticipated budgetary effects related to inflation, including—

(1) the relevant inflation index used and the estimated and actual inflationary budgetary effects by sub-appropriation account for the previous two fiscal years and the current budget year;

(2) the enacted or requested appropriation amount by sub-appropriation;

(3) a calculation of estimated budgetary effects due to inflation using the previous fiscal year's estimated indices compared to those of the current fiscal year;

(4) a summary of any requests for equitable adjustment, exercising of economic price adjustment (EPA) clauses, or bilateral contract modifications to include an EPA, including the contract type and fiscal year and type and amount of appropriation used for the contract;

(5) a summary of any methodological changes in Department of Defense cost estimation practices for inflationary budgetary effects; and

(6) any other matters the Secretary determines appropriate.

(b) BUDGETARY IMPRISION.—Not later than 60 days following the conclusion of the Department of Defense budget mid-year review, the Secretary of Defense shall provide the congressional defense committees with a briefing on—

(1) any changes in the observed or anticipated inflation indices included in the report required under subsection (a); and

(2) any actions taken by the Department of Defense to respond to changes discussed in such report, with specific dollar value figures; and

(3) any requests for equitable adjustment received by the Department of Defense, economic price adjustment clauses exercised, or bilateral contract modifications to include an EPA made since the transmission of the report required under subsection (a).

Subtitle B—Counterdrug Activities

SEC. 1011. EXTENSION OF AUTHORITY AND ANNUAL REPORT ON UNIFIED COUNTERDRUG AND COUNTERTERROISM FORUMS COLOMBIA.

SEC. 1025. PROHIBITION ON RETIREMENT OF CERTAIN NAVAL VESSELS.

None of the funds authorized to be appropriated by the Act for fiscal year 2023 for the Navy may be obligated or expended to retire, replace, or place in storage any of the following naval vessels:

(1) USS Vicksburg (CG 69).
(2) USS Honolulu (LCC 11).

(3) USS Wichita (LCS 13).
(4) USS Billings (LCS 15).
(5) USS Indianapolis (LCS 17).
(6) USS St喜爱 (LCS 3).
(7) USS Germantown (LSD 42).
(8) USS Gunston Hall (LSD 44).
(9) USS Tortuga (LSD 46).
(10) USS Ashland (LSD 40).
(11) USNS Montford Point (T-ESD 1).
(12) USNS John Glenn (T-ESD 2).

Subtitle D—Counterterrorism

SEC. 1031. MODIFICATION AND EXTENSION OF PROHIBITION ON USE OF FUNDS TO CONSTRUCT OR MODERNIZE AVAILABILITIES FOR CERTAIN NAVAL VESSELS.

(a) SUBMARINE MAINTENANCE AND MODERNIZATION AVAILABILITIES.—The Secretary of the Navy may only enter into a contract with a private entity for a submarine modernization availability for a fast attack submarine that requires drydocking the submarine if the following conditions are met:

(1) The submarine is a Virginia-class submarine.
(2) The submarine has not conducted a previous drydock availability.

(b) SURFACE SHIP MAINTENANCE AND MODERNIZATION AVAILABILITIES.—In awarding contracts for maintenance and modernization availabilties for surface ships, issuing task orders for such availabilities, or carrying out other actions with respect to such availabilities, the Secretary of the Navy may not limit evaluation factors to price only.

SUBTITLE E—Miscellaneous Authorities and Limitations

SEC. 1041. DEPARTMENT OF DEFENSE—DEPARTMENT OF VETERANS AFFAIRS DISCHARGE REVIEW BOARD COMMITTEE.

(a) ESTABLISHMENT OF JOINT EXECUTIVE COMMITTEE.—

(1) IN GENERAL.—There is established an interagency committee to advise the Under Secretary of Defense for Personnel and Readiness and the Under Secretary of Veterans Affairs on matters relating to the discharge review boards under section 535 of title 10, United States Code.

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

(1) The Under Secretary of Defense for Personnel and Readiness, the Assistant Secretary of Manpower and Reserve Affairs for such military services, and such other officers and employees of the Department of Defense as the Secretary of Defense may designate.
(2) The Deputy Secretary of Veterans Affairs and such other officers and employees of the Department of Veterans Affairs as the Secretary of Veterans Affairs may designate.
SEC. 1042. MODIFICATION OF PROVISIONS RELATING TO CROSS-FUNCTIONAL TEAM FOR EMERGING THREAT RELATING TO ANOMALOUS HEALTH INCIDENTS.


(1) in subsection (b)—

(A) in paragraph (1), by striking “and” and inserting “; and”;

(B) in paragraph (2), by striking “and” and inserting “; and”;

(C) by inserting at the end of such section the following new paragraph:

“(3) any other effects regarding such incidents that the Secretary considers appropriate.”; and

(d) in subsection (c)(2), by striking “90 days” and all that follows through “of enactment” and inserting “March 1, 2023, and not less frequently than once every 180 days thereafter.”.

Section 1043. CIVILIAN CASUALTY PREVENTION, MITIGATION, AND RESPONSE.

SEC. 1043. CIVILIAN CASUALTY PREVENTION, MITIGATION, AND RESPONSE.

(a) ESTABLISHMENT OF OFFICE FOR CIVILIAN CASUALTY PREVENTION, MITIGATION, AND RESPONSE.—

(1) IN GENERAL.—The Secretary of Defense shall establish an Office for Civilian Casualty Prevention, Mitigation, and Response, to be known as the ‘‘Office for Civilian Casualty Prevention, Mitigation, and Response’’ (in this section referred to as the ‘‘Office’’), to serve as the focal point for matters related to civilian casualties and other forms of civilian harm resulting from military operations involving the Armed Forces of the United States Armed Forces.

(2) RESPONSIBILITIES.—Subject to the authority, direction, and control of the Secretary, the Office shall be responsible for—

(A) collecting data and reports of investigations related to civilian casualty incidents;

(B) analyzing data and trends with respect to civilian casualties;

(C) conducting regular reviews of civilian harm prevention, mitigation, and response policies and practices across the Department of Defense;

(D) referring civilian casualty incidents for investigation by appropriate components within the Department of Defense, when necessary;

(E) making recommendations to the Secretary and the Joint Chiefs of Staff to improve civilian harm prevention, mitigation, and response;

(F) ensuring lessons learned from investigations of civilian casualty incidents are captured and institutionalized within policy, training, and tactics, techniques, and procedures of the Department of Defense;

(G) coordinating and synchronizing efforts across joint and component commands, the Department of State, and other relevant United States Government departments and agencies to prevent, mitigate, and respond to civilian casualty incidents;

(H) engaging with nongovernmental organizations and civilian expertise; and

(I) any other responsibilities as the Secretary directs by the Office.

(b) STAFF.—The Secretary shall appoint to the Office such personnel as the Secretary determines are necessary.

(c) DIRECTOR.—The head of the Office shall be the Director, who shall be appointed by the Secretary from among individuals qualified to serve as the Director who have significant experience and expertise relating to the protection of civilians.

(d) ANALYSIS REQUIRED.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary shall complete and submit to the congressional defense committees a report on the status of the implementation by the Department of Defense of recommendations included in—

(A) the Civilian Casualty Review released by the Joint Staff in April 2018; and

(B) the independent assessment of Department of Defense standards, procedures, and policy relating to civilian casualties resulting from United States military operations required by section 1721 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1809); and

(2) any other effects regarding such incidents that the Secretary considers appropriate.”; and

SEC. 1044. PROHIBITION ON DELEGATION OF AUTHORITY TO DESIGNATE FOREIGN PARTNER FORCES AS ELIGIBLE FOR THE PROVISION OF COLLECTIVE SELF-DEFENSE SUPPORT BY UNITED STATES ARMED FORCES.

(a) PROHIBITION ON DELEGATION.—The authority to designate foreign partner forces as eligible for the provision of collective self-defense support by the United States Armed Forces may not be delegated below the Secretary of Defense.

(b) DEFINITION.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall review existing
designations of foreign partner forces as eligible for the provision of collective self-defense support by the United States Armed Forces and provide the congressional defense committees with a determination that such designations remain valid.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as invalidating a designation of foreign partner forces as eligible for the provision of collective self-defense support by the United States Armed Forces that is in effect as of the date of the enactment of this Act.

(d) COLLECTIVE SELF-DEFENSE DEFINED.—In this section, the term ‘collective self-defense’ means the United States military force to defend designated foreign partner forces, their facilities, and their property.

SEC. 1045. PERSONNEL SUPPORTING THE OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE FOR SPECIAL OPERATIONS COMMANDS AND LOW INTENSITY CONFLICT.

(a) PLAN REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a plan for adequately staff the office of the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict to fulfill the requirements of section 138(b)(2)(A)(i) of title 10, United States Code, for exercising authority, direction, and control of all special-operations peculiar administrative matters and equipping of special operations forces.

(b) ADDITIONAL INFORMATION.—The Secretary shall ensure the plan required under subsection (a) is informed by the manpower study required by the Joint Explanatory Statement accompanying the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81).

(c) ELEMENTS.—The plan required under subsection (a) shall include the following elements:

(1) A validated number of personnel necessary to fulfill the responsibilities of the Special Operations Command and the Special Operations Forces

(2) A hiring plan with milestones for gradually increasing the number of required personnel

(3) A breakdown of the optimal mix of required military, civilian, and contractor personnel

(4) An analysis of the feasibility and advisability of assigning a member of the Senior Executive Service as the Deputy Director of the Special Operations Command

(5) An identification of any anticipated funding shortfalls for personnel supporting the Special Operations Command

(6) Any other matters the Secretary determines relevant.

SEC. 1046. JOINT ALL DOMAIN COMMAND AND CONTROL.

(a) DIRECTION AND CONTROL OF CROSS-FUNCTIONAL TEAM FOR JOINT ALL DOMAIN COMMAND AND CONTROL.—The cross-functional team (CFT) to be assigned joint all domain command and control (JADC2) shall remain under the direction of the Director, Information, Command, Control, Communications, and Cyber (IC3) of the Joint Chiefs of Staff to execute—

(1) close collaboration with the Joint Requirements Oversight Council, the combatant commands, and the military services regarding operational requirements and requirements satisfaction; and

(2) objective assessments and reporting to the Deputy Secretary of Defense, the Secretary of the Air Force, the Vice Chairman of the Joint Chiefs of Staff about Joint All Domain Command and Control implementation plan execution by offices of primary responsibility.

(b) DEMONSTRATIONS AND FIELDING OF EFFECTS CHAINS.—In support of the emphasis of the National Defense Strategy on adversary-specific deterrence in support of actions that can be taken within the Future Years Defense Program focused on critical kill chains and integrated concepts of operation, including concepts of execution and experimentation, and to achieve objectives of the joint all domain command and control strategy and implementation plan that was approved by the Deputy Secretary of Defense in the United States Indo-Pacific Command area of operations, the Deputy Secretary and the Vice Chairman of the Joint Chiefs of Staff shall take the following actions:

(1) In consultation with the Commander of United States Indo-Pacific Command (INDOPACOM), identify a prioritized list of difficult mission-critical operational challenges specific to the area of operations of each command;

(2) Design, using existing systems and capabilities and resource through the Office of Cost Analysis and Program Evaluation and the Management Action Group of the Deputy Secretary of Defense, a series of multi-domain, multi-service and multi-agency, multi-platform, and multi-system end-to-end integrated kinetic and non-kinetic effects chains, including necessary battle management functions, to solve the operational challenges identified in subparagraph (A);

(3) Using management principles of joint all domain command and control, demonstrate the ability to execute the integrated effects chains identified in subparagraph (B) in a repeatable, repeatable basis, including the ability to achieve interoperability among effects chain components that do not conform to common interface standards, including through the use of the System of Systems Technology Integration Tool Chain for Heterogeneous Electronic Systems (STITCHES) managed by the 350th Spectrum Warfare Wing of the Department of the Air Force; and

(4) Create a plan to deploy the effects chains to the area of operations of United States Indo-Pacific Command and execute them at the scale and pace required to solve the identified operational challenges, including necessary logistics and sustainment capabilities.

(c) Designate the Commander of United States Indo-Pacific Command to serve as the transition partner for the integrated effects chains, and demonstrates and exercise them as operational capabilities.

(d) Designate the Strategic Capabilities Office and such other organizations as the Deputy Secretary deems appropriate to be responsible for—

(1) Composing and demonstrating the integrated effects chains under the mission management pilot planned by section 617 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81); and

(2) Providing continuing support and sustainment for, and training and exercising of, the integrated effects chains under the operational command of the Commander of United States Indo-Pacific Command.

(e) Integrate the planning and demonstrations of the effects chains with—

(A) The Production, Exploitation, and Dissemination Center in United States Indo-Pacific Command;

(B) The Family of Integrated Targeting Cells; and

(C) The tactical dissemination and information sharing systems for the Armed Forces and allies of the United States, including the Mission Partner Environment and the Maven Smart System.

(f) PERFORMANCE GOALS.—The Deputy Secretary, the Vice Chairman, and the Commander shall seek to—

(1) Demonstrate at least one new integrated effects chain on a quarterly basis, beginning with the third quarter of fiscal year 2022;

(2) Include such demonstrations, as feasible, in Valiant Shield, Northern Edge, the Louvre Global Exercise, the quarterly Scarlet Dragon exercises, the Global Information Dominance Experiments (GIDE), and annual force exercises in the area of responsibility of United States Indo-Pacific Command.

(d) IMPLEMENTATION PLAN AND ESTABLISHMENT OF JOINT FORCE HEADQUARTERS.—Not later than 180 days after the date of the enactment of this Act, the Commander, in consultation and coordination with the Deputy Secretary and the Vice Chairman, shall submit to the congressional defense committees an implementation plan for the establishment of a joint force headquarters to serve as an operational command, including the following:

(1) An integration of joint all domain command and control effects chains and mission command and control, including in conflicts that are with minimal war;

(2) The integrating capabilities of Assault Breaker II, developed by the Defense Advanced Research Projects Agency, and the related developmental development; and

(3) Transition to operational deployment;

(4) Exercising other joint all domain command and control capabilities and functions; and

(5) Other matters as the Commander considers appropriate.

(e) IMPLEMENTATION PLAN.—Not later than October 1, 2023, the Commander shall, in consultation and coordination with the Deputy Secretary and the Vice Chairman, establish a joint force headquarters as described in paragraph (1).
to the congressional defense committees an annual report on such joint force headquarters.

(2) CONTENTS.—Each report submitted under paragraph (1) shall include the following:

(A) A description of the mission and lines of effort of the joint force headquarters.

(B) An examination of the presence of joint force headquarters, and any other resources supporting the joint force headquarters, including support external to the headquarters.

(C) A description of the operational chain of command of the joint force headquarters.

(D) An assessment of the targeting and resourcing of the joint force headquarters, relative to pre-determined, pre-approved, operational missions.

(E) A description of the relationship with existing entities in Indo-Pacific Command, including an assessment of complementary and duplicative activities with such entities and the joint force headquarters.

(3) FORM.—Each report submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(g) DEFINITIONS.—In this section:

(1) The term ‘Family of Integrated Targeting Cells’ means the Maritime Targeting Cell-Afloat, the Maritime Targeting Cell-Expeditionary, the Tactical Intelligence Targeting Access Node, and other interoperable tactical ground stations able to task the collection of, receive, process, and disseminate track and targeting information from many sensing systems in austere communications conditions.

(2) The term ‘joint all domain command and control’: means the warfighting capability to sense, make sense, and act at all levels and phases of war, across all domains, and with partners, to deliver information advantage at the speed of relevance.

(3) The term ‘mission command’: means pre-decided, pre-approved, operational event-driven authorities and capabilities that ensure decentralized mission execution and operational effectiveness during situations where communications are denied, disconnected, intermittent, and limited.

SECTION 1048. DEPARTMENT OF DEFENSE SUPPORT IN DETERRING ILLEGAL IMMIGRATION AND CROSS BORDER CRIME.

(a) FINDINGS.—Congress finds the following:

(1) the Department of Defense in comparison to other executive branch agencies provided outstanding support to U.S. Customs and Border Protection along the southwest border of the United States.

(2) The Department of Defense has provided outstanding support to U.S. Customs and Border Protection along the southwest border.

(b) USE OF FUNDS.—The Secretary of Defense may provide support as the Secretary determines appropriate for the southwest border mission of the Department of Homeland Security and to coordinate with the Department of Homeland Security.

(c) REPORTS.—The Secretary of Defense shall provide to the Committee an annual report on such joint force headquarters, including support external to the headquarters.

SEC. 1049. DEPARTMENT OF DEFENSE SUPPORT FOR FUNERALS AND MEMORIAL EVENTS FOR MEMBERS AND FORMER MEMBERS OF CONGRESS.

(a) IN GENERAL.—Chapter 3 of title 10, United States Code, is amended by inserting after section 130a the following new section:

``130a. Department of Defense support for funerals and related memorial events for Members and former Members of Congress.

(B) Assistance from Department of Defense in deterring illegal crossings at the southwest border.

(C) Sense of the Senate.—It is the sense of the Senate that:

(1) Department of Defense personnel have provided outstanding support to U.S. Customs and Border Protection along the southwest border.

(2) The Department of Defense’s Support of Civil Authority Mission has significantly contributed to mitigating the impact of the current security challenges along the southwest border of the United States.

(3) Quarterly Briefings.—Not later than 30 days after enactment of this Act, and every 90 days thereafter through December 31, 2024, the Undersecretary of Defense for Policy shall provide an unclassified report to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives, with a classified component, if necessary, that:

(1) Department of Defense planning to address current and anticipated border support mission requirements as part of the Department’s annual planning, programming, budgeting, and execution process;

(2) The security situation along the southwest border of the United States;

(3) The Department of Defense’s efforts, or updates to existing efforts, to cooperate with Mexico with respect to border security;

(4) The type of support that is currently being provided to the Department of Defense along the southwest border of the United States;

(5) The impact of such efforts and support on National Defense Strategy or the National Military Strategy.

(b) REQUESTS FOR SUPPORT; SECRETARY DETERMINATION.—The Secretary may provide support under this section—

(1) upon request from the Speaker of the House of Representatives, the Majority Leader of the House of Representatives, the Majority Leader of the Senate, or the Minority Leader of the Senate;

(2) if the Secretary determines such support is necessary to carry out duties or responsibilities of the Department of Defense.

(c) USE OF FUNDS.—The Secretary may use funds authorized to be appropriated for operations and maintenance to provide support under this subsection.

(d) CLERICAL AMENDMENT.—The table of sections at the beginning of this chapter is amended by inserting after the item relating to section 130 the following new item:

``130a. Department of Defense support for funerals and related memorial events for Members and former Members of Congress.

SEC. 1050. EXPANSION OF ELIGIBILITY FOR DUES ACCEPTANCE OF GIFTS BY MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE AND RELATED EMPLOYEES AND THEIR FAMILIES.

(a) SUPPORT FOR FUNERALS.—The Secretary of Defense may provide assistance to each covered commission on a reimbursable basis such services, funds, facilities, staff, and other support services as necessary for the performance of such commission’s functions, at the request of such commission, and amounts may be paid to a covered commission for the purposes of funding such commission from amounts appropriated to the Department of Defense.

(b) COVERED COMMISSION DEFINED.—In this section, the term ‘covered commission’ means a commission pursuant to any of the following sections of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81):

(1) Section 1004 (Commission on Planning, Programming, Budgeting, and Execution Reform).

(2) Section 1091 (National Security Commission on Emerging Biotechnology).

(3) Section 1094 (Afghanistan War Commission).

(4) Section 1095 (Commission on the National Defense Strategy).

(5) Section 1867 (Congressional Commission on the Strategic Posture of the United States).

SEC. 1051. TECHNICAL AMENDMENTS RELATED TO RECENTLY ENACTED COMMISSIONS.

(a) ASSISTANCE FROM DEPARTMENT OF DEFENSE.—The Department of Defense may provide assistance to each covered commission on a reimbursable basis such services, funds, facilities, staff, and other support services as necessary for the performance of such commission’s functions, at the request of such commission, and amounts may be paid to a covered commission for the purposes of funding such commission from amounts appropriated to the Department of Defense.

(b) COVERED CONGRESSIONAL COMMISSION DEFINED.—In this section, the term ‘covered commission’ means a congressional commission pursuant to any of the following sections of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 10 U.S.C. 1071 note); or''.

SEC. 1052. REPORT ON IMPACT OF CERTAIN ETHICS REQUIREMENTS ON DEPARTMENT OF DEFENSE HIRING, RETENTION, AND OPERATIONS.

(a) STUDY.—

(1) IN GENERAL.—The Secretary of Defense shall conduct a study to assess the impact of the statutory ethics requirements unique to the Department of Defense and as set forth in the following sections of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81):

(2) section 1004 (Commission on Planning, Programming, Budgeting, and Execution Reform);

(3) section 1091 (National Security Commission on Emerging Biotechnology);

(4) section 1095 (Commission on the National Defense Strategy);

(5) section 1867 (Congressional Commission on the Strategic Posture of the United States).

(b) STUDY.—The study required under paragraph (1) shall include the following elements:

(1) An examination of how the statutory ethics requirements set forth in paragraph (3) are inconsistent or incongruent with ethics statutes that apply to all executive branch employees.

(2) An examination of how the statutory ethics requirements set forth in paragraph (3) have impacted hiring and retention of personnel, particularly those with specialized experience or training.

(3) An examination of how any confusion in the interpretation of the statutory ethics...
requirements set forth in paragraph (3) may impact the ability of the Department of Defense to obtain expertise from industry and other groups in support of technology development, supply chain security, and other national security matters.

(E) Any suggested changes to the statutory ethics requirements set forth in paragraph (3) to further the goals behind the requirements and consistent with Defense of the Department of Defense’s ability to hire and retain personnel, and obtain expertise from academia, think tanks, industry, and other groups to support national security.

(3) COVERED ETHICS REQUIREMENTS.—The ethics requirements referred to in paragraph (1) are the following provisions of law:


(D) Section 988 of title 10, United States Code.

(b) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the federally funded research and development center with which the Secretary of Defense has entered into a contract under section 2233 of title 10, United States Code, the Department of Defense shall submit to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate a report containing the results of the study conducted pursuant to this subsection.

(2) TRANSMITTAL TO CONGRESS.—Not later than 30 days after the Secretary receives the report required under paragraph (1), the Secretary shall transmit a copy of the report to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives.

SEC. 1063. EXTENSION OF CERTAIN REPORTING DEADLINES.

(a) COMMISSION ON PLANNING, PROGRAMMING, BUDGETING, AND EXECUTION REPORT.—Section 1001(g) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1866) is amended—

(1) in paragraph (1), by striking “February 6, 2023” and inserting “August 6, 2023”; and

(2) in paragraph (2), by striking “September 1, 2023” and inserting “March 1, 2024.”

(b) NATIONAL SECURITY COMMISSION ON EMERGING BIOTECHNOLOGY.—Section 1091(g) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1931) is amended—

(1) in paragraph (1), by striking “2 years after” and inserting “2 years and 6 months after”; and

(2) in paragraph (2), by striking “1 year after” and inserting “1 year and 6 months after”.

(c) COMMISSION ON THE NATIONAL DEFENSE STRATEGY.—Section 1095(g) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1945) is amended—

(1) in paragraph (1), by striking “one year after” and inserting “one year and 6 months after”; and

(2) in paragraph (2), by striking “180 days after” and inserting “one year after”.

(d) COMMISSION ON THE STRATEGIC POSTURE OF THE UNITED STATES.—Section 1697(d) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 2128) is amended—

(1) in paragraph (1), by striking “December 31, 2022” and inserting “June 30, 2023”; and

(2) in paragraph (2), by striking “180 days after” and inserting “one year after”;

Subtitle G—Other Matters

SEC. 1071. ANNUAL RISK ASSESSMENT.

Section 222a of title 10, United States Code, is amended—

(1) in the section heading, by inserting “and risk assessment after”;

(2) in subsection (a), by inserting “and risk assessment after”;

(3) in subsection (c)—

(A) in the subsection heading, by striking “ELEMENTS” and inserting “UNFUNDED PRIORITY REPORT”;

(B) by striking “report under this subsection” and inserting “unfunded priority report required under subsection (a)”;

(C) by redesignating subsection (d) as subsection (e); and

(D) by inserting after subsection (c) the following new subsection:

“(d) RISK ASSESSMENT ELEMENTS.—Each risk assessment required under subsection (a) shall specify, in writing, the following:

(1) An assessment of the risks associated with the National Military Strategy (or update) under section 153(b)(1) of this title.

(2) Any changes to the strategic environment and threats, objectives, force planning and sizing constructs, assessments, and assumptions.

(3) Military strategic risks to United States interests and military risks in executing the National Military Strategy (or update).

(4) Identification and definition of levels of risk, including an identification of what constitutes ‘significant’ risk in the judgment of the officer.

(5) Identification and assessment of risk in the National Military Strategy (or update) by category and level and the ways in which risk might manifest itself, including how risk is projected to increase, decrease, or remain stable over time.

(6) For each category of risk, an assessment of the extent to which current or future risk increases, decreases, or is stable as a result of budgetary priorities, tradeoffs, or fiscal constraints or limitations as currently estimated and applied in the current future-years defense program under section 221 of this title.

(7) Identification and assessment of risks associated with the assumptions or plans of the National Military Strategy (or update) about the contributions of external support, as appropriate.

(8) Identification and assessment of the critical dependencies and strength in force capabilities (including manpower, logistics, intelligence, and mobility support) and identification and assessment of the effect of such deficiencies on the National Military Strategy (or update).

(9) Identification and assessment of risk resulting from, or likely to result from, current or proposed effects on military installation resilience.”;

SEC. 1072. JOINT CONCEPT FOR COMPETING.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall develop a Joint Concept for Competing.

(b) PURPOSE.—The purposes of the Joint Concept for Competing are to—

(1) define the role of the United States Armed Forces in long-term strategic competition with specific adversaries;

(2) concepts for joint senior leaders of the Department of Defense joint forces and employment of capabilities to eliminate opportunities for adversary aggression during day-to-day competition, deter adversary military action, and set conditions for victory during sustained conflict;

(3) describe the manner in which the Department of Defense will utilize its forces, capabilities, posture, indications and warning systems, and authorities to protect the United States national interests, including integration with other instruments of national power and through security cooperation with partners and allies and operations, particularly below the threshold of traditional armed conflict;

(4) identify priority lines of effort and assign responsibility to relevant military services, combatant commands, and other elements of the Department of Defense for each specific line of effort in support of the Joint Concept for Competing; and

(5) provide a means for integrating and continuously improving the Department’s ability to engage in long-term strategic competition.

(c) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter for 2 years, the Secretary of Defense shall, at the request of the congressional defense committees on the implementation of the Joint Concept for Competing.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following elements:

(A) A detailed description of actions taken by the Department of Defense relative to the purposes specified under subsection (b).

(B) An articulation of any new concepts or strategies necessary to support the Joint Concept for Competing.

(C) An articulation of any capabilities, resources, or authorities necessary to implement the Joint Concept for Competing.

(D) An explanation of the manner in which the Joint Concept for Competing relates to and integrates with the Joint Warfighting Concept.

(E) An explanation of the manner in which the Joint Concept for Competing synchronizes and integrates with efforts of other departments and agencies of the United States Government to address long-term strategic competition.

(F) Any other matters the Secretary of Defense determines relevant.

SEC. 1073. PRIORITIZATION AND ACCELERATION OF INVESTMENTS TO ATTAIN THREAT NETWORK LEVEL 4 CAPABILITY AT TRAINING RANGES SUPPORTING F-35 OPERATIONS.

(a) SENSE OF CONGRESS.—It is the sense of the Senate that—

(1) the Air Force must train to fight and win in highly contested and competitive environments against technologically advanced adversaries;

(2) in order for the Air Force to be proficient in tactics, techniques, and procedures and effectively execute at an operational level, the Air Force must train in an accurately replicated multi-domain environment for joint operations;

(3) the Air Force can emulate only a fraction of existing and emerging threats to a level suitable for advanced sensors and cannot create contested or degraded environment with the threats available at the two major training ranges of the Air Force; and

(4) since the Secretary of the Air Force said the Air Force cannot afford to allocate advanced capabilities across all ranges, the Air Force must prioritize developments and upgrades for ranges to ensure that one or more ranges are suitable in suite of capability to conduct advanced F-35 training;

(b) UPGRADE OF FACILITIES.—
(1) IN GENERAL.—The Secretary of the Air Force shall prioritize and accelerate investments to develop and upgrade one or more ranges to attain threat matrix framework level 5 capability, such as peer capability, by not later than fiscal year 2026.

(2) ELEMENTS.—In carrying out paragraph (1), the Secretary of the Air Force shall prioritize—

(A) advanced radar threat systems;

(B) live mission operations capability common architecture;

(C) infrastructure, including roads, site preparation, secure facilities, power and communications infrastructure, and modernized range operations centers;

(D) advanced integrated air defense systems;

(E) air combat maneuvering instrumentation modernization;

(F) global positioning system system modernization;

(G) contested-degraded operations jamming suite;

(H) higher fidelity targets with more advanced characteristics;

(I) modernized weapons scoring systems; and

(j) secure, live-virtual-constructive advanced air combat training systems.

SEC. 1074. MODIFICATION OF ARCTIC SECURITY INITIATIVE.

Section 1000(b)(5) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) is amended—

(1) in subparagraph (A), by striking “the Secretary may” and inserting “the Secretary shall”; and

(2) in subparagraph (B)(i), by striking “If the Initiative is established” and inserting “On the establishment of the Initiative.”

SEC. 1075. PILOT PROGRAM ON SAFE STORAGE OF PERSONALLY OWNED FIREARMS.

(a) ESTABLISHMENT.—The Secretary of Defense shall establish a pilot program to promote the safe storage of personally owned firearms.

(b) ELEMENTS.—Under the pilot program under subsection (a) the Secretary of Defense shall—

(1) establish a system which to carry out the pilot program under subsection (a); and

(2) select not fewer than five military installations.

(c) LOCATION OF PARTICIPANTS.—A member resides at a military installation.

(d) PLAN.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report containing the following information:

(1) The number and type of locking devices and firearm safes furnished to members of the Armed Forces under the pilot program.

(2) The cost of carrying out the pilot program.

(3) An analysis of the effect of the pilot program on suicide prevention.

(4) Such other information as the Secretary may determine appropriate, which shall be submitted in electronic form.

SEC. 1076. PILOT PROGRAM ON REDISTRIBUTION OF PERSONNEL FROM THE EUROPEAN COMMAND.

SEC. 1077. AMENDMENTS TO PROTECT NATIONAL SECURITY INTERESTS.

It is the sense of the Senate that—

(1) the Department of Defense shall prioritize and accelerate investments to develop and upgrade one or more ranges.

(2) the Department shall select not fewer than five military installations.

(3) the Department shall select not fewer than five military installations.

(4) the Department shall provide a report to the congressional defense committees containing the following information:

(a) the number and type of locking devices and firearm safes furnished to members of the Armed Forces under the pilot program.

(b) the cost of carrying out the pilot program.

(c) an analysis of the effect of the pilot program on suicide prevention.

(5) the Secretary of Defense shall provide such additional information as the Secretary may determine appropriate, which shall be submitted in electronic form.

(6) Nothing in this section shall be construed to circumvent any existing safe storage policies, laws, or regulations on military installations.

(g) REPORT.—Upon the termination under subsection (f) of the pilot program under subsection (a), the Secretary of Defense shall submit to the congressional defense committees a report containing the following information:

(1) The number and type of locking devices and firearm safes furnished to members of the Armed Forces under the pilot program.

(2) The cost of carrying out the pilot program.

(3) An analysis of the effect of the pilot program on suicide prevention.

(4) Such other information as the Secretary may determine appropriate, which shall be submitted in electronic form.

(5) Nothing in this section shall be construed to circumvent any existing safe storage policies, laws, or regulations on military installations.

(h) TERMINATION.—The pilot program under subsection (a) shall terminate on the date that is six years after the date of the enactment of this Act.

SEC. 1078. SELECTION OF THE SENATE ON REDISTRIBUTION OF THE AFRICA CENTER FOR STRATEGIC STUDIES AS THE JAMES M. INHOFE CENTER FOR AFRICA STRATEGIC STUDIES.

It is the sense of the Senate that—

(1) Senator James M. Inhofe—

(a) has served in Congress for more than three decades in the United States Congress;

(b) demonstrated a profound commitment to strengthening United States-Africa relations; and

(c) been one of the foremost leaders in Congress on matters related to United States-Africa relations.

(2) The United States Africa Command; and

(3) A secure, live-virtual-constructive advanced air combat training system.

SEC. 1079. MODIFICATION OF ARCTIC SECURITY INITIATIVE.

It is the sense of the Senate that—

(1) the Secretary of Defense shall—

(a) has served a total of less than five years;

(b) has conducted 170 visits to countries in Africa;

(2) as a recognition of Senator Inhofe’s long history of engaging with, and advocating for, the United States Africa Center for Strategic Studies should be renamed the James M. Inhofe Center for Africa Strategic Studies.

TITLE XI—CIVILIAN PERSONNEL MATTERS

SEC. 1101. ELIGIBILITY OF DEPARTMENT OF DEFENSE EMPLOYEES IN TIME-LIMITED APPOINTMENTS TO COMPETE FOR PERMANENT APPOINTMENTS.

Section 3393 of title 5, United States Code, is amended by adding at the end the following:

“(g) ELIGIBILITY OF DEPARTMENT OF DEFENSE EMPLOYEES IN TIME-LIMITED APPOINTMENTS TO COMPETE FOR PERMANENT APPOINTMENTS.—

“(1) DEFINITIONS.—In this subsection—

“(A) the term ‘Department’ means the Department of Defense; and

“(B) the term ‘time-limited appointment’ means a temporary or term appointment in the competitive service.

“(2) ELIGIBILITY.—Notwithstanding any other provision of this chapter, or any other provision of law relating to the examination, certification, or appointment of individuals in the competitive service, an employee of the Department serving under a time-limited appointment is eligible to compete for a permanent appointment in the competitive service when the Department is accepting applications as described in paragraph (3) of this chapter for a permanent position under this section—

“(a) the employee was appointed initially to a position covered by this section not later than 2 years after the most recent date of separation; and

“(b) the employee has a history of engaging with, and advocating for, the United States-Africa relations; and

“(C) has conducted 170 visits to countries in Africa; and

“(2) as a recognition of Senator Inhofe’s long history of engaging with, and advocating for, the United States Africa Command and General Staff College, and the Army University”; and

(2) CONFORMING AMENDMENTS.—

(a) SECTION HEADING.—The heading of such section is amended to read as follows:—

“7371. Army War College, United States Army Command and General Staff College, and Army University: civilian faculty members.”

(b) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 74 of title 10 is amended by striking the item relating to section 7371 and inserting the following new item:

“7371. Army War College, United States Army Command and General Staff College, and Army University: civilian faculty members.”

SEC. 1102. EMPLOYMENT AND COMPENSATION OF CIVILIAN FACULTY MEMBERS AT INTER-AMERICAN DEFENSE COLLEGE.

(a) ADDITION OF ARMY UNIVERSITY AND ADDITIONAL FACULTY.—

(1) IN GENERAL.—Section 7371 of title 10, United States Code, is amended—

(A) in subsection (a), by striking “the War College, United States Army Command and General Staff College” and inserting “the Army War College, the United States Army Command and General Staff College, and the Army University”; and

(B) in section 7371(a)(2).—

(2) CONFORMING AMENDMENTS.—

(a) SECTION HEADING.—The heading of such section is amended by striking “Army War College, United States Army Command and General Staff College, and Army University: civilian faculty members.”

(b) NAVAL WAR COLLEGE AND MARINE CORPS UNIVERSITY.—Section 8748 of such title is amended by striking subsection (c).

(c) AIR UNIVERSITY.—Section 9371 of such title is amended by striking subsection (c).

SEC. 1103. EMPLOYMENT AND COMPENSATION OF CIVILIAN FACULTY MEMBERS AT INTER-AMERICAN DEFENSE COLLEGE.

(a) IN GENERAL.—Subsection (c) of section 1595 of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(9) The United States Element of the Inter-American Defense College.”

(b) CONFORMING AMENDMENTS.—Such section is further amended—

(1) in subsection (a), by striking “‘institutions’ and inserting “organizations’;” and

(2) in subsection (c)—

(A) in the subsection heading, by striking “INSTITUTIONS” and inserting “ORGANIZATIONS’;” and

(3) by striking “and” and inserting “and”.
SEC. 1104. MODIFICATION TO PERSONNEL MANAGEMENT AUTHORITY TO ATTRACT EXPERTS IN SCIENCE AND ENGINEERING.

Section 4092 of title 10, United States Code, is amended—

(1) in subsection (a)(8), in the second sentence, by striking “December 31, 2025” and inserting “December 31, 2030”;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking “10 positions” and inserting “15 positions”;

(ii) by striking “3 such positions” and inserting “5 such positions”;

(B) in paragraph (2)(A)—

(i) in the matter preceding clause (i), by striking “paragraph (1)(B)” and inserting “paragraphs (B) and (H) of paragraph (1)”;

(ii) in clause (i)—

(I) by striking “to any of” and inserting “to any of the”;

(ii) by inserting “and any of the 5 positions designated by the Director of the Space Development Agency” after “Projects Agency”;

(iii) in clause (i), by striking “the Director” and inserting “the Director of the Defense Advanced Research Projects Agency or the Director of the Space Development Agency”;

(3) in subsection (c)(2), by inserting “the Space Development Agency,” after “Intelligence Center,”;

SEC. 1105. ENHANCED PAY AUTHORITY FOR CERTAIN RESEARCH AND TECHNOLOGY POSITIONS IN SCIENCE AND TECHNOLOGY REINVENTION LABORATORIES.

(a) In General.—Chapter 303 of title 10, United States Code, is amended by inserting after section 4093 the following new section 4094.

(b) Enhanced pay authority for certain research and technology positions in science and technology reinvention laboratories.

(c) Positions.—The positions described in subsection (a) may be used only for positions having a term of less than five years.

(d) Science and technology reinvention laboratories of the Department of Defense."

SEC. 1106. MODIFICATION AND EXTENSION OF PILOT PROGRAM ON DYNAMIC SHAPING OF THE WORKFORCE TO IMPROVE TECHNICAL SKILLS AND EXPERTISE AT CERTAIN DEPARTMENT OF DEFENSE LABORATORIES.

(a) Repeal of Obsolete Provision.—Section 1106(b) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92) is amended by striking subparagraph (D).

(b) Authority.—Section 1106(a) of such Act is amended by striking “December 31, 2023” and inserting “December 31, 2027”.

SEC. 1107. MODIFICATION OF EFFECTIVE DATE OF ONE-YEAR PROLATION PERIOD FOR EMPLOYEES.

Section 1106 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 50) is amended—

(1) in subsection (a)(1), by striking “December 31, 2022” and inserting “December 31, 2024”; and

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

“(3) EFFECTIVE DATE.—The amendments made by paragraphs (1) and (2) shall take effect on December 31, 2024.”

SEC. 1108. MODIFICATION AND EXTENSION OF AUTHORITY TO WAIVE ANNUAL LIMITATION ON PREMIUM PAY AND AGGREGATE LIMITATION ON PAY FOR FEDERAL CIVILIAN EMPLOYEES WORKING OVERSEAS.


(1) by striking “through 2022” and inserting “through 2027”;

SEC. 1109. ONE-YEAR EXTENSION OF TEMPORARY AUTHORITY TO GRANT ALLOWANCES, BENEFITS, AND GRATUITIES TO CIVILIAN WORKERS ON OFFICIAL DUTY IN A COMBAT ZONE.


SEC. 1110. MODIFICATION OF TEMPORARY EXTENSION OF AUTHORITY FOR NON-COMPETITIVE APPOINTMENTS OF SPOUSES BY FEDERAL AGENCIES.


(b) Clerical Amendment.—The table of sections preceding chapter 91 of title 5, United States Code, is further amended by striking “5 such positions” and inserting “10 such positions”.

(c) Extension of Authoritative Date.—The date that is 5 years after the date of the enactment of this Act and “December 31, 2023” is further amended by substituting “December 31, 2028”.

SEC. 1111. DEPARTMENT OF DEFENSE CYBER AND DIGITAL SERVICE ACADEMY.

(a) Establishment.—

(1) In General.—The Secretary of Defense, in consultation with the Secretary of Homeland Security and the Director of the Office of Personnel and Management, shall establish a program to provide financial support for the pursuit of programs of education at institutions of high education in covered disciplines.

(b) Covered Disciplines.—For purposes of the Program, a covered discipline is a discipline that the Secretary of Defense determines is critically needed and is cybersecurity- or digital technology-related, including the following:

(1) Computer-related arts and sciences.

(2) Cyber-related engineering.

(c) Cyber-related law and policy.

(d) Applied analytics related sciences, data management, and cybersecurity, including artificial intelligence and machine learning.

(e) Other disciplines relating to cybersecurity, digital technology, or supporting functions as the Secretary of Defense considers appropriate.

(2) Designation.—The program established under paragraph (1) shall be known as the “Defense Department Cyber and Digital Service Academy” (in this section the “Program”).

(b) Program Description and Components.—The Program shall—

(1) provide scholarships through institutions of higher education to students who are enrolled in programs of education at such institutions leading to degrees or specialized program certifications in covered disciplines; and

(2) prioritize the placement of scholarship recipients fulfilling the post-award employment obligation under this section.

SEC. 1109. ONE-YEAR EXTENSION OF TEMPORARY AUTHORITY TO GRANT ALLOWANCES, BENEFITS, AND GRATUITY TO CIVILIAN WORKERS ON OFFICIAL DUTY IN A COMBAT ZONE.

(1) to provide a stipend for room and board.

(B) The Secretary shall ensure that expenses paid are limited to those educational expenses approved by agreement between the institution of higher education involved.

(2) SUPPORT FOR INTERNSHIP ACTIVITIES.—The financial assistance for a person under this section may be provided to support internship activities of the person in the Department of Defense and combat support agencies in periods between the academic years leading to a degree or a period of program certification for which assistance is provided the person under the Program.

(3) PERIOD OF SUPPORT.—Each scholarship under Program shall be for not more than 5 years.

(4) ADDITIONAL STIPEND.—Students demonstrating financial need, as determined by the Secretary, may be provided with an additional stipend under the Program.

(d) POST-AWARD EMPLOYMENT OBLIGATIONS.—Each scholarship recipient, as a condition of receiving a scholarship under the Program, shall enter into an agreement under which the recipient agrees to work for a period of length of time as determined by the Scholarship, following receipt of the student’s degree or specialized program certification, in the cyber- and digital technology-related mission component, in accordance with the terms and conditions specified by the Secretary in regulations the Secretary shall promulgate to carry out this subsection.

(e) HIRING AUTHORITY.—In carrying out this section, specifically with respect to enforcing the obligations and conditions of employment under subsection (d), the Secretary may use all other authorities otherwise available to the Secretary for the recruitment, employment, and retention of civilian personnel within the Department, including authorities under section 1599f of title 10, United States Code.

(f) ELIGIBILITY.—To be eligible to receive a scholarship under the Program, an individual shall—

(1) be a citizen or lawful permanent resident of the United States;

(2) demonstrate a commitment to a career in improving the security of information technology or advancing the development and advancement in the professional career in accordance with the purposes of this section;

(3) have demonstrated a high level of competency in relevant knowledge, skills, and abilities, as defined by the national cybersecurity education program under section 303 of the Cybersecurity Enhancement Act of 2014 (15 U.S.C. 7443);

(4) be a full-time student, or have been accepted as a full-time student, in a program leading to a degree or specialized program certification in a covered discipline at an institution of higher education;

(5) enter into an agreement accepting and acknowledging the post award employment obligations, pursuant to section (d);

(6) acknowledge the conditions of support under subsection (g); and

(7) meet other requirements for a scholarship as determined appropriate by the Secretary.

(g) CONDITIONS OF SUPPORT.—

(1) IN GENERAL.—As a condition of receiving a scholarship under this section, a recipient shall agree to provide the Office of Personnel Management, in coordination with the Department of Defense and combat support agencies, with formal verifiable documentation of post-award employment and up-to-date contact information.

(2) TERMS.—A scholarship recipient under the Program shall be liable to the United States as provided in subsection (i) if the individual—

(A) fails to maintain an acceptable level of academic standing at the applicable institution of higher education, as determined by the Secretary;

(B) is dismissed from the applicable institution of higher education for disciplinary reasons;

(C) withdraws from the eligible degree program before completing the Program;

(D) declares that the individual does not intend to fulfill the post-award employment obligation under this section;

(E) fails to fulfill any of the post-graduation or post-award obligations or requirements of the individual; or

(F) fails to fulfill the requirements of paragraph (1).

(h) MONITORING COMPLIANCE.—As a condition of participating in the Program, an institution of higher education shall—

(1) enter into an agreement with the Secretary to monitor the compliance of scholarship recipients with respect to their post-award employment obligations; and

(2) provide to the Secretary and the Director of the Office of Personnel Management, on an annual basis, the post-award employment obligations of each scholarship recipient as required under subsection (g)(1) for scholarship recipients through the completion of their post-award employment obligations.

(i) AMOUNT OF REPAYMENT.—

(1) LESS THAN 1 YEAR OF SERVICE.—If a circumstance described in subsection (g)(2) occurs before the completion of 1 year of a post-award employment obligation under the Program, the total amount of scholarship awards received by the individual under the Program shall be considered a debt to the Government and repaid in accordance with subsection (j).

(2) 1 OR MORE YEARS OF SERVICE.—If a circumstance described in subparagraph (D) or (E) of subsection (g)(2) occurs after the completion of 1 year of a post-award employment obligation under the Program, the total amount of scholarship awards received by the individual under the Program, reduced by the ratio of the number of years of service completed divided by the number of years of service required, shall be considered a debt to the Government and repaid in accordance with subsection (j).

(j) REPAYMENTS.—A debt described subsection (i) shall be subject to repayment, together with interest accruing from the date of the scholarship award, in accordance with terms and conditions specified by the Secretary in regulations promulgated to carry out this subsection.

(k) COLLECTION OF REPAYMENT.—

(1) IN GENERAL.—In the event that a scholarship recipient fails to repay the scholarship award under the Program, the institution of higher education providing the scholarship shall—

(A) determine the repayment amounts and notify the recipient, the Secretary, and the Director of the Office of Personnel Management of the amounts owed; and

(B) collect all repayment amounts within a period of time as determined by the Secretary.

(2) RETURNED TO TREASURY.—Except as provided in subsection (j), any repayment the institution collects under this subsection shall be returned to the Treasury of the United States.

(3) RETAIN PERCENTAGE.—An institution of higher education may retain a percentage of any repayment the institution collects under this subsection to defray administrative costs associated with the collection. The Secretary shall establish a single, fixed percentage that will apply to all eligible entities.

(1) PUBLIC INFORMATION.—The Secretary, in coordination with the Director of the Office of Personnel Management, shall periodically evaluate and make public, in a manner that protects the personally identifiable information of scholarship recipients, information on the success of recruiting individuals for scholarships under the Program and on hiring and retaining those individuals in the Department of Defense workforce, including information on—

(A) employment rates;

(B) where students are placed, including job titles and descriptions;

(C) salary ranges for students not released from obligations under the Program; and

(D) how many students are released from obligations; and

(2) REPORTS.—The Secretary, in consultation with the Office of Personnel Management, shall submit, not less frequently than once every two years, to Congress a report, including—

(A) the results of the evaluation under paragraph (1);

(B) the disparity in any reporting between scholarship recipients and their respective institutions of higher education; and

(C) any recent statistics regarding the size, composition, and educational requirements of the relevant Department of Defense workforce.

(m) ALLOCATION OF FUNDING.—

(1) IN GENERAL.—Not less than 50 percent of the amount available for financial assistance under this section for a fiscal year shall be available only for providing financial assistance under the program referred to in subsection (b)(1) at institutions of higher education that have established, improved, or are administering programs of education for the academic year beginning no later than the Fall semester of 2024.

SEC. 1112. CIVILIAN CYBERSECURITY RESERVE PILOT PROJECT.

(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) COMPETITIVE SERVICE.—The term “competitive service” has the meaning given the term in section 2102 of title 5, United States Code.

(3) EXCEPTED SERVICE.—The term “excepted service” has the meaning given the term in section 2102 of title 5, United States Code.

(4) SIGNIFICANT INCIDENT.—The term “significant incident” 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—  
(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.

(5) TEMPORARY POSITION.—The term “temporary position” means a position in the competitive or excepted service for a period of 180 days or less.

(6) UNIFORMED SERVICES.—The term “uniformed services” has the meaning given the term in section 2101 of title 5, United States Code.

(7) PILOT PROJECT.—  
(a) IN GENERAL.—The Secretary of the Army shall carry out a pilot project to establish a Civilian Cybersecurity Reserve.

(b) Purpose.—The purpose of the Civilian Cybersecurity Reserve is to enable the Army to provide manpower to the cyberspace operations forces of the United States Cyber Command to effectively respond to significant incidents.

(c) ALTERNATIVE METHODS.—Consistent with paragraph (a), the Secretary of the Army, in carrying out the pilot project required under paragraph (1), the Secretary 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.

(d) APPOINTMENTS.—Under the pilot project required under paragraph (1), upon occurrence of a significant incident, the Secretary—  
(A) may activate members of the Civilian Cybersecurity Reserve by—  
(i) competitively 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.

(e) STUDY AND IMPLEMENTATION PLAN.—  
(A) STUDY.—Not later than 60 days after the date of the enactment of this Act, the Secretary of the Army shall begin a study on the design and implementation of the pilot project required under subsection (b)(1), including—  
(i) compensation and benefits for members of the Civilian Cybersecurity Reserve;  
(ii) training required under subsection (b)(1), the Secretary shall—  
(I) submit to the appropriate congressional committees a briefing on the implementation plan; and  
(II) provide to the appropriate congressional committees a briefing on the implementation plan.

(f) PROJECT GUIDANCE.—Not later than two years after the date of the enactment of this Act, the Secretary of the Army shall, in consultation with the Office of Personnel Management and the Committee on Armed Services of the House of Representatives, issue guidance establishing and implementing the pilot project required under subsection (b)(1).
efforts to address any conflict of interest concerns; and
(D) an evaluation of the eligibility requirements for the pilot project.
(b) 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.
(c) Report required under subsection (b)(1) shall terminate on the date that is four years after the date on which the pilot project is established.
(i) ADDITIONAL FUNDS.—
(1) IN GENERAL.—No additional funds are authorized to be appropriated for the purpose of carrying out this section.
(2) NON-FUNDS.—Funds to carry out this section may, as provided in advance in appropriations Acts, only come from amounts authorized to be appropriated to the Army.
SEC. 1113. MODIFICATION TO PILOT PROGRAM FOR THE TEMPORARY ASSIGNMENT OF INFORMATION TECHNOLOGY PERSONNEL TO PRIVATE SECTOR ORGANIZATIONS.
Section 1113(d) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–81; 123 Stat. 3702 note; Public Law 111–84) is amended by striking “September 30, 2022” and inserting “December 31, 2025”.
SEC. 1114. REPORT ON CYBER EXCEPTED SERV-
ICE.
(a) REPORT REQUIRED.—Not later than one year after the date the enactment of this Act and not less frequently than once each year thereafter until September 30, 2028, 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 Representatifs a detailed report on cyber excepted service positions during the most recent one-year period.
(b) CONTENTS.—Each report submitted under subsection (a) shall include, for the period covered by the report, the following:
(1) A description of the process used in accepting applications, assessing candidates, process for and effect of adhering to provisions of law establishing preferences for hiring preference eligible veterans, and selecting applicants for vacancies to be filled by an individual for a cyber excepted service position.
(2) A description of the following:
(A) How the Secretary plans to recruit and retain employees in cyber excepted service positions.
(B) Cyber excepted service performance metrics.
(C) Any actions taken during the reporting period to improve cyber excepted service implementation.
(3) A discussion of how the planning and actions taken described in paragraph (2) are integrated into the strategic workforce planning of the Department.
(4) The metrics on actions occurring during the reporting period, including the following:
(A) The number of employees in cyber excepted service positions hired, disadvantaged by occupation, grade, and level or pay band.
(B) The number of employees in cyber excepted service positions, disaggregated by military department, Defense agency, or other component within the Department.
(C) The number of veterans hired.
(D) The number of separations of employees in cyber excepted service positions, disaggregated by occupation, grade, and level or pay band.
(E) The number of retirements of employees in cyber excepted service positions, disadvantaged by occupation, grade, and level or pay band.
(F) The number and amounts of recruitment, relocation, and retention incentives paid to employees in cyber excepted service positions, disadvantaged by occupation, grade, and level or pay band.
(G) The number of employees who declined transition to qualified cyber excepted service positions.
(5) An assessment of the training provided to supervisors of employees in cyber excepted service positions at the Department on the use of the new authorities.
(6) An assessment of the implementation of section 1599f(a)(1)(A) of title 10, United States Code, including—
(A) how each military department, Defense agency, or other component within the Department is incorporating or intends to incorporate cyber excepted service personnel in their cyber mission workforce; and
(B) how the cyber excepted service has allowed each military department, Defense agency, or other component within the Department to establish, recruit for, and retain personnel to fill cyber mission workforce needs.
(7) An assessment of the effect of section 1599f of title 10, United States Code, on the ability of the Department to recruit, retain, and develop cyber professionals in the Department.
(8) An assessment of barriers to participation in cyber excepted service positions, including a chart to display the relationship between general and excepted service, differences between compensation, incentives, and benefits, access to career broadening experiences, or any other barriers as determined by the Secretary.
(9) Proposed modifications to the cyber excepted service.
(10) Such other matters as the Secretary considers appropriate.
(c) DEFINITIONS.—In this section:
(1) The term “cyber excepted service” consists of those positions established under section 1599f(a)(1)(A) of title 10, United States Code.
(2) The term “cyber excepted service position” means a position in the cyber excepted service.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

SEC. 1201. EXTENSION OF AUTHORITY TO SUP-
PORT BORDER SECURITY OPERA-
TIONS OF CERTAIN FOREIGN COUNTRIES.
Subsection (b) of section 1226 of the National Defense Authorization Act for Fiscal Year 2016 (22 U.S.C. 2151 note) is amended by striking “December 31, 2023” and inserting “December 31, 2025”.
SEC. 1202. MODIFICATION OF REPORTING RE-
QUIREMENT FOR PROVISION OF SUP-
PORT TO FRIENDLY FOREIGN COUNTRIES FOR CONDUCT OF OP-
ERATIONS.
Section 331(d)(2) of title 10, United States Code, is amended—
(1) by redesignating subparagraph (E) as subparagraph (F); and
(2) by inserting after subparagraph (D) the following new subparagraph (E):
“(E) A description of the one or more entities with which the applicable friendly foreign government is conducting operations in hostilities and whether each such entity is covered by an authorization for the use of military force.”.

SEC. 1203. PAYMENT OF PERSONNEL EXPENSES NECESSARY FOR PARTICIPATION IN TRAINING PROGRAM CONDUCTED BY COLOMBIA UNDER UNITED STATES-COLUMBIA ACTION PLAN FOR REGIONAL SECURITY.
(a) AUTHORITY.—The Secretary of Defense may pay the expendable training supplies, travel, subsistence, and similar personnel expenses of, and special compensation for, the following that the Secretary considers necessary for participation in the training program conducted by Colombia under the United States-Colombia Action Plan for Regional Security:
“(1) Defense personnel of friendly foreign governments.
“(2) With the concurrence of the Secretary of State, other personnel of friendly foreign governments and nongovernmental personnel.
“(b) LIMITATION.—
“(1) IN GENERAL.—Except as provided in paragraph (2), the authority provided in subsection (a) may only be used for the payment of such expenses of, and special compensation for, such personnel from developing countries.
“(2) EXCEPTION.—The Secretary may authorize the payment of such expenses of, and special compensation for, such personnel from countries other than one developing country if the Secretary determines that such payment is—
“(A) necessary to respond to extraordinary circumstances; and
“(B) in the national security interest of the United States.”.
(b) ANNUAL REPORT.—Paragraph (1) of section 386(c) of title 10, United States Code, is amended to read as follows:
“(1) Sections 311, 321, 331, 332, 333, 335, 341, 344, 348, 349, and 350 of this title.”.
(c) 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 paragraph:
“(335. Payment of personnel expenses necessary for participation in training program conducted by Colombia under the United States-Colombia Action Plan for Regional Security.”

SEC. 1204. MODIFICATION OF AUTHORITY FOR PARTICIPATION IN MULTINATIONAL FORCES OF EXCELLENCE.
Section 344(f) of title 10, United States Code, is amended—
(1) in paragraph (1)(D), by striking “and” at the end;
(2) in paragraph (2), by striking the period at the end and inserting “; and”; and
(3) by adding at the end the following new paragraph:
“(3) the International Special Training Centre, established in 1979 and located in Pfullendorf, Germany.”.

SEC. 1205. MODIFICATION OF REGIONAL DE-
FENSE COMBATING TERRORISM AND IRREGULAR WARFARE FELLOWSHIP PROGRAM AND PLAY FOR IRREG-
ULAR WARFARE CENTER.
(a) MODIFICATION OF REGIONAL DEFENSE COMBATING TERRORISM AND IRREGULAR WAR-
FARE FELLOWSHIP PROGRAM.—
(1) IN GENERAL.—Section 345 of title 10, United States Code, is amended—
(A) in the section heading, by striking “Regional Defense Combating Terrorism and Irregular Warfare Fellowship Program” and inserting “Irregular Warfare Education”;

(B) in subsection (c), in the first sentence, by striking “in the case of any” and inserting “in the case of each and every”; and

(C) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively.

(b) in paragraph (1), by adding at the end of the section a new subparagraph:

“(A) may be made by the Secretary of Defense in the case of each and every department or agency other than the Department of Defense and with academia, nongovernmental organizations, civil society, and international partners to discuss and assess the Department’s efforts on security challenges in irregular warfare and strategic competition;

“(B) providing a center for research on irregular warfare, strategic competition, and the role of the Department of Defense in supporting interagency activities relating to irregular warfare and strategic competition;

“(C) engaging and coordinating with Federal departments and agencies other than the Department of Defense and with academia, nongovernmental organizations, civil society, and international partners to discuss and assess the Department’s efforts on security challenges in irregular warfare and strategic competition;

“(D) developing curriculum and conducting training and education of military and civilian participants of the United States and other countries, as determined by the Secretary of Defense;

“(E) serving as a coordinating body and central repository for irregular warfare resources, including educational activities and programs, and other initiatives managed by the Department of Defense and the applicable combatant commands; and

“(F) may, after an annual review under paragraph (1), revise the relevant structure and activities so as to more appropriately align such structure and activities with the Department’s priorities and combatant commands.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter V of chapter 401 of title 10, United States Code, is amended by striking the item relating to section 436 and inserting the following:

“436. Irregular Warfare Education.


(1) by striking paragraph (2); and

(2) by redesigning paragraphs (3) and (4) as paragraphs (2) and (3), respectively.

‘F: Plan for Irregular Warfare Center.—

(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 Committees on Armed Services of the Senate and the House of Representatives a plan for establishing the structure, operations, and administration of the Irregular Warfare Center described in section 436(a)(1) of title 10, United States Code.

(2) elements.—The plan required by paragraph (1) shall include—

(A) a timeline and milestones for the establishment of the Irregular Warfare Center; and

(B) steps to enter into partnerships and resource agreements with academic institutions of the Department of Defense or other academic institutions, including any agreement for hosting or operating the Irregular Warfare Center.

‘G: Sense of the Senate.—It is the sense of the Senate that a Center for Security Studies in Irregular Warfare established under section 436 of title 10, United States Code, should be known as the “John S. McCain III Center for Security Studies in Irregular Warfare.”

SEC. 1206. MODIFICATION OF AUTHORITY FOR HUMANITARIAN DEMINING ASSISTANCE AND STOCKPILED CONVENTIONAL MUNITIONS ASSISTANCE.

(a) Expansion of Authorization.—Paragraph (a)(1) of section 407 of title 10, United States Code, is amended—

(1) in the matter preceding subparagraph (A), by striking “carry out” and inserting “provide”;

and

(2) in subparagraph (A), by striking “in a country” and inserting “to a country”;

and

(b) in subparagraph (A), by striking “in which the activities are to be carried out” and inserting “to which the assistance is to be provided”.

(c) Expensiture.—Subsection (c) of such section is amended—

(1) in paragraph (2), by deleting the following new subparagraph:

“(C) Travel, transportation, and subsistence expenses of foreign personnel to attend training provided by the Department of Defense under this section.”;

and

(2) in paragraph (3), by striking “$15,000,000” and inserting “$20,000,000”.

(d) Annual Report.—Subsection (d) of such section is amended—

(1) in the matter preceding paragraph (1), by striking “include in the annual report required by this section a separate discussion of” and inserting “submit to the Committee on Armed Services and the Committee on Foreign Relations of the Senate and the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives a report on”;

(2) in paragraph (1), by striking “the United States” and inserting “the United States and other countries”;

(3) in paragraph (2), by striking “the report required by” and inserting “the reports required by”;

(4) in paragraph (3), by striking “the United States” and inserting “the United States and other countries.”
(2) In paragraph (1)—
(A) by striking ‘‘in which’’ and inserting ‘‘to which’’; and
(B) by striking ‘‘carried out’’ and inserting ‘‘provided’’;
(3) in paragraph (2), by striking ‘‘carried out in’’ and inserting ‘‘provided to’’;
(4) in paragraph (3)—
(A) by striking obligations ‘‘in which’’ and inserting ‘‘to which’’; and
(B) by striking ‘‘carried out and inserted’’ and inserting ‘‘provided’’;
(5) in paragraph (4), by striking ‘‘in carrying out such assistance in each such country’’ and inserting ‘‘in providing such assistance to each such country’’.

SEC. 1297. ENHANCEMENT AND MODIFICATION OF AUTHORITY FOR REIMBURSEMENT OF CERTAIN COALITION NATIONS FOR SUPPORT PROVIDED TO UNITED STATES MILITARY OPERATIONS.

(a) Extension.—Subsection (a) of section 1213 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 383) is amended by striking ‘‘beginning on October 1, 2021, and ending on December 31, 2022’’ and inserting ‘‘beginning on October 1, 2022, and ending on December 31, 2023’’.

(b) Modification to Limitation.—Subsection (d)(1) of such section is amended—
(1) by striking ‘‘beginning on October 1, 2021, and ending on December 31, 2022’’ and inserting ‘‘beginning on October 1, 2022, and ending on December 31, 2023’’; and
(2) by striking ‘‘$60,000,000’’ and inserting ‘‘$50,000,000’’.

SEC. 1298. MODIFICATIONS TO HUMANITARIAN ASSISTANCE.
Section 2561 of title 10, United States Code, is amended to read as follows:

‘‘§ 2561. Humanitarian Assistance
(a) Authorized Assistance.—To the extent provided in defense authorization Acts, funds authorized to be appropriated to the Department of Defense for a fiscal year for humanitarian assistance shall be used for collaborative Department of Defense engagements with partner country governments in permmissive environments to achieve the objectives of—
‘‘(1) directly relieving or reducing human suffering, disease, hunger, or privation; and
‘‘(2) improving another country’s—
‘‘(A) ability to provide essential human services to vulnerable populations; and
‘‘(B) to address disaster risk reduction, mitigation, and preparedness.

(b) Purposes.—The Secretary of Defense may use funds authorized under subsection (a) for the following purposes:
‘‘(1) Procurement, transportation, and prepositioning of supplies and equipment.
‘‘(2) Small-scale construction and renovation of facilities and basic infrastructure.
‘‘(3) To support other covered personnel.
‘‘(4) Any other activity the Secretary of Defense considers necessary to achieve the objectives described in subsection (a).

(c) Availability of Funds.—To the extent provided in appropriations Acts, funds authorized for humanitarian assistance purposes for this section shall remain available until expended.

(d) Status Reports.—(1) The Secretary of Defense shall submit to the appropriate committees of Congress an annual report on the provision of humanitarian assistance pursuant to this section for the prior fiscal year. The report shall be submitted each year at the appropriate budget submission by the President for the next fiscal year.

(2) Each report required by paragraph (1) shall cover all provisions of law that authorize appropriations for humanitarian assistance to be available from the Department of Defense for purposes of this section.

(3) Each report under this subsection shall set forth the following information regarding activities during the preceding fiscal year:

(A) The total amount of funds obligated for humanitarian assistance under this section.

(B) A comprehensive list of funded humanitarian assistance efforts, disaggregated by foreign partner country, amount obligated, and purpose specified in subsection (b).

(C) A description of the manner in which such expenditures address—
‘‘(i) the humanitarian needs of the foreign partner country; and
‘‘(ii) United States national security objectives.

(D) A description of any transfer of excess nonlethal supplies of the Department of Defense made available for humanitarian relief purposes under section 2557 of this title. The description shall include the date of the transfer, the entity to whom the transfer is made, and the quantity of items transferred.

(e) Notification.—In the case of activities under a program that results in the provision of small-scale construction in accordance with section 2557 of this title, the Secretary of Defense shall submit to the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives—

‘‘(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 Appropriations, and the Committee on Foreign Relations of the Senate; and
‘‘(B) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Affairs of the House of Representatives.

‘‘(2) The ‘defense authorization Act’ means an Act that authorizes appropriations for the Department of Defense, including authorizations of appropriations for the activities described in paragraph (7) of section 114(a) of this title.

SEC. 1209. DEFENSE ENVIRONMENTAL INTERNATIONAL COOPERATION PROGRAM.

(a) Establishment.—The Secretary of Defense, in coordination with the commanders of the geographic combatant commands, shall establish a program, to be known as the ‘Defense Environmental International Cooperation Program’, to support engagement with partner countries on defense-related environmental and operational energy issues, including the theater campaign plans of the geographic combatant commands.

(b) Objectives.—The Defense Environmental International Cooperation Program shall be carried out to achieve the following objectives:

(1) To build military-to-military relationships in support of the Department of Defense’s efforts to engage in long-term strategic competition.

(2) To sustain the mission capability and forward posture of the United States Armed Forces.

(3) To enhance the capability, capacity, and resilience of the military forces of partner countries.

(c) Funding.—Of amounts authorized to be appropriated for a fiscal year for the Department of Defense military construction, Department of Defense, the Secretary may make available $10,000,000 for purposes of supporting the Defense Environmental International Cooperation Program, consistent with the priorities of the commanders of the geographic combatant commands.

(d) Annual Report.—

(1) In General.—Not later than March 1 each year, the Secretary shall submit to the congressional defense committees a report on obligations and amounts made to carry out the Defense Environmental International Cooperation Program during the preceding fiscal year.

(2) Elements.—Each report required by paragraph (1) shall include the following:

(A) An accounting of each obligation and expenditure made to carry out the Defense Environmental International Cooperation Program, by partner country and military force.

(B) An explanation of the manner in which such each such obligation or expenditure supports the objectives described in subsection (b).

(C) Any other matter the Secretary considers relevant.

SEC. 1210. SECURITY COOPERATION PROGRAMS WITH FOREIGN PARTNERS TO ADVANCE WOMEN, PEACE, AND SECURITY.

(a) In General.—The Secretary of Defense, in consultation with the Secretary of State, if the State Department has a relevant role, and the Secretary of Homeland Security, may, in fiscal years 2023 through 2025, conduct activities that advance, support, engage with, and mobilize programs and activities involving the national military or national-level security forces of a foreign country or other covered personnel to advise, train, and educate such forces or such other covered personnel with respect to—

(1) the recruitment, employment, development, retention, promotion, and meaningful participation in decisionmaking of women;

(2) sexual harassment, sexual assault, domestic abuse, and other forms of violence that disproportionately affect women;

(3) the requirements of women, including providing appropriate equipment and facilities; and

(4) the implementation of activities described in this subsection, including the integration of such activities into security-secor policy, planning, exercises, and trainings, as appropriate.

(b) Annual Report.—Not later than 90 days after the end of each of fiscal years 2023, 2024, and 2025, the Secretary of Defense shall submit to the congressional defense committees a report detailing the assistance provided under this section and the recipients of such assistance.

(c) Other Covered Personnel Defined.—In this section, the term ‘other covered personnel’ means personnel of—

(1) the ministry of defense, or a government entity with a similar function, of a foreign country; or

(2) a regional organization with a security mission.

SEC. 1211. REVIEW OF IMPLEMENTATION OF PROHIBITION ON USE OF FUNDS FOR ASSISTANCE TO UNITS OF FOREIGN SECURITY FORCES THAT HAVE COMMITTED A GROSS VIOLATION OF HUMAN RIGHTS.

(a) Sense of Congress.—It is the sense of Congress that the promotion of human rights is a critical element of Department of Defense security cooperation programs and that such programs that advance United States national security interests and values.

(b) Review.—

(1) In General.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the commanders of the geographic combatant commands, shall initiate a review of Department of Defense programs and activities to determine whether such programs and activities that advance United States national security interests and values.

(2) Contents.—The review required by paragraph (1) shall include—

(A) a determination of whether such programs and activities that advance United States national security interests and values.
(2) ELEMENTS.—The review required by paragraph (1) shall include an assessment of the following:

(A) The standards and procedures by which the Secretary decides to provide assistance to a unit of a foreign security force under section 362 of title 10, United States Code, gives full consideration to credible information that the unit has committed a gross violation of human rights, including credible information available to the Department of State relating to human rights in each unit.

(B) The roles and responsibilities of Department of Defense components in implementing such section, including the Under Secretary of Defense for Policy, the Deputy Assistant Secretary of Defense for Global Partnerships, the geographic combatant commanders, and the Office of the General Counsel, and whether such components are adequately funded to carry out their respective roles and responsibilities.

(C) The standards and procedures by which the Secretary implements the exception under subsection (b) of such section based on a determination that all necessary corrective steps have been taken.

(D) The standards and procedures by which the Secretary exercises the waiver authority under subsection (c) of such section based on a determination that a waiver is required by extraordinary circumstances.

(E) The policies, standards, and processes for the remediation of units of foreign security forces described in such section and the effectiveness of such remediation process.

(F) The process by which the Secretary determines whether a unit of a foreign security force designated to receive training, equipment, or other assistance under such section is new or fundamentally different from its predecessor for which there was determined to be credible information that the unit had committed a gross violation of human rights.

(c) REPORTS.—

(1) FINDING OF REVIEW.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the findings of the review conducted under subsection (b) that includes any recommendations or corrective actions necessary with respect to the policies, guidance, and procedures of the Department of Defense-wide implementation of section 362 of title 10, United States Code.

(2) REMEDIATION PROCESS.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter through fiscal year 2023, the Secretary shall submit to the appropriate committees of Congress a report on the remediation process under section 362 of title 10, United States Code, and resumption of assistance consistent with such section.

(B) ELEMENTS.—Each report required by subparagraph (A) shall include the following:

(i) An identification of the units of foreign security forces that have been determined under section 362 of title 10, United States Code, to be ineligible to receive Department of Defense training, equipment, or other assistance under section (b) of such section.

(ii) With respect to each unit identified under clause (i), the date on which such determination was made.

(iii) A list of the requests submitted by geographic combatant commands for review by a remediation review panel with respect to resumption of assistance to a unit of a foreign security force that has been determined to receive assistance under such section, disaggregated by geographic combatant command.
SEC. 1224. ASSESSMENT OF SUPPORT TO IRAQI SECURITY FORCES AND KURDISH PESHERMGA FORCES TO COUNTER AIR AND MISSILE THREATS.

(a) IN GENERAL.—Not later than April 1, 2023, the Secretary of Defense shall submit to the congressional defense committees a report on support to Iraqi Security Forces and Kurdish Peshmerga Forces to counter air and missile threats.

(b) CONTENTS.—The report submitted under subsection (a) shall include the following:

(1) An assessment of the threat from missiles, rockets, and unmanned aerial systems (UAS) to United States and coalition armed forces located in Iraq, including the Iraqi Kurdistan Region.

(2) A assessment of the current state of air defense capabilities of United States and coalition armed forces located in Iraq, including the Iraqi Kurdistan Region.

(3) Identification of perceived gaps in air defense capabilities of United States and coalition armed forces and the implications for the security of such forces in Iraq, including the Iraqi Kurdistan Region.

(4) Recommendations for training or equipment needed to overcome the assessed air defense deficiencies of United States and coalition armed forces in Iraq, including the Iraqi Kurdistan Region.

(5) An assessment of the current state of the air defense capabilities of partner armed forces in Iraq, including the Iraqi Security Forces and Kurdish Peshmerga Forces.

(6) An assessment of the perceived gaps in air defense capabilities of partner armed forces in Iraq, including the Iraqi Security Forces and Kurdish Peshmerga Forces.

(7) An assessment of recommended training and equipment and available level of equipment to maximize air defense capabilities of partner armed forces in Iraq, including the Iraqi Security Forces and Kurdish Peshmerga Forces.

(8) Such other matters as the Secretary considers appropriate.

SEC. 1225. UPDATES TO ANNUAL REPORT ON MILITARY POWER OF IRAN.

(a) IN GENERAL.—Section 1246(b)(3) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84) is amended—

(1) in subparagraph (B), by striking "and the Special Groups in Iraq," and inserting "Houthis, and the Special Groups in Iraq, including Kata’ib Hezbollah and Asa’ib Ahl al-Haq,;"

(2) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively;

(3) by inserting after subparagraph (D) the following:

"(C) the threat from Special Groups in Iraq, including Kata’ib Hezbollah and Asa’ib Ahl al-Haq, to United States and coalition forces located in Iraq and Syria;" and

(4) in subparagraph (D), as redesignated, by striking "and" at the end and inserting "and;".

(b) UNITED STATES INVENTORY AND OTHER SOURCES.—Subsection (d) of such section is amended by adding at the end the following new paragraph:

"(F) All formal or informal agreements involving a strategic military or security partnership with the Russian Federation, the People’s Republic of China, or any proxies of either such country.",

Subtitle C.—Matters Relating to Europe and the Russian Federation

SEC. 1231. MODIFICATION 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—

(1) in subsection (a), in the matter preceding paragraph (1),—

(A) by striking "fiscal year 2017, 2018, 2019, 2020, 2021, or 2022" and inserting "for any fiscal year"; and

(B) by striking "in the fiscal year concerned"; and

(2) in subsection (c), in the matter preceding paragraph (1), by striking "with respect to funds for a fiscal year".

SEC. 1232. EXCLUSION OF PROHIBITION ON AVAILABILITY OF FUNDS RELATING TO SOVEREIGNTY OF THE RUSSIAN FEDERATION OVER CRIMEA.

Section 1234(a) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1974) is amended by striking "None of the funds" and all that follow through "None of the funds authorized to be appropriated for fiscal year 2022 or 2023".

SEC. 1233. EXTENSION AND MODIFICATION OF UNITED STATES SECURITY ASSISTANCE INITIATIVE.

(a) AUTHORITY TO PROVIDE ASSISTANCE.—

Subsection (a) of such section is amended by adding at the end the following:

"(a) AUTHORITY TO PROVIDE ASSISTANCE.—

"(1) IN GENERAL.—Amounts available for a fiscal year under subsection (f) shall be available to the Secretary of Defense, with the concurrence of the Secretary of State, to provide, for the purposes described in paragraph (2), appropriate security assistance and intelligence support, including training, equipment, logistics support, supplies and services, salaries and stipends, and sustainment to—

"(A) the military and national security forces of Ukraine; and

"(B) other forces or groups recognized by, and under the authority of, the Government of Ukraine, and the assistance or support under this section (or if the Secretary of Defense determines, on a case-by-case basis, that extraordinary circumstances exist that impact the national security of the United States, as far as in advance as is practicable) the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a written notification detailing the intended recipient forces or groups, the command and control relationship that each such entity has with the Government of Ukraine, and the assistance or support to be provided.

"(2) PURPOSES DESCRIBED.—The purposes described in this subsection are as follows:

"(A) To enhance the capabilities of the military and other security forces of the Government of Ukraine to defend against further aggression;

"(B) To assist Ukraine in developing the combat capability to defend its sovereignty and territorial integrity;

"(C) To replace, from the inventory of the United States, weapons and articles provided to the Government of Ukraine;

"(D) To recover or dispose of equipment procured using funds made available under this section; and

"(E) To provide, for the purposes described in paragraph (2), appropriate security assistance and intelligence support, including training, equipment, logistics support, supplies and services, salaries and stipends, and sustainment to—

"(i) the military and national security forces of Ukraine; and

"(ii) other forces or groups recognized by, and under the authority of, the Government of Ukraine, and the assistance or support under this section (or if the Secretary of Defense determines, on a case-by-case basis, that extraordinary circumstances exist that impact the national security of the United States, as far as in advance as is practicable) the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a written notification detailing the intended recipient forces or groups, the command and control relationship that each such entity has with the Government of Ukraine, and the assistance or support to be provided;

"(ii) the military and national security forces of Ukraine; and

"(iii) other forces or groups recognized by, and under the authority of, the Government of Ukraine, and the assistance or support under this section (or if the Secretary of Defense determines, on a case-by-case basis, that extraordinary circumstances exist that impact the national security of the United States, as far as in advance as is practicable) the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a written notification detailing the intended recipient forces or groups, the command and control relationship that each such entity has with the Government of Ukraine, and the assistance or support to be provided.

"(3) LIMITATION.—Subsection (b) of such section is amended by striking "fiscal year 2017, 2018, 2019, 2020, 2021, or 2022" and inserting "fiscal year 2022 or 2023".

SEC. 1234. NORTH ATLANTIC TREATY ORGANIZATION SPECIAL OPERATIONS HEADQUARTERS.

(a) IN GENERAL.—Subchapter II of chapter 258 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 2580r. North Atlantic Treaty Organization Special Operations Headquarters

"(a) AUTHORIZATION.—Of the amounts authorized to be appropriated for each fiscal year for operation and maintenance for the Army, there shall be provided $5,000,000 for each fiscal year for the purposes set forth in subsection (b).

"(b) PURPOSES.—The Secretary shall provide funding for NATO Special Operations Headquarters—

"(1) to improve coordination and cooperation between the special operations forces of NATO allies; and

"(2) to be designated by the North Atlantic Council as NATO partner nations;
(2) to facilitate joint operations by the special operations forces of NATO nations and such NATO partner nations;

(3) to support special operations forces peculiar to the warfighting domain, and communications capabilities;

(4) to promote special operations forces intelligence and informational requirements within the NATO structure; and

(5) to promote interoperability through the development of common equipment standards, tactics, techniques, and procedures through execution of a multinational education and training program.

(b) CIRCULARITY.—The table of sections at the beginning of subchapter II of chapter 138 of title 10, United States Code, is amended by making between the end of subsection (a) and the beginning of subsection (b) the following new item:


(c) REPEAL.—Section 124 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2541) is repealed.

SEC. 1235. REPORT ON UNITED STATES MILITARY FORCE POSTURE AND RESOURCING REQUIREMENTS IN EUROPE.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report containing an assessment of the United States military force posture requirements for the United States European Command to support the following objectives:

(1) Implementation of the National Defense Strategy with respect to the areas of responsibility of the United States European Command.

(2) Fulfillment of the commitments of the United States to NATO operations, missions, and activities, as modified and agreed upon at the 2022 Madrid Summit.

(3) Reduction of the risk of executing the contingency plans of the Department of Defense.

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

(1) For each military service and warfighting domain, a description of the force structure and posture of assigned and allocated forces in Europe, including consideration of the balance of permanently stationed forces and forces rotating from the United States, to support the objectives described in paragraph (1).

(2) An assessment of the military training and all domain exercises to support such objectives, including—

(A) training and exercises on interoperability; and

(B) joint activities with allies and partners.

(3) An assessment of logistics requirements, including personnel, equipment, supplies, pre-positioned storage, host country support and agreements, and maintenance needs of assigned and allocated forces in Europe.

(4) An identification of required infrastructure, facilities, and military construction investments to support such objectives.

(5) A description of the requirements for United States European Command integrated air and missile defense throughout the area of responsibility of the United States European Command.

(6) An assessment of United States security cooperation activities and resources required to support such objectives.

(7) A description of the resources necessary to address the elements described in paragraphs (1) through (6), categorized by the budget accounts for—

(A) training;

(B) research, development, test, and evaluation;

(C) operation and maintenance;

(D) military personnel; and

(E) military construction.

(8) The projected timeline to achieve fulfillment of each objective.

(9) Any other information the Secretary considers relevant.

(c) FORM.—The report required by subsection (a) may be submitted in classified form but shall include an unclassified summary.

SEC. 1236. SENSE OF THE SENATE AND REPORT ON CIVILIAN HARM.

(a) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the Department of the Army—

(A) uphold the highest standards of professionalism during the conduct of effective, efficient, and decisive military operations around the world in defense of the people of the United States; and

(B) go to great lengths to minimize civilian harm during the conduct of military operations; and

(2) the Russian Federation has demonstrated a complete disregard for the safety of civilians during its unlawful and uncompromised invasion of Ukraine, which has involved indiscriminate bombing of civilian areas and populations of noncombatants.

(b) REPORT.—The report required by paragraph (1) shall be submitted in unclassified form.

SEC. 1237. SENSE OF THE 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 advancing 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) the contributions of NATO to the collective defense are indispensable to the security, prosperity, and freedom of its members;

(4) the United States reaffirms its ironclad commitment—

(A) to NATO as the foundation of transatlantic security; and

(B) to upholding the obligations of the United States under the North Atlantic Treaty, done at Washington, DC, April 4, 1949, including Article 5 of the Treaty;

(5) the 2023 NATO Strategic Concept correctly highlights the criticality of alliances and partnerships, stating that “[m]utually-beneficial alliances and partnerships are an enduring American priority, and we are critical to achieving our objectives, as the unified response to Russia’s further invasion of Ukraine has demonstrated”;

(6) the Russian Federation’s pre-mediated, and uncompromised invasion of Ukraine poses the most direct threat to security and stability in Europe since the end of World War II and requires the full attention of the NATO alliance;

(7) the uncompromised and illegal war conducted by the Russian Federation against Ukraine undermines the concept of transatlantic security and security;

(A) A reinvested commitment to the shared principles of the NATO alliance; and

(B) The further mutual revanchism by the Russian Federation in the Euro-Atlantic region;

(8) as NATO refocuses its deterrence and defense posture to respond to the Russian Federation’s escalatory actions, allies must simultaneously address threats posed across the European continent and all areas of the Euro-Atlantic region, including—

(A) threats posed by predatory investments and influence operations carried out by the People’s Republic of China and

(B) border disruptions emanating from Belarus; and

(9) the persistent threat of violent extremest and terrorist organizations;

(10) to respond to aggression by the Russian Federation and address other threats, the NATO alliance should—

(A) assess opportunities to further bolster the NATO enhanced Forward Presence and enhanced Vigilance Activity battle groups;

(B) focus efforts on burden sharing agreements made in the Wales Fledge, capability targets, contributions to NATO missions and operations, and resilience commitments;

(C) consider force posture adjustments to address emerging security concerns highlighted by the Russian Federation’s invasion of Ukraine;

(11) to explore additional opportunities to strengthen cooperation with non-NATO countries to counter malign activities carried out by the Russian Federation;

(12) to continue efforts to identify, coordinate, and deliver humanitarian aid and security assistance to Ukraine;

(13) to intensify efforts to work with NATO allies to establish and enhance rapid and assured movement of military forces throughout the North Atlantic region and across the continent of Europe on land, on and under the sea, and in the air, including through increased investment, coordinated standardization intended to identify and reduce obstacles to the movement of United States and allied military forces in a time of crisis or conflict;

(14) to reaffirm the open-door policy of NATO to allow any European country to apply for membership and be considered on its merits for admission, including—

(i) aspirants such as Ukraine, Georgia, and Moldova;

(ii) Finland and Sweden, which in the wake of the Russian Federation’s invasion of Ukraine, have sought NATO membership to further bolster their own security and the security of the Euro-Atlantic region; and

(iii) the United States and allies should continue to support further NATO membership to—

(A) to improve interoperability among the military forces of NATO allies and non-NATO allies so as to enhance effective and efficient collective operations, including by the divestment of Soviet-era platforms;

(B) to strive for continued progress on key initiatives set forth in recent NATO summits, including readiness, multi-domain operations, and resilience;

(C) to enhance security sector cooperation and explore opportunities to reinforce civilian preparedness and resilience measures, which may be likely targets of malign influence and hybrid campaigns;

(D) to mitigate the impact of hybrid warfare operations, particularly such operations in the information and cyber domains; and

(E) to expand joint research and development initiatives, with a focus on emerging technologies such as quantum computing, artificial intelligence, and machine learning;

(F) to enhance interoperability, build institutional capacity, and strengthen the collective ability of NATO and its allies to counter malign influence from the Russian Federation and the People’s Republic of China; and
(G) to coordinate and de-conflict security efforts and the dedication of resources with the European Union—
(i) to ensure the fulfillment of European Union and NATO common interests and objectives; and
(ii) to minimize unnecessary overlaps;
(11) the European Deterrence Initiative remains particularly important, including for purposes of strengthening allied and partner capability and power projection along the eastern flank of NATO, and has demonstrated its value during the current Russian Federation attack on Ukraine;
(12) NATO should maintain cooperation on COVID–19 pandemic response efforts and expand cooperation for future pandemic and disaster preparedness;
(13) the policy of the United States should be to work with NATO and other allies and partners to build permanent mechanisms to strengthen supply chains, enhance supply chain security, fill supply chain gaps, and maintain commitments made at the June 2020 NATO Defense Ministerial, particularly with respect to pandemic response preparations;
(14) the United States and NATO should expand cooperation efforts on cybersecurity issues to prevent adversaries and criminals from compromising critical systems and infrastructure; and
(15) the adoption by NATO of a robust strategy toward the Black Sea is in the interest of the United States, and the United States should consider collaborating with interested allies and partner countries to advance a coordinated strategy that includes diverse elements of the transatlantic security architecture.

SEC. 1238. SENSE OF THE SENATE ON UKRAINE.

It is the sense of the Senate that—
(1) the United States should stand with the people of Ukraine as they defend their freedom and sovereignty and the pursuit of further Euro-Atlantic integration;
(2) the Russian Federation's premeditated and unprovoked invasion of Ukraine—
(A) willfully violates the territorial sovereignty of Ukraine and the democratic aspirations of the people of Ukraine; and
(B) presents the gravest threat to transatlantic security since World War II;
(3) the Russian Federation continues to commit the crime of aggression against Ukrainian civilians and members of the military forces of Ukraine;
(4) the Russian Federation has no right or authority to veto Ukraine's pursuit of membership in the North Atlantic Treaty Organization (NATO), or the determination of any country's own decision to pursue such membership in accordance with NATO's open door policy; and
(5) the United States, fellow NATO allies and partners, and the international community have—
(A) rallied support and coordinated assistance for Ukraine;
(B) supported NATO presence and engagement along NATO's eastern flank; and
(C) imposed a severe and far-reaching set of economic measures to respond to the Russian Federation's violation of the sovereignty and territorial integrity of Ukraine; and
(6) the United States should—
(A) continue to work closely with NATO allies and non-NATO allies and partners to support the ability of Ukraine to repel and rebuild from the Russian Federation's invasion, including by
(i) ensuring that NATO and the United States provide the Government of Ukraine with targeted security, intelligence, and humanitarian assistance to strengthen the defenses of Ukraine and mitigate the impacts of the Russian Federation's brutality, consistent with the security interests of the United States;
(ii) coordinating sanctions, export restrictions, and other economic penalties against the Russian Federation and any country that enables the Russian Federation's invasion of Ukraine;
(iii) supporting efforts to enhance the cybersecurity capabilities of Ukraine;
(B) consider whether further adjustments to United States and non-NATO allies military force posture within the area of responsibility of the United States European Command are necessitated by the upheaval of the security environment caused by the Russian Federation;
(C) explore opportunities to further strengthen partnerships with non-NATO partners in Europe; and
(D) continue to support—
(i) efforts to counter disinformation; and
(ii) free media sources such as Voice of America and Radio Free Europe/Radio Liberty; and
(E) support energy diversification efforts across the Euro-Atlantic region to reduce dependency on energy from the Russian Federation.

Subtitle D—Matters Relating to the Indo-Pacific Region

SEC. 1241. EXTENSION AND MODIFICATION OF NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2021: SENSE OF THE SENATE AND HOUSE OF REPRESENTATIVES.

SEC. 1242. EXTENSION OF AUTHORITY TO TRANSFER FUNDS FOR BIEN HOA DIOXIN CLEARING AND REMEDIATION ACTIVITIES.

Section 1253(b) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3955) is amended—
(1) in paragraph (A), by striking ‘‘fiscal years 2022 and 2023’’ and inserting ‘‘fiscal years 2021 and 2022’’; and
(2) by striking subsection (d) and inserting the following new subsection (d):
(i) AVAILABILITY OF FUNDS FOR COAST GUARD PERSONNEL, CAPABILITIES, AND ENERGY SECURITY PROGRAMS.—The Secretary of Defense shall be permitted to transfer to the Secretary of Transportation or Department of Homeland Security amounts contained in the budget display for the Coast Guard personnel, capabilities, and energy security programs specified in section 201 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3955) to the extent necessary to—
(A) ensure sufficient and timely delivery of personnel and assets for coastal protection missions, including oil pollution response and coast guard cutter readiness;
(B) ensure sufficient and timely delivery of personnel and assets for human smugg器 response missions, including law enforcement and counter-illegal immigration missions;
(C) ensure sufficient and timely delivery of personnel and assets for inshore law enforcement and national security missions, including maritime security operations, cybersecurity operations, and law enforcement and counter-terrorism operations; and
(D) focus and align the national defense mission of the Coast Guard, including the National Security Cutter program.


(1) in clause (vi)(I)(aa)—
(A) in subparagraph (A), by striking ‘‘fiscal years 2022 and 2023’’ and inserting ‘‘fiscal year 2021’’;
(B) by adding at the end the following new clause:
(iii) F AIT 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 People’s Republic of China from using military force to unilaterally change the status quo with Taiwan.

SEC. 1243. EXTENSION OF AUTHORITY TO FULLFIL DEFENSIVE REQUIREMENTS OF MILITARY FORCES OF TAIWAN AND MODIFICATION OF ANNUAL REPORT ON TAIWAN ASYMMETRIC CAPABILITIES AND INTELLIGENCE SUPPORT.

(a) MULTI-YEAR PLAN.—Not later than 180 days after the date of this Act, the Secretary of Defense, in coordination with the Secretary of State and the American Institute in Taiwan, shall seek to engage with appropriate officials of the People’s Republic of China to develop and implement a multi-year plan to provide for the acquisition of appropriate defensive capabilities by Taiwan and to engage in dialog with the People’s Republic of China to execute a fait accompli against Taiwan, as follows:
(i) in subparagraph (A)—
(A) by adding at the end the following new clause:
(iii) F AIT ACCOMPLI.—The term ‘‘fait accompli’’ refers to the strategy of the People’s Republic of China to execute a fait accompli against Taiwan.

(b) STATEMENT OF POLICY.—Consistent with the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.), it shall be the policy of the United States to maintain the ability of the United States Armed Forces to deter a military conflict 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. 1256. RECOMMENDATION REGARDING DEFENSE REQUIREMENTS FOR THE INDO-PACIFIC REGION.

Section 1251 of the National Defense Authorization Act for Fiscal Year 2022 (10 U.S.C. 113 note) is amended by striking subsection (f) and inserting the following new subsection (f):
(f) AVAILABILITY OF FUNDS FOR COAST GUARD PERSONNEL, CAPABILITIES, AND ENERGY SECURITY PROGRAMS.—The Secretary of Defense shall be permitted to transfer to the Secretary of Transportation or Department of Homeland Security amounts contained in the budget display for the Coast Guard personnel, capabilities, and energy security programs specified in section 201 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3955) to the extent necessary to—
(A) ensure sufficient and timely delivery of personnel and assets for coastal protection missions, including oil pollution response and coast guard cutter readiness;
(B) ensure sufficient and timely delivery of personnel and assets for human smuggler response missions, including law enforcement and counter-illegal immigration missions;
(C) ensure sufficient and timely delivery of personnel and assets for inshore law enforcement and national security missions, including maritime security operations, cybersecurity operations, and law enforcement and counter-terrorism operations; and
(D) focus and align the national defense mission of the Coast Guard, including the National Security Cutter program.
(D) section 614(a)(1) of the Foreign Assistance Act of 1961; or
(E) any other authority available to the Secretary of Defense or the Secretary of State.

(6) An identification of opportunities to build interoperability, combined readiness, joint planning capability, and share situational awareness among the United States, Taiwan, and other foreign partners and allies, as appropriate, through combined trainings, exercises, and planning activities, including—
(A) table-top exercises and wargames that allow operational commands to improve joint and combined war planning for contingencies involving a well-equipped adversary in a counter-intervention campaign;
(B) joint and combined exercises that test the feasibility of counter-intervention strategies, develop interoperability across services, and develop the lethality and survivability of combined forces against a well-equipped adversary;
(C) logistics exercises that test the feasibility of expeditionary logistics in an extended campaign with a well-equipped adversary;
(D) service-to-service exercise programs that build functional mission skills for addressing challenges posed by a well-equipped adversary; and
(E) any other combined training, exercise, or planning activity with the military forces of Cold War that the Secretary of Defense considers relevant.

(c) MODIFICATION OF ANNUAL REPORT.—Section 1246 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1988) is amended—
(1) in subsection (a)—
(A) by amending paragraph (2) to read as follows:
(2) EXPEDITED MILITARY ASSISTANCE.—
(A) In general.—The Secretary of Defense shall provide a briefing to the appropriate committees of Congress that includes—
(i) an assessment of the feasibility and advisability of establishing war reserve stockpiles for allies and pre-positioned facilities in Taiwan;
(ii) an assessment of the current intelligence, surveillance, and reconnaissance capabilities of Taiwan, including any existing gaps in such capabilities and investments in such capabilities by Taiwan since the preceding report;

(2) in subsection (b)—
(A) in the subsection heading, by striking "PLAN" and inserting "PLANS";
(B) by redesigning paragraphs (1) through (3) as subparagraphs (A) through (C), respectively, and moving such subparagraphs 2 ems to the right;
(C) in the matter preceding subparagraph (A), as so redesignated, by striking "The Secretary" and adding at the end the following new paragraph:
(2) EXPEDITED MILITARY ASSISTANCE.—
(A) In general.—The Secretary of Defense, in coordination with the heads of other relevant Federal departments and agencies, shall develop options for the United States that may be transferred to Taiwan in the Indo-Pacific region since the preceding report.

(6) 5G and Open Radio Access Network}

(8) any other matter the Secretary considers relevant.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term "appropriate committees of Congress" means—
(1) the Committee on Armed Services, the Committee on 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. 1247. ENHANCED INDICATIONS AND WARNINGS FOR DETERRENCE AND DISRUPTION.

(a) Establishment of Program for Enhanced Indications and Warning.—

(1) In general.—The Director of the Defense Intelligence Agency shall establish a program to increase warning time of potential aggression by adversary nation states,
focusing especially on the United States Indo-Pacific Command and United States European Command areas of operations.

(2) DESIGNATION.—The program established under this subsection (1) shall be known as the “Program for Enhanced Indications and Warning” (in this section the “Program”).

(3) PURPOSE.—The purpose of the Program is to—

(a) give the Department time to provide time for the Department to mount deterrence and dissuasion actions to persuade adversaries to refrain from aggression, including through potential revolutions or demonstrations of capabilities and actions to create doubt in the minds of adversary leaders regarding the prospects for military success;

(b) HEAD OF PROGRAM.—

(1) IN GENERAL.—The Director shall appoint a civilian leader in an appropriate civilian official to serve as the Program Manager for the Program.

(2) DESIGNATION.—The Program Manager shall be known as the “Program Manager”.

(c) SOURCES OF INFORMATION AND ANALYSIS.—The Program Manager shall ensure that the Program makes use of all available sources of information, from public, commercial, and classified sources across the intelligence community and the Department of Defense, as well as advanced analytics, including artificial intelligence, to establish a system capable of discerning deviations from normal trends in the behavior of adversary actors and activity that may indicate preparations for military actions.

(d) INTEGRATION WITH OTHER PROGRAMS.—

(1) SUPPORT.—The Program shall be supported by the Chief Digital and Artificial Intelligence Officer, the Maven project, by capabilities sponsored by the Office of the Under Secretary of Defense for Intelligence and Security, and programs already underway within the Defense Intelligence Agency.

(2) AGREEMENTS.—The Program shall be—

(A) the congressional defense committees;

(B) the Committee on Armed Services of the Senate; and

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

(e) BRIEFINGS.—Not later than 180 days after the date of the enactment of this Act and not less frequently than once each year thereafter, the Program Manager shall provide to the appropriate committees of Congress a briefing on the status of the activities of the Program.

(f) IN GENERAL.—The term “intelligence community” has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

SEC. 1248. PILOT PROGRAM TO DEVELOP YOUNG CIVILIAN DEFENSE LEADERS IN THE INDO-PACIFIC REGION.

(a) IN GENERAL.—The Secretary of Defense may establish, using existing authorities of the Department of Defense, a pilot program to enhance engagement of the Department with younger civilian defense leaders in the Indo-Pacific region.

(b) PURPOSES.—The activities of the pilot program under subsection (a) shall include—

(1) enhancing bilateral and multilateral cooperation between—

(A) civilian leaders in the Department; and

(B) civilian leaders in foreign partner ministries of defense; and

(2) building the capacity of young civilian leaders to—

(A) address the Department of Defense to promote civilian control of the military, respect for human rights, and adherence to the law of armed conflict.

(b) HEAD OF PROGRAM.—

(1) IN GENERAL.—The Secretary shall appoint an appropriate civilian official to lead the cross-functional team and a senior military officer to serve as the deputy to the civilian official so selected.

(2) DIRECT REPORTING.—The leadership of the cross-functional team shall report directly to the Secretary and the Deputy Secretary of Defense.

(3) Prior to the progress of the cross-functional team in establishing the cross-functional team; and

(2) the progress the team has made in—

(A) determining the roles and responsibilities; and

(B) other organizations and elements of the Department with respect to the cross-functional team; and

(B) carrying out the duties under subsection (b).

SEC. 1250. REPORT ON BILATERAL AGREEMENTS SUPPORTING UNITED STATES MILITARY POSTURE IN THE INDO-PACIFIC REGION.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the adequacy of existing bilateral agreements between the United States and foreign governments to support the existing and planned military posture of the United States in the Indo-Pacific region.

(b) ELEMENTS.—The report shall—

(1) include an articulation of the need for new bilateral agreements, by country and type, to support a more distributed United States military posture in the Indo-Pacific region, as outlined by the Global Force Posture Review, including agreements necessary—

(A) to establish new security locations, forward operating locations, and other locations in support of distributed operations; and

(B) to enable exercises and a more rotational force presence.

(2) A description of the relative priority of the agreements articulated under paragraph (1).

(3) Any specific request, financial or otherwise, made by a foreign government or a Federal agency other than the Department of Defense that contributes to the completion of such agreements.

(4) A description of Department activities planned for the current and subsequent fiscal years that contribute to the completion of such agreements.

(5) A description of the manner in which the necessity for such agreements is communicated to, and coordinated with, the Secretary of State.

(7) Other matter the Secretary of Defense considers relevant.

SEC. 1251. SENSE OF THE SENATE ON SUPPORTING UNITED STATES MILITARY POSTURE IN THE INDO-PACIFIC REGION, AND TAIWAN.

It is the sense of the Senate that the Senate—

(a) supports the designations by the Secretary of Defense, as reflected in the 2022 National Defense Strategy, of the People’s Republic of China as the United States’ pacing challenge; and

(b) the Indo-Pacific as the Department’s priority theater; and

(c) a Taiwan contingency as the Department’s pacing scenario.

(2) underscores the importance of the Department continuing to prioritize the deterrence of aggression by the People’s Republic of China, particularly in the form of an invasion of Taiwan by the People’s Republic of
China, as the Government of the People's Republic of China expands and modernizes the People's Liberation Army; and

(3) strongly urges the Department to manage the change in the status quo with Taiwan.

of China from using force to unilaterally change the status quo with Taiwan in order to deter the People's Republic of China from using force to unilaterally change the status quo with Taiwan.

SEC. 1252. SENSE OF CONGRESS ON DEFENSE ALLIANCES AND PARTNERSHIPS IN THE INDO-PACIFIC REGION.

(a) FINDINGS—Congress makes the following findings:

(1) The United States Indo-Pacific strategy states, “we will prioritize our single greatest asymmetric strength: our network of security alliances and partnerships. Across the region, the United States will work with allies and partners to deepen our interoperability and ability to deploy and advance warfighting capabilities as we support them in defending their countries and their sovereign interests.”

(2) To facilitate the report accompanying the National Defense Strategy states, “[m]utually-beneficial Alliances and partnerships are an enduring strength for the United States, and are critical to achieving our objectives.” The Department [of Defense] will incorporate ally and partner perspectives, competencies, and advantages at every stage of defense planning.

(3) Chairman of the Joint Chiefs of Staff General Milley testified on April 7, 2022, that “our alliances and partnerships are our most significant asymmetric advantages and are key to maintaining the international rules-based order that offers the best opportunities for peace and prosperity for America and the globe.”

(4) Commander of the United States Indo-Pacific Command Admiral Aquilino testified on March 10, 2022, that “a key U.S. asymmetric advantage that our security challengers do not possess is our network of strong alliances and partnerships. Because these relationships are based on shared values and interests, they provide us with significant advantages such as long-term mutual trust, understanding, respect, interoperability, and a common commitment to a free and open Pacific.”

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense should continue efforts to strengthen United States 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, signed at Washington, January 19, 1960, 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, including by maintaining the presence of approximately 28,500 members of the United States Armed Forces deployed to the country and affirming the United States commitment to extend deterrence and defense using the full range of United States defense capabilities, consistent with the Mutual Defense Treaty Between the United States and the Republic of Korea, signed in Washington, October 1, 1951, in support of the shared objective of a peaceful and stable Korean Peninsula;

(3) fostering bilateral and multilateral cooperation with Australia, consistent with the Security Treaty Between Australia, New Zealand, and the United States of America, and the security relationship built up over the years, and through the partnership among Australia, the United Kingdom, and the United States (commonly known as “AUKUS”)—

(A) to advance the shared objective of a free and open Indo-Pacific region through bilateral and multilateral engagements and participation; (B) to accelerate the fielding of advanced military capabilities; and

(C) to build the capacity 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, leverage technology and promote innovation, and support an open, inclusive, and rules-based regional architecture;

(5) broadening United States engagement 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; (B) to advance forward operating bases and defense trade, and collaboration on humanitarian aid and disaster response; and

(C) to enable greater cooperation on maritime security, military capabilities, and promoting peaceful cross-strait relations;

(7) reinforcing the status of the Republic of Singapore as a Major Security CooperationPartner, and partnering of the United States military with the Republic of Singapore and the Armed Forces of the United States, including through participation in combined exercises and training;

(8) engaging with the Federated States of Micronesia, the Republic of the Marshall Islands, Palau, and other Pacific Island countries, with the goal of strengthening regional security and addressing issues of mutual concern, including protecting fisheries from illegal, unreported, and unregulated fishing;

(9) collaborating with Canada, the United Kingdom, France, and other members of the Five Eyes, the EuroAtlantic Treaty Organization to build connectivity and advance a shared vision for the region that is principled, long-term, and anchored in democratic resilience; and

(10) investing in enhanced military posture and capabilities in the area of responsibility of the United States Indo-Pacific Command and strengthening cooperation in bilateral relationships, multilateral partnerships, and other international fora to uphold global security and shared principles, with the goal of ensuring the maintenance of a free and open Indo-Pacific region.

SEC. 1253. PROHIBITION ON USE OF FUNDS TO SUPPORT ENTERTAINMENT PROJECTS WITH THE GOVERNMENT OF THE PEOPLE’S REPUBLIC OF CHINA.

None of the funds authorized to be appropriated by this Act may be used to knowingly provide active and direct support to any film, television, or other entertainment project with respect to which any producer or principal investor is the People’s Republic of China.

(b) WAIVER.—The Secretary of Defense may waive the prohibition under subsection (a) if the Secretary—

(1) determines that such a waiver is in the national security interests of the United States;

(2) issues the waiver in writing; and

(3) not more than 5 days after issuing the waiver, submits to the Committees on Armed Services of the Senate and the House of Representatives a notification that includes the text of the waiver and a justification for the waiver.

(c) USE 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) support intended to assist Saudi Arabia, the United Arab Emirates, or other members of the Gulf Cooperation Council in deterring, defending against threats emanating from Yemen to their sovereignty or territorial integrity, the....
sovereignty or territorial integrity of any other United States partner or ally, or the safety of United States persons or property, including—
(A) threats from ballistic missiles, cruise missiles, or unmanned aerial vehicles; and
(B) explosive boat threats to international maritime traffic;
(3) the provision of humanitarian assistance; or
(4) the preservation of freedom of navigation.
(5) EXTENSION OF PROHIBITION ON IN-FLIGHT REFUELING TO NON-UNITED STATES AIRCRAFT THAT ENGAGE IN HOSTILITIES IN THE ONGOING CIVIL WAR IN YEMEN.

"For the two-year period beginning on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2023, the Department of Defense may not provide in-flight refueling pursuant to section 2342 of title 10, United States Code, or any other applicable statutory authority, to non-United States aircraft that engage in hostilities in the ongoing civil war in Yemen unless and until a declaration of war or a specific statutory authorization for such use of United States Armed Forces has been enacted."

SEC. 1272. EXTENSION OF AUTHORITY FOR NON-UNITED STATES AIRCRAFT THAT ENGAGE IN HOSTILITIES IN THE ONGOING CIVIL WAR IN YEMEN.

"For the two-year period beginning on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2023, the Department of Defense may not provide in-flight refueling pursuant to section 2342 of title 10, United States Code, or any other applicable statutory authority, to non-United States aircraft that engage in hostilities in the ongoing civil war in Yemen unless and until a declaration of war or a specific statutory authorization for such use of United States Armed Forces has been enacted."

SEC. 1273. EXTENSION OF AUTHORITY FOR CERTAIN PAYMENTS TO REDRESS INJUSTICE AND LOSS.

Section 1273(a) of the National Defense Authorization Act for Fiscal Year 2020 (10 U.S.C. 2731 note) is amended by striking "December 31, 2023" and inserting "December 31, 2024".

SEC. 1274. MODIFICATION OF SECRETARY OF DEFENSE STRATEGIC COMPETITION INITIATIVE.

(a) AUTHORITY.—Subsection (a) of section 1312 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 116–92; 133 Stat. 1702; 22 U.S.C. 8606 note) is amended by striking "December 31, 2024" and inserting "December 31, 2025".

SEC. 1275. ASSESSMENT OF CHALLENGES TO IMPLEMENTATION OF THE PARTNERSHIP AMONG AUSTRALIA, THE UNITED KINGDOM, AND THE UNITED STATES.

(a) IN GENERAL.—The Secretary of Defense shall seek to enter into an agreement with a federally funded research and development center for the conduct of an independent assessment of resourcing, policy, and process challenges to implementing the partnership among Australia, the United Kingdom, and the United States (commonly known as the `AUKUS partnership') announced on September 21, 2021.

(b) MATTERS TO BE CONSIDERED.—In conducting the assessment required by section (a), the federally funded research and development center shall consider the following with respect to each of Australia, the United Kingdom, and the United States:

(1) Potential resourcing and personnel shortfalls.
(2) Information sharing, including foreign disclosure policy and processes.
(3) Statutory, regulatory, and other policies and processes.
(4) Intellectual property, including patents.
(5) Export controls, including technology transfer and protection.
(6) Security protocols and practices, including personal, operational, physical, facility, cybersecurity, counterintelligence, marking and classifying information, and handling and transmission of classified material.
(7) Any other matter the Secretary considers appropriate.

(c) RECOMMENDATIONS.—The federally funded research and development center shall conduct the assessment under this section include, as part of such assessment, recommendations for improvements to resourcing, policy, and process challenges to implementing the AUKUS partnership.

(d) REPORT.—

(1) IN GENERAL.—Not later than January 1, 2024, the Secretary shall submit to the congressional defense committees a report that includes an unaltered copy of such assessment, together with the views of the Secretary on the assessment and on the recommendations included in the assessment pursuant to subsection (c).

(2) FORM OF REPORT.—The report required by paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

TITLE XIII—COOPERATIVE THREAT REDUCTION

SEC. 1301. COOPERATIVE THREAT REDUCTION FUNDS.

(a) FUNDING ALLOCATION.—Of the $341,508,000 authorized to be appropriated to the Department of Defense for fiscal year 2023 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, $5,880,000.

(2) For chemical weapons destruction, $15,000,000.

(3) For global nuclear security, $18,090,000.

(4) For cooperative biological engagement, $225,000,000.

(5) For proliferation prevention, $45,890,000.

(6) For activities designated as Other Assessments/Administrative Costs, $30,760,000.

(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 2023, 2024, and 2025.

SEC. 1302. MODIFICATION OF ACQUISITION AUTHORITY UNDER STRATEGIC AND CRITICAL MATERIALS STOCK PILING ACT.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal year 2023 for expenses, not otherwise provided for, for the Office of the Inspector General, including the federal funded research and development center selected pursuant to subsection (c).

(b) USE.—Amounts authorized to be appropriated under subsection (a) are appropriated 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 a material of the United States that is covered by section 1412 of such Act.

SEC. 1303. MODIFICATION OF ACQUISITION AUTHORITY UNDER STRATEGIC AND CRITICAL MATERIALS STOCK PILING ACT.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal year 2023 for expenses, not otherwise provided for, for the Office of the Inspector General, including the federal funded research and development center selected pursuant to subsection (c).

(b) USE.—Amounts authorized to be appropriated under subsection (a) are appropriated for—

(1) the destruction of 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 a material of the United States that is covered by section 1412 of such Act.

SEC. 1304. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2023 for expenses, not otherwise provided for, for the Office of the Inspector General, including the federal funded research and development center selected pursuant to subsection (c).

Subtitle B—National Defense Stockpile

SEC. 1401. MODIFICATION OF ACQUISITION AUTHORITY UNDER STRATEGIC AND CRITICAL MATERIALS STOCK PILING ACT.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated to the Department of Defense for fiscal year 2023 for expenses, not otherwise provided for, for the Office of the Inspector General, including the federal funded research and development center selected pursuant to subsection (c).

(b) USE.—Amounts authorized to be appropriated under subsection (a) are appropriated for—

(1) the destruction of strategic and critical materials in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521); and

(2) the destruction of a material of the United States that is covered by section 1412 of such Act.

SEC. 1402. MODIFICATION OF ACQUISITION AUTHORITY UNDER STRATEGIC AND CRITICAL MATERIALS STOCK PILING ACT.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated to the Department of Defense for fiscal year 2023 for expenses, not otherwise provided for, for the Office of the Inspector General, including the federal funded research and development center selected pursuant to subsection (c).

(b) USE.—Amounts authorized to be appropriated under subsection (a) are appropriated for—

(1) the destruction of strategic and critical materials in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521); and

(2) the destruction of a material of the United States that is covered by section 1412 of such Act.

Subtitle B—National Defense Stockpile

SEC. 1411. MODIFICATION OF ACQUISITION AUTHORITY UNDER STRATEGIC AND CRITICAL MATERIALS STOCK PILING ACT.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal year 2023 for expenses, not otherwise provided for, for the Office of the Inspector General, including the federal funded research and development center selected pursuant to subsection (c).

(b) USE.—Amounts authorized to be appropriated under subsection (a) are appropriated for—

(1) the destruction of strategic and critical materials in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521); and

(2) the destruction of a material of the United States that is covered by section 1412 of such Act.
SEC. 1412. BRIEFINGS ON SHORTFALLS IN NATIONAL DEFENSE STOCKPILE.

Section 14 of the Strategic and Critical Materials Stockpile Act (50 U.S.C. 98h-5) is amended by adding at the end the following new subsection:

"(f)(1) Not later than March 1 each year, the National Defense Stockpile Manager shall provide to the congressional defense committees a briefing on strategic and critical materials that—

"(A) are determined to be in shortfall in the most recent report on stockpile requirements submitted under subsection (a); and

"(B) the acquisition or disposal of which is included in the annual materials plan for the operation of the stockpile during the next fiscal year under subsection (c).

"(2) Each briefing required by paragraph (1) shall include—

"(A) a description of each material determined to be in shortfall, including any assessment of any risk in any such supply chain; and

"(B) an estimate of additional amounts required to provide such funding, if any; and

"(C) an assessment of the supply chain for each such material, including any assessment of any risk in any such supply chain.

SEC. 1413. AUTHORITY TO ACQUIRE MATERIALS FOR THE NATIONAL DEFENSE STOCKPILE.

(a) ACQUISITION AUTHORITY.—Of the funds appropriated into the National Defense Stockpile Transaction Fund pursuant to the authorization of appropriations under subsection (c), the National Defense Stockpile Manager may use up to $1,003,500,000 for acquiring new stockpile materials determined to be strategic and critical materials required to meet the defense, industrial, and essential civilian needs of the United States:

(1) neodymium and praseodymium oxide, and neodymium iron boron (NdFeB) magnet block.

(2) Titanium.

(3) Iso-molded graphite.

(4) Grain-oriented electric steel.

(5) Tire cord steel.

(6) Gallium and indium.

(7) Any additional materials as stockpile requirements in the most recent report submitted to Congress under section 14 of the Strategic and Critical Materials Stockpile Act (50 U.S.C. 98h-5).

(b) FISCAL YEAR LIMITATION.—The Secretary of the Air Force, and a justification for such number.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated into the National Defense Stockpile Transaction Fund $1,003,500,000 for the acquisition of strategic and critical materials under section 8(a) of the Strategic and Critical Materials Stockpile Act (50 U.S.C. 98e(a)).

(d) COMPLIANCE WITH STRATEGIC AND CRITICAL MATERIALS STOCKPILE ACT.—Any acquisition using funds appropriated pursuant to the authority of appropriations under subsection (c) shall be carried out in accordance with the provisions of the Strategic and Critical Materials Stockpile Act (50 U.S.C. 98 et seq.).

Subtitle C—Other Matters

SEC. 1421. AUTHORIZATION OF APPROPRIATIONS FOR ARMED FORCES RETIREMENT HOME.

There is hereby authorized to be appropriated for fiscal year 2023 from the Armed Forces Retirement Home Trust Fund the sum of $152,900,000 for the operation of the Armed Forces Retirement Home.

SEC. 1422. AUTHORITY FOR TRANSFER OF FUNDS TO 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 appropriated by section 1405 and available for the Defense Health Program for operation and maintenance, $167,600,000 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 Duncan Hunter National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 1374). For purposes of subsection (a) is completed, the Secretary of Defense shall provide to the congressional defense committees a report on the strategic objectives efficiently and effectively.

(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 transfer.

(c) USE OF TRANSFERRED FUNDS.—For purposes of subsection (b) of such section 1704, any funds transferred under subsection (a) may be used for the purpose of such transfer, including the operation of the Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Captain James A. Lovell Federal Health Care Center, and the supporting facilities as a combined Federal medical facility under an operational agreement by the Secretary of the Department of Veterans Affairs, as applicable, required by the Space Development Agency.

(d) SPACE SUPERIORITY DEFINED.—In this section, the term "space superiority" means the degree of control in space of one force over any others that permits the conduct of its operations at a given time and place without prohibitive interference from terrestrial or space-based threats.

SEC. 1502. COMPREHENSIVE STRATEGY FOR THE SPACE FORCE.

(a) STRATEGIC OBJECTIVES.—The Secretary of the Air Force and the Chief of Space Operations shall jointly develop strategic objectives to organize, train, and equip the Space Force, including objectives that emphasize achieving and maintaining—

(1) United States space superiority;

(2) global communications, command and control, and intelligence, surveillance, and reconnaissance for the combatant commands and the respective components of the combatant commands; and

(3) the readiness, development, and deployment of Space Force capabilities to meet the full range of joint warfighting space requirements of the combatant commands.

(b) IMPLEMENTATION.—Not later than 30 days after the date on which the report is submitted, the Secretary and the Chief shall provide a briefing to the congressional defense committees on the information contained in the report; and

(c) REQUIREMENTS.—Not later than 30 days after the date on which the report is submitted, the Secretary and the Chief shall provide a briefing to the congressional defense committees on the information contained in the report.

Title XV—Space Activities, Strategic Programs, and Intelligence Matters

Subtitle A—Space Activities

SEC. 1501. ADDITIONAL AUTHORITIES OF CHIEF OF SPACE OPERATIONS.

Section 1405 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’’;

(3) in the end of the section, by striking ‘‘; and’’ and inserting a semicolon;

(4) in section 1704, any funds transferred under subsection (a) may be used for the purpose of such transfer, including the operation of the Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Captain James A. Lovell Federal Health Care Center, and the supporting facilities as a combined Federal medical facility under an operational agreement by the Secretary of the Department of Veterans Affairs, as applicable, required by the Space Development Agency.

SEC. 1503. REVIEW OF SPACE DEVELOPMENT AND NATIONAL SECURITY CAPABILITIES INTEGRATION AND DEVELOPMENT SYSTEM.

(a) IN GENERAL.—Not later than March 31, 2023, the Secretary of Defense shall complete a review of the exemption of the Space Development Agency from the Joint Capabilities Integration and Development System.

(b) RECOMMENDATION.—Not later than 30 days after the date on which the review under subsection (a) is completed, the Secretary of Defense shall submit to the congressional defense committees a recommendation as to whether such exemption should continue to apply to the Space Development Agency.

(c) IMPLEMENTATION.—Not later than 60 days after the date on which the recommendation is submitted under subsection (b), the Secretary of the Air Force and the Director of the Space Development Agency shall implement the recommendation.

SEC. 1504. APPLIED RESEARCH AND EDUCATIONAL ACTIVITIES TO SUPPORT SPACE TECHNOLOGY DEVELOPMENT.

(a) IN GENERAL.—The Secretary of the Air Force and the Chief of Space Operations, in coordination with the Technology and Innovation Office of the Space Force, may carry out applied research and educational activities to support space technology development.

(b) ACTIVITIES.—Activities carried out under subsection (a) shall support the applied research, development, and demonstration activities of the Space Force, including by addressing and facilitating the advancement of capabilities related to—
SEC. 1505. 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. 1506. EXTENSION OF ANNUAL REPORT ON SPACELIFT AND CONTROL.

Section 161a(a)(2) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 133 Stat. 1731) is amended by striking "2020" and inserting "2023".

SEC. 1507. MODIFICATION OF REPORTS ON INTEGRATION OF ACQUISITION AND CAPABILITY DELIVERY SCHEDULES FOR SEGMENTS OF MAJOR SATELLITE ACQUISITIONS PROGRAMS AND FUNDING FOR SUCH PROGRAMS.

Section 2270(f) of title 10, United States Code, is amended by striking paragraph (3).

SEC. 1508. UPDATE PLAN TO MANAGE INTEGRATED TACTICAL WARNING AND ATTACK ASSESSMENT SYSTEM AND MULTI-DOMAIN SENSORS.

(a) UPDATE REQUIRED.—Not later than one year after the date of enactment of this Act, the Secretary of the Air Force shall update the plan that was developed pursuant to section 1609 of the National Defense Authorization Act for Fiscal Year 2019 (Public Law 116-91) to reflect the best available scientific data and to reflect any other matters the Secretary of the Air Force considers relevant.

(b) MODIFICATION TO RESPONSIBILITIES OF NUCLEAR WEAPONS COUNCIL.—Section 179(b)(9) of title 10, United States Code, is amended by striking "", in coordination with the Joint Requirements Oversight Council,"" after ""capabilities,"" and by striking the last sentence.

(c) AMENDMENT TO BUDGET AND FUNDING MATTERS FOR NUCLEAR WEAPONS PROGRAMS.—

(1) In general.—Section 179(f) of title 10, United States Code, is amended—

(A) by redesignating paragraphs (1) through (7) as paragraphs (2) through (8), respectively; and

(B) striking the heading and inserting the following:

"BUDGET AND FUNDING MATTERS.—(1) The Nuclear Weapons Council shall review each budget request transmitted by the Secretary of Energy to the Council under section 4717 of the Atomic Energy Defense Act (50 U.S.C. 2757) and make a determination regarding the adequacy of each such request.

(2) Not later than 30 days after making a determination made in subparagraph (A), the Council shall—

(i) notify Congress that such a determination has been made; and

(ii) in a report to the appropriations committees of the Congress, provide the description of the nuclear program and any associated mitigation efforts that the Council considers necessary to mitigate identified threats and risks related to the nuclear program.

(3) Programs to sustain and modernize the nuclear weapons stockpile of the United States;

(4) Programs to sustain and recapitalize infrastructure and facilities of the National Nuclear Security Administration that support programs of the Department of Defense;

(5) Programs to sustain and modernize nuclear weapons delivery systems of the Department of Defense; and

(6) any other matter the Secretary of the Air Force considers relevant.

(2) TRANSFER OF DETERMINATION OF ADEQUACY REQUIREMENT.—Subparagraph (B) of section 4717(a)(2)(C) of the Atomic Energy Defense Act (50 U.S.C. 2757) is amended—

(A) by striking paragraph (7), as so redesignated, and inserting the following new paragraph (7):

"(7) If a House of Congress adopts a bill authorizing or appropriating funds for the Department of Defense that, as determined by the Council, provides funds in an amount that will result in a delay in the nuclear certification or delivery of F-35A dual-capable aircraft, the Sentinel weapon system, the Columbia class ballisitic missile submarine, the Long Range Standoff Weapon, the B-21 Raider long range bomber, a modernized nuclear command, control, and communications system, or other such nuclear weapons delivery or communications systems in development as of January 1, 2022, the Council shall notify the congressional defense committees of the determination; and

(B) by striking the heading; and

(C) by inserting after section 179(f) of title 10, United States Code, as amended by paragraph (1); and

(3) by moving such subparagraph 4 ems to the left;

(ii) by striking "DETERMINATION OF ADEQUACY—" and all that follows through "(i) INADEQUATE REQUESTS, and inserting "(i)"

"(ii) in clause (i), by striking "paragraph (1)" and inserting "section 4717 of the Atomic Energy Defense Act (50 U.S.C. 2757)";

(4) by striking clauses (ii) and (iii) in clause (i), by striking clause 6 ems to the left;

(iii) by striking the heading; and

(III) by striking "paragraph (1)" and inserting "section 4717 of the Atomic Energy Defense Act (50 U.S.C. 2757)";

(5) by inserting after section 4717(f) of title 10, United States Code, as amended by paragraph (1);

(6) in clause (i), by striking "paragraph (1) of such section; and

(7) by inserting before clause 5:

(iii) in clause (i), by striking "paragraph (1)" and inserting "section 4717 of the Atomic Energy Defense Act (50 U.S.C. 2757)";

(8) by striking clauses (ii) and (iii) in clause (i), by striking clause 6 ems to the left; and

(II) by striking the heading;

(b) ADDITIONAL REQUIREMENTS.—

(1) Programs to sustain and modernize the nuclear command, control, and communications infrastructure of the United States.

(2) Programs to sustain and recapitalize infrastructure and facilities of the National Nuclear Security Administration that support programs of the Department of Defense;

(3) Programs to sustain and modernize nuclear weapons delivery systems of the Department of Defense;

(4) Programs to sustain and modernize the nuclear command, control, and communications infrastructure of the United States.

(c) SUBJECT MATTER EXPERTISE.—The Under Secretary and the Administrator shall jointly brief the congressional defense committees—

(1) not later than January 1, 2022, on the progress made toward developing the framework required by subsection (a); and

(2) not later than June 30, 2023, on the completed framework.

SEC. 1512. DEVELOPMENT OF RISK MANAGEMENT FRAMEWORK FOR THE UNITED STATES NUCLEAR ENTERPRISE.

(a) FRAMEWORK.—Not later than June 1, 2023, the Under Secretary of Defense for Acquisition and Sustainment and the Administrator for Nuclear Security, in coordination with the other members of the Nuclear Weapons Council, shall develop a joint risk management framework—

(1) to periodically identify, analyze, and respond to risks that affect the nuclear enterprise of the United States; and

(2) to report, internally to other members of the Nuclear Weapons Council and externally to relevant stakeholders, such risks and any associated mitigation efforts.

(b) ELEMENTS.—The framework required by subsection (a) shall—

(1) programs to sustain and modernize the nuclear weapons stockpile of the United States;

(2) efforts to sustain and recapitalize infrastructure and facilities of the National Nuclear Security Administration that support programs of the Department of Defense;

(3) programs to sustain and modernize nuclear weapons delivery systems of the Department of Defense; and

(4) programs to sustain and modernize the nuclear command, control, and communications infrastructure of the United States.

(c) SUBMITTAL TO CONGRESS.—The framework required by subsection (a) shall be submitted to Congress—

(1) not later than January 1, 2022, on the progress made toward developing the framework required by subsection (a); and

(2) not later than June 30, 2023, on the completed framework.

SEC. 1513. ANNUAL BRIEFING ON NUCLEAR WEAPONS AND RELATED ACTIVITIES.

Chapter 24 of title 10, United States Code, is amended by inserting after section 492b the following new section:

"SEC. 492b. BIENNIAL BRIEFING ON NUCLEAR WEAPONS AND RELATED ACTIVITIES.

"(a) IN GENERAL.—On or about May 1 and November 1 of each calendar year, the official specified in subsection (b) shall brief the Committees on Armed Services of the Senate and the House of Representatives on matters relating to nuclear weapons policies, operations, technologies, programs, and other similar topics as requested by such committees.

"(b) OFFICIALS SPECIFIED.—The officials specified in this subsection shall—

(1) the Assistant Secretary of Defense for Acquisition.
“(2) The Assistant Secretary of Defense for Nuclear, Chemical, and Biological Defense Programs.

“(3) The Assistant Secretary of Defense for Space Operations.

“(4) The Deputy Administrator for Defense Programs of the National Nuclear Security Administration.

“(5) The Director for Strategy, Plans, and Policy (J5) of the Joint Staff.

“(6) The Director for Capability and Resource Integration (J8) for the United States Strategic Command.

“(c) DELIQUION.—An official specified in subsection (b) may delegate the authority to provide a plan required by subsection (a) to any employee of such official who is a member of the Senior Executive Service.

“(d) TERMINATION.—This section terminates on January 1, 2028.”

SEC. 1515. INDUSTRIAL BASE MONITORING FOR B-21 AND SENTINEL PROGRAMS.

“(a) IN GENERAL.—In General.—The Secretary of the Air Force, acting through the Assistant Secretary of the Air Force for Acquisition, Technology, and Logistics, shall designate a senior official to monitor the combined industrial base supporting the acquisition of B-21 aircraft and Sentinel programs.

“(b) REQUIREMENTS FOR MONITORING.—In monitoring the combined industrial base described in subsection (a), the senior official designated under that subsection shall—

“(1) appoint individuals to key staff positions;

“(2) monitor the acquisition of—

“(A) personnel with critical skills;

“(B) materials, technologies, and components associated with nuclear weapons systems; and

“(C) commodities purchased on a large scale; and

“(3) assess whether public and private personnel with critical skills and knowledge, intellectual property or manufacturing processes, and personnel and equipment necessary to design, develop, manufacture, repair, and support a program are available and affordable within the scope of the B-21 aircraft and Sentinel programs.

“(c) REPORTS.—Contemporaneously with the submission of the budget of the President pursuant to section 1105(a) of title 31 for a fiscal year, the Secretary shall submit to the congressional defense committees a report with respect to the status of the combined industrial base described in subsection (a).

SEC. 1516. ESTABLISHMENT OF INTERCONTINENTAL BALISTIC MISSILE SITE ACTIVATION TASK FORCE FOR SENTINEL PROGRAM.

“(a) ESTABLISHMENT.—

“(1) IN GENERAL.—There is established within the Air Force Global Strike Command a directorate to be known as the Sentinel Intercontinental Ballistic Missile Site Activation Task Force (referred to in this section as the “Task Force”).

“(2) SITE ACTIVATION TASK FORCE.—The Task Force shall serve as the Site Activation Task Force (as that term is defined in Air Force Instruction 10–503, updated October 14, 2020) for purposes of overseeing the construction of fixed facilities and emplacements and the installation and checkout of supporting subsystems and equipment leading to the deployment of full operational capability of the LGM-35A Sentinel intercontinental ballistic missile weapon system at each intercontinental ballistic missile Launch Complex of the Air Force Global Strike Command in support of plans and operations of the United States Strategic Command.

“(b) DIRECTOR.—

“(1) IN GENERAL.—The Task Force shall be headed by the Director of Intercontinental Ballistic Missile Modernization (referred to in this section as the “Director”).

“(2) APPOINTMENT.—

“(A) IN GENERAL.—The Secretary of the Air Force shall appoint the Director from among the General Officers (as defined in section 101(b) of title 10, United States Code) of the Air Force.

“(B) QUALIFICATIONS.—In appointing the Director, the Secretary of the Air Force shall give preference to individuals with expertise in large construction projects.

“(C) TERM.—The Director shall be appointed for a term of three years. The Secretary may reappoint the Director for one additional three-year term.

“(D) REMOVAL.—The Secretary may remove the Director for cause at any time.

“(E) DUTIES OF THE DIRECTOR.—The Director shall—

“(1) oversee—

“(A) the deployment of the LGM-35A Sentinel intercontinental ballistic missile weapon system; and

“(B) the retirement of the LGM-99G Minuteman III intercontinental ballistic missile weapon system; and

“(2) subject to the authority, direction, and control of the Commander of the Air Force Global Strike Command, the Chief of Staff of the Air Force, and the Secretary of the Air Force, prepare, justify, and execute the personnel, operations and maintenance, and construction budgets for such deployment and remanent.

“(F) REPORTS.—

“(1) REPORT TO SECRETARIES.—Not later than one year after the date of the enactment of this Act, and every 60 days thereafter, the Director, in consultation with the milestone decision authority (as defined in section 2303(d) of title 10, United States Code) for the LGM-35A Sentinel intercontinental ballistic missile program, shall submit to the Secretary of the Air Force and the Secretary of Defense a report on the progress of the Air Force in achieving initial and full operational capability for the LGM-35A Sentinel intercontinental ballistic missile weapon system.

“(2) REPORT TO CONGRESS.—Not later than 90 days after receiving a report required by paragraph (1), the Secretary of the Air Force and the Secretary of Defense jointly shall transmit the report to the congressional defense committees.

“(3) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

“(4) QUARTERLY BRIEFING.—Not later than one year after the date of the enactment of this Act, and every 90 days thereafter, the Secretary of the Air Force shall brief the congressional defense committees with respect to progress made on activities by the extension of the LGM-35A Sentinel intercontinental ballistic missile weapon system to operational capability at each intercontinental ballistic missile wing.

“(d) WEAPON SYSTEM DESIGNATION.—

“(1) IN GENERAL.—For purposes of nomenclature and life cycle maintenance, each wing level configuration of the LGM-35A Sentinel intercontinental ballistic missile shall be considered a weapon system.

“(2) DEFINITIONS.—In this subsection:

“(A) WEAPON SYSTEM.—The term "weapon system" has the meaning given the term in Department of the Air Force Pamphlet 61–128, updated February 3, 2021.

“(B) WING LEVEL CONFIGURATION.—The term "wing level configuration" includes the complete arrangement of subsystems and equipment of the LGM-35A Sentinel intercontinental ballistic missile required to function as a wings.

“(e) TERMINATION.—The Task Force shall terminate not later than 90 days after the date of the appointment of the United States Strategic Command and the Commander of the Air Force Global Strike Command (or the heads of successor agencies of the United States Strategic Command and the Global Strike Command) jointly declare that the LGM-35A Sentinel intercontinental ballistic
missile weapon system has achieved full operational capability.

SEC. 1517. SENSE OF THE SENATE AND BRIEFING ON OPERATIONAL COOPERATION BETWEEN THE UNITED STATES AND THE UNITED KINGDOM.

(a) SENSE OF THE SENATE.—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 Federal Republic, are the supreme guarantee of the security of the North Atlantic Treaty Organization (commonly referred to as “NATO”); it is essential to continue to ensure peace and security for all members of the NATO alliance;

(2) the security of the NATO alliance also relies on the 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, 1969 (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 such 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 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 the United Kingdom; and

(7) additionally, the extension of the nuclear deterrence commitments of the United Kingdom 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;

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to any of the following activities:

(1) Reduce, or prepare to reduce, the responsive or alert level of the intercontinental ballistic missiles of the United States.

(2) Reduce, or prepare to reduce, the quantity of deployed intercontinental ballistic missiles of the United States to a number less than 400.

SEC. 1520. LIMITATION ON USE OF FUNDS FOR B61-1 RETIREMENT AND REPORT ON DEFEATING HARD AND DEEPLY BURIED TARGETS.

(a) LIMITATION ON USE OF FUNDS.—Except as provided in subsection (c), none of the funds authorized to be appropriated by this Act for fiscal year 2023 for the Department of Defense or the Department of Energy for the purpose of destroying, dismantling, or reti- ring the B61-1 nuclear weapon may be obligated or expended until the Secretary of Defense and the Secretary of Energy submit to the Committees on Armed Services of the Senate and the House of Representatives a report required by subsection (b).

(b) REPORT REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense and the Secretary of Energy, acting through the Nuclear Weapons Council established under section 179 of title 10, United States Code, and the Joint Requirements Oversight Council established in consultation with the Director of National Intelligence, shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the defeat of hard and deeply buried targets.

(2) ELEMENTS.—The report required by paragraph (1) shall include—

(A) a review of Department of Defense requirements for defeating hard and deeply buried targets, including facilities designed for the storage or manufacture of nuclear, chemical, and biological weapons and their precursors;

(B) an evaluation of the sufficiency of current and planned conventional and nuclear munitions capabilities to satisfy such requirements;

(C) an identification of likely future trajectories in the worldwide use and proliferation of hard and deeply buried targets;

(D) an assessment of the resources, research and development efforts, and capability options needed to ensure that the United States maintains the ability to defeat hard and deeply buried targets and other related requirements; and

(E) a determination of the capability and cost of each resource, effort, and option assessed under subparagraph (D).

(3) ASSESSMENT.—In order to perform the assessment required by paragraph (2)(D), the Secretary of Defense and the Secretary of Energy may conduct any limited research and development that either such Secretary determines is necessary to perform the assessment.

(4) FORM.—The report required under this subsection shall be submitted in unclassified form, but may include a classified annex if necessary.

(c) EXCEPTION.—The limitation on the use of funds under subsection (a) does not apply to the destruction, dismantling, or retirement of the B61-1 nuclear weapon for the fiscal year 2023 for the Department of Defense may be obligated or expended for the following, and the Department may not otherwise take any action to do the following:

(1) Reduce, or prepare to reduce, the responsiveness or alert level of the intercontinental ballistic missiles of the United States.

(2) Reduce, or prepare to reduce, the quantity of deployed intercontinental ballistic missiles of the United States to a number less than 400.
other weapons currently in, or planned to be, part of the United States nuclear weapons stockpile.

SEC. 1521. LIMITATION ON USE OF FUNDS FOR NAVAL NUCLEAR FUELS BASED ON LOW-ENRICHED URANIUM.

(a) LIMITATION.—None of the funds authorized to be appropriated for fiscal year 2023 for the National Nuclear Security Administration for the purposes of conducting research and development on advanced naval nuclear fuel system based on low-enriched uranium may be obligated or expended until the following are submitted to the congressional defense committees:

(1) A determination made jointly by the Secretary of Energy and the Secretary of Defense whether the determination made jointly by the Secretary of Energy and the Secretary of the Navy pursuant to section 5118(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 development of an advanced naval nuclear fuel system based on low-enriched uranium, remains valid.

(2) A determination by the Secretary of the Navy whether an advanced naval nuclear fuel system based on low-enriched uranium can be produced that would not reduce vessel capability, increase expense of procurement or 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 for Nuclear Security shall submit to the congressional defense committees a report on activities conducted using amounts made available for fiscal year 2022 for advanced nuclear fuel development, including a description of any progress made toward technological or nonproliferation goals as a result of such activities.

SEC. 1522. FURTHER LIMITATION ON USE OF FUNDS UNTIL SUBMISSION OF ANALYSIS OF ALTERNATIVES FOR EARLY LAUNCHED CRUISE MISSILE.

Of the funds authorized to be appropriated by this Act for fiscal year 2023 for the Office of the Under Secretary of Defense for Policy, not more than 75 percent may be obligated or expended until the Secretary of Defense submits to the congressional defense committees a report on analysis of alternatives for early launched cruise missiles.

SEC. 1523. MODIFICATION OF REPORTS ON NUCLEAR POSTURE REVIEW IMPLEMENTATION.

Section 491(c) of title 10, United States Code is amended—

(1) in the heading, by striking “2010” and inserting “2022”;

(2) in the matter preceding paragraph (1)—

(A) by striking “2012 through 2021” and inserting “2012 through 2022”; and

(B) by striking “2010” and inserting “2022”;

and

(3) by striking paragraph (1) and inserting the following new paragraph (1).—

“(1) ensure that the report required by section 492a of this title is transmitted to Congress, if so required under such section;”.

SEC. 1524. MODIFICATION OF REQUIREMENTS FOR PLUTONIUM PIT PRODUCTION CAPACITY PLAN.

(a) Notwithstanding any other provision of law, the report required by section 4219(c) of the Atomic Energy Defense Act (50 U.S.C. 2538a(c)) is amended—

(1) by striking “that subsection, by” and inserting “that subsection (a), by”;

(2) by striking “subsection (a), which” and inserting “subsection (a) that is substantially consistent with, or is similar to, subsection (a) contained in the plan for fiscal year 2019 submitted to the Secretary of Energy and the Secretary of the Navy pursuant to section 4219(c)(2) of the Atomic Energy Defense Act, as amended by subsection (a);”.

(b) LIMITATION.—None of the funds appropriated for fiscal year 2023 for the Atomic Energy Defense Act (50 U.S.C. 2538c(a)) is amended by striking “that subsection, by” and inserting “subsection (a), which”.

SEC. 1525. EXTENSION OF REQUIREMENT TO REPORT ON NUCLEAR WEAPONS STOCKPILE.

Section 492a(a)(1) of title 10, United States Code, is amended by striking “2024” and inserting “2030”.

SEC. 1526. EXTENSION OF REQUIREMENT FOR ANNUAL ASSESSMENT OF CYBER READINESS OF NUCLEAR COMMAND AND CONTROL SYSTEM.

Section 499(e) of title 10, United States Code, is amended by striking “December 31, 2019;” and inserting “December 31, 2022;”.

SEC. 1527. EXTENSION OF REQUIREMENT FOR UNENCUMBERED URANIUM PLAN.

Section 4221(a) of the Atomic Energy Defense Act of 1954, as amended by striking “2026” and inserting “2030”.

SEC. 1528. EXTENSION OF PIT PRODUCTION ANNUAL CERTIFICATION.

Section 3120 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2294) is amended in the matter preceding paragraph (1) by striking “2025” and inserting “2029”.

SEC. 1529. ELIMINATION OF OBSCURE REPORTING REQUIREMENTS RELATING TO PLUTONIUM PIT PRODUCTION.


(1) by striking subsections (b), (c), (d), and (g); and

(2) by redesigning subsections (e) and (f) as subsections (c) and (d), respectively;

(3) in subsection (b), as so redesignated—

(A) in the matter preceding paragraph (1), by striking “2025” and inserting “2029”; and

(B) in paragraph (1), by striking “as in effect on the day before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2023” after “subsection (c)(1)”; and

(4) in subsection (c), as so redesignated, by striking “subsection (e)” each place it appears and inserting “subsection (b)”. 

SEC. 1530. PREPAREDNESS PROVISIONS.

SEC. 1531. TECHNICAL AMENDMENT TO ADDITIONAL REPORT MATTERS ON STRATEGIC DELIVERY SYSTEMS.

Section 491(b) of title 10, United States Code, is amended by striking the matter preceding paragraph (1) by striking “2013 of the National Defense Authorization Act for Fiscal Year 2012” and inserting “492a of this title”.

Subtitle C—Missile Defense

SEC. 1541. TECHNICAL AMENDMENTS TO OPERATIONS FOR BALLISTIC MISSILE DEFENSE SYSTEMS AND NETWORKS.

(a) PLAN.—Not later than May 1, 2023, the Director of the Test and Evaluation monitors and reviews the plan.

(b) TECHNICAL AMENDMENTS.—The plan required by subsection (a) shall include the following:

(1) An inventory of all networks and information systems that support the Ballistic Missile Defense System.

(2) A strategy—

(A) for coordinating with the applicable Combatant Commands on persistent cybersecurity operations; and

(B) in which the Director for Operational Test and Evaluation monitors and reviews such operations and provides independent assessments of their adequacy and sufficiency.

(3) A plan for how the Missile Defense Agency will respond to cybersecurity testing recommendations made by the Director for Operational Test and Evaluation.

(4) The timeline required to execute the plan.

(c) BRIEFINGS.—The Director of the Missile Defense Agency shall provide to the congressional defense committees a briefing—

(1) not later than May 15, 2023, on the plan developed under subsection (a); and

(2) not later than December 30, 2023, on progress made towards implementing such plan.

SEC. 1542. MIDDLE EAST INTEGRATED AIR AND MISSILE DEFENSE.

(a) IN GENERAL.—The Secretary of Defense shall submit to the congressional defense committees a strategy on cooperation with allies and partners in the Middle East to identify an architecture and develop an acquisition approach for the countries specified in subsection (b) to enhance their missile defense capability to protect the people, infrastructure, and territory of such countries from cruise and ballistic missiles, manned and unmanned aerial systems, and rocket attacks from Iran and groups linked to Iran.

(b) COUNTRIES SPECIFIED.—The countries specified in this subsection are as follows:

(1) Countries of the Gulf Cooperation Council.

(2) Iraq.

(3) Israel.

(4) Jordan.

(5) Egypt.

(6) Such other regional allies or partners of the United States as the Secretary may identify.

(c) STRATEGY.—

(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 congressional defense committees a strategy on cooperation with allies and partners in the Middle East to identify an architecture and develop an acquisition approach for the countries specified in subsection (b) to implement an integrated air and missile defense capability to protect the people, infrastructure, and territory of such countries from cruise and ballistic missiles, manned and unmanned aerial systems, and rocket attacks from Iran and groups linked to Iran.

(2) CONTENTS.—The strategy submitted under paragraph (1) shall include the following:

(A) An assessment of the threat of ballistic and cruise missiles, manned and unmanned aerial systems, and rocket attacks from Iran and groups linked to Iran to the countries specified in subsection (b).

(B) A description of current efforts to coordinate operations and warning from such threats with the countries specified in subsection (b).

(C) A description of current systems to defend against attacks in coordination with the countries specified in subsection (b).

(D) An explanation of how an integrated air and missile defense architecture would provide a collective security in the region covered by the countries specified in subsection (b).
subparagraph (A).

with respect to the study completed under

committees the findings of the Secretary

missiles, manned and unmanned aerial sys-

advisability of establishing a fund for an in-

the Secretary of Defense shall—

senior Department of Defense individual re-

the Secretary of Defense shall designate a

contributed by allies of the United States

study completed under paragraph (1)(A) shall

annex.

TION.—Any activity carried out under para-

the metrics identified under paragraph (4).

fied form, but may include a classified

fied foreign partners; and

architecture with specified foreign

members of the Armed Forces.

(2) Ensuring the military service and De-

Overseeing development of an inte-

tegrated missile defense acquisition strategy

for the missile defense of Guam.

(3) Siting the integrated missile defense

(4) by adding at the end the following new

paragraph (D), by striking the period

at the end and inserting ‘‘; and’’;

and

Elsewhere in the Act—The Secretary shall

meet the requirements of—

(1) the Missile Defense Act of 2002 (10 U.S.C. 3801 et seq.) and

(2) the Missile Defense Act of 2004 (10 U.S.C. 3821 et seq.).

(3) the annual report on the missile defense of Guam, as required

by section 204 of the National Defense Authorization Act for Fiscal Year

2008 (Public Law 110–181) and any subsequent amendments to

that Act; and

(4) in subsection (c)—

(2) the date the source was prepared; and

(3) processes and products approved by the

Joint Chiefs of Staff or Joint Require-

ments Oversight Council;‘‘;

(ii) in subparagraph (C), by striking ‘‘; and’’ and

inserting a semicolon;

(ii) in subparagraph (D), by striking the pe-

riod at the end and inserting ‘‘; and’’;

and

(c) In subsection (b), by striking ‘‘; and’’ and

inserting a semicolon;

(2) by adding at the end the following new

paragraph:

‘‘(I) the missile defense warfighter involve-

ment strategy, as governed by United States

Strategic Command Instruction 588–03 or the

document that amends or replaces it; or

‘‘(ii) processes and products approved by

the Joint Chiefs of Staff or Joint Require-

ments Oversight Council;‘‘;

(c) in paragraph (3) (i) in subparagraph (C), by striking ‘‘; and’’ and

inserting a semicolon;

(ii) in subparagraph (D), by striking the pe-

riod at the end and inserting ‘‘; and’’; and

(iii) by adding at the end the following new

paragraph:

‘‘(E) an explanation for why a program

joint cost analysis requirements descrip-

tion has not been prepared and approved, and, if

a program joint cost analysis requirements

description is not applicable, the rationale;‘‘;

(2) in subsection (c)(2)—

(A) in paragraph (b)(1)—

(i) by striking ‘‘initial’’ and inserting

‘‘original’’; and

(ii) by striking ‘‘; and’’ and inserting a

semicolon;

(ii) in subsection (b), by striking ‘‘fiscal

year 2024’’ and inserting ‘‘fiscal year 2024’’;

and

(f) TOTAL SYSTEM COSTS.—(1) The Direc-

tor shall identify the total system costs for

each element that comprises the missile de-

fense system, without regard to funding

lines, as well as any costs shifted to or a part

of the costs of another program element.

(2) The elements referred to in paragraph

(1) shall include the following:

(A) Research and development.

(B) Procurement.

(C) Operations and sustainment.

(D) Inventory.

(E) Other direct costs.

(F) Indirect costs.

(G) A description of the costs that are

attributable to the program.

(3) The Director shall submit this in-

formation to the Senate and the House of Repre-

sentatives and to any employee of such official

who is a member of the Senate or the House of

Representatives.

(b) P RGRAM TREATMENT.—The integrated

missile defense system referred to in sub-

section (b) shall be designated as special in-

terest acquisition category 1D program and

shall be managed as consistent with Depart-

ment of Defense Instruction 5000.58 ‘‘Major

Capacity Acquisition’’.

(d) REPORT.—Concurrent with the sub-

mittal of each budget of the President under

the National Defense Authorization Act for

Year 2023, the individual designated under

subsection (a) shall submit to the congressional

defense committees a report on the actions

taken by the Secretary of Defense to carry out

the duties set forth under subsection (b).

(e) TERMINATION.—Subsections (a) and (d)

shall terminate on the date that is three

years after the date on which the individual

designated under subsection (a) determines

that the integrated missile defense system

described in subsection (b) has achieved

initial operational capability.

SEC. 1544. MODIFICATION OF PROVISION RE-

QUIRING FUNDING PLAN FOR NEXT GENERATION INTERCEPTORS FOR

MISSILE DEFENSE OF UNITED STATES HOMELAND.

Section 1668 of the National Defense Au-

thorization Act for Fiscal Year 2022 (Public

Law 117–81) is amended—

(1) in subsection (a)(2), by striking ‘‘at

least 20 years’’ and inserting ‘‘no fewer than 61’’;

(2) in subsection (b), by striking ‘‘fiscal

year 2023’’ and inserting ‘‘fiscal year 2024’’;

and

(3) in subsection (c)—

(A) in the matter before paragraph (1)—

(i) by striking ‘‘30 days prior to any’’ and

inserting ‘‘90 days prior to implementation

of a;’’ and

(ii) by striking ‘‘Director’’ and inserting

‘‘Secretary of Defense’’;

and

(B) in paragraph (2), by striking ‘‘Director’’ and

inserting ‘‘Secretary of Defense’’.

SEC. 1545. BIENNIAL BRIEFING ON MISSILE DE-

FENSE AND RELATED ACTIVITIES.

(a) In General.—Not later than June 1 and

December 1 of each calendar year, the of-

ficials specified in subsection (b) shall brief the

Committees on Armed Services of the

Senate and the House of Representatives on

matters relating to missile defense policies,

operations, technology development, and

other similar topics as requested by such

committees.

(b) OFFICIALS SPECIFIED.—The officials

specified in this subsection are the follow-

ing:

(1) The Assistant Secretary of Defense for

Acquisition, Technology, and Logistics.

(2) The Assistant Secretary of Defense for

Space Policy.

(3) The Director of the Missile Defense

Agency.

(4) The Director for Strategy, Plans, and

Policy (J5) of the Joint Staff.

(c) DELEGATION.—An official specified in

subsection (b) may delegate the authority to

provide a briefing required by subsection (a)

to any employee of such official who is a

member of the Senate or the House of

Representatives.

(d) TERMINATION.—This section terminates

on January 1, 2028.
SEC. 1549. LIMITATION ON USE OF FUNDS UNTIL MISSILE DEFENSE DESIGNATIONS HAVE BEEN MADE.

(a) IN GENERAL.—During fiscal years 2023 through 2027, the Chairman of the Joint Chiefs of Staff shall require offensive and defensive electronic warfare capabilities be integrated into Tier 1 and Tier 2 joint training exercises.

(b) REQUIREMENT TO INCLUDE OPPosing FORCE.—The Chairman shall require exercises conducted under subsection (a) to include an opposing force design based on a current intelligence assessment of the electronic warfare order of battle and capabilities of an adversary.

(c) WAIVER.—The Chairman may waive the requirement under subsection (a) with respect to an exercise if the Chairman determines that—

(1) the exercise does not require—

(A) a demonstration of electronic warfare capabilities; or

(B) a militarily significant threat from electronic warfare attack; or

(C) whether offensive and defensive electronic warfare capabilities into the exercise is cost prohibitive or not technically feasible based on the overall goals of the exercise.

(d) BRIEFING REQUIRED.—Concurrent with the submission of the budget of the President to Congress pursuant to section 1105(a) of title 31, United States Code, for fiscal years 2023 through 2027, the Chairman shall provide to the congressional defense committees a briefing on exercises conducted under subsection (a) that includes—

(1) a description of such exercises planned and included in the budget submission for the fiscal year; and

(2) the results of each such exercise conducted in the preceding fiscal year, including—

(A) the extent to which offensive and defensive electronic warfare capabilities were integrated into the exercise;

(B) an evaluation and assessment of the exercise to determine the impact of the adversary on the participants in the exercise, including—

(i) joint lessons learned;

(ii) high interest training issues; and

(iii) high interest training requirements; and

(C) whether offensive and defensive electronic warfare capabilities were integrated into the exercise.

(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. 1548. MAKING PERMANENT PROHIBITIONS RELATING TO MISSILE DEFENSE INFORMATION AND SYSTEMS.

Section 130(h) of title 10, United States Code, is amended by striking subsection (e).
(e) Definitions.—In this section:

(1) Joint Fires.—The term “joint fires” has the meaning of that term as used in the publication of the Joint Staff entitled, “In-sight: A Focus on Electromagnetic Spectrum Awareness and the Integration and Synchronization of Joint Fires”, and dated July 2018.

(2) Tier 1; Tier 2.—The term “Tier 1” and “Tier 2” with respect to joint training exercises, have the meanings given those terms in the Joint Training Manual for the Armed Forces of the United States (Document No. JC/ST/0506), dated April 20, 2015.

SEC. 1552. Responsibilities and Functions Relating to Electromagnetic Spectrum Operations


(1) by striking paragraphs (1) and (2); and

(2) by inserting the following new paragraph (1):

“(1) Report required.—(A) Not later than March 1, 2023, the Secretary of Defense shall submit to the congressional defense committees a report on the appropriate alignment of electromagnetic spectrum operations responsibilities and future efforts.

“(B) Considerations.—In developing the report required by subparagraph (A), the Secretary shall consider the following:

“(i) The entities that are in effect, including elements of the Joint Staff, the functional and geographic combatant commands, the offices and agencies of the Department of Defense, and other organizations and the establishment of a new entity for electromagnetic spectrum operations within any of the entities currently in effect.

“(ii) The electromagnetic spectrum operations organization should have unitary structure or hybrid structure (in which operational and capability development and direction are headed by separate organizations).

“(C) The resources required to fulfill the specified responsibilities and functions.”;

(3) by redesignating paragraphs (3) through (5) as paragraphs (2) through (4), respectively; and

(4) in the subsection heading, by inserting “Responsibilities and Plans Concerning” before “Transfer”.

SEC. 1553. EXTENSION OF AUTHORIZATION FOR PROTECTION OF CERTAIN FACILITIES AND ASSETS FROM UNMANNED AIRCRAFT

Section 1301(l) of title 10, United States Code, is amended by striking “2025” both places it appears and inserting “2026”.

SEC. 1554. Department of Defense Support Requirements for the White House Military Office

(a) Membership on Council on Oversight of the National Leadership Command, Control, and Communications System.—Section 717a(b)(1)(A) of title 10, United States Code, is amended by—

(1) redesignating paragraph (7) as paragraph (8); and

(2) inserting after paragraph (6) the following new paragraph (7):

“(7) The Director of the White House Military Office;”

(b) Acquisition Portfolio Manager.—The Secretary of Defense, acting through the Under Secretary of Defense for Acquisition and Sustainment, shall designate a senior official to oversee, coordinate, and advocate for the portfolio of Department of Defense acquisitions in support of requirements of the White House Military Office.

(c) Accessibility of Information.—The programmatic and budgetary information required to assess the efficacy of Department of Defense acquisitions supporting requirements of the White House Military Office shall be provided to the senior official designated under subsection (b) by the following officials:

(1) The Secretary of each military department.

(2) The Under Secretary of Defense for Policy.

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

(4) The Chairman of the Joint Chiefs of Staff.

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

(d) Annual Report.—Not later than 30 days after the date on which the President submits to Congress a budget for each of fiscal years 2024 through 2027 pursuant to section 110(a) of title 31, United States Code, the Under Secretary of Defense for Acquisition and Sustainment and the Director of the White House Military Office shall jointly brief the congressional defense committees on acquisition programs, plans, and other activities supporting the requirements of the White House Military Office.

TITLE XVI—CYBERSECURITY-RELATED MATTERS

Subtitle A—Matters Relating to Cyber Operations and Cyber Forces

SEC. 1601. ANNUAL ASSESSMENTS AND REPORTS ON ASSIGNMENT OF CERTAIN BUDGET CONTROL RESPONSIBILITY TO COMMANDER OF UNITED STATES CYBER COMMAND

(a) Annual Assessments.—

(1) In General.—In fiscal year 2023 and not less frequently than once each fiscal year thereafter through fiscal year 2028, the Commander of United States Cyber Command, in coordination with the Principal Cyber Advisor of the Department of Defense, shall assess the operational and organizational structure, authorities, and policies required to effectuate the Commander’s responsibilities assigned to the Commander by section 1506(a)(1) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81).

(2) Elements.—Each assessment carried out under paragraph (1) shall include the following:

(A) Assessment of the operational and organizational effect of the transition on the training, equipping, operation, sustainment, and readiness of the Cyber Mission Forces.

(B) Development of the Cyber forces, activities, capabilities, resources, and functions that have been transferred from the military departments to control of the Commander and those that have not been transitioned.

(C) Formulation of an opinion by the Commander as to whether the Cyberspace, activities, capabilities, resources, and functions that have not been transitioned should be transitioned.

(D) Assessment of the adequacy of resources required to implement the transition, including organizational, functional, and personnel matters.

(E) Assessment of reliance on resources, authorities, policies, or personnel external to United States Cyber Command in support of the budget control of the Commander.

(F) Identification of any outstanding areas for transition.

(G) Such other matters as the Commander considers appropriate.

(b) Annual Reports.—For each fiscal year in which an assessment under subsection (a)(1), the Commander shall, not later than 90 days after the end of such fiscal year, submit to the Committees on Armed Services and the Committee on Armed Services of the House of Representatives a report on the findings of the Commander with respect to such assessment.

SEC. 1602. ALIGNMENT OF DEPARTMENT OF DEFENSE CYBER INTERNATIONAL STRATEGIES WITH NATIONAL DEFENSE STRATEGY AND DEPARTMENT OF DEFENSE CYBER STRATEGY

(a) Alignment Required.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, acting through the Under Secretary of Defense for Policy and in coordination with the Commander of United States Cyber Command, the Secretary of the Joint Chiefs of Staff, and the commanders of geographic combatant commands, undertake efforts to align the Department of Defense cybersecurity cooperation activities, enterprise and cyber-space operational partnerships with the National Defense Strategy, Department of Defense Cyber Strategy, and the 2019 Department of Defense International Cyberspace Security Cooperation Guidance.

(b) Elements.—The alignment efforts required by subsection (a) shall include the following efforts within the Department of Defense:

(1) efforts to build the Department’s internal capacity to support international strategy and policy engagements with allies and partners;

(2) efforts to coordinate and align cyber-space operations with foreign partners, including ensuring alignment between forward missions and other cyber international strategy activities conducted by the Department, including identification of processes, working groups, and mechanisms for inter-military coordination between geographic combatant commands and United States Cyber Command.

(3) efforts to deliberately cultivate operational and intelligence-sharing partnerships with key allies and partners to advance the cyberspace operations objectives of the Department.

(4) efforts to identify key ally and partner networks, infrastructure, and systems that the Joint Force will rely upon for warfighting and to:

(A) support the cybersecurity and cyberspace defense of those networks, infrastructure, and systems;

(B) build partner capacity to actively defend those networks, infrastructure, and systems;

(C) eradicate malicious cyber activity that has compromised those networks, infrastructure, and systems, such as activity identified through hunt forward operations; and

(D) leverage United States commercial and military cybersecurity technology and services to harden and defend those networks, infrastructure, and systems.

(5) efforts to secure United States mission partner environments and networks used to host United States origin intelligence and information.

(6) Prioritization schemas, funding requirements, and efficacy metrics to drive cybersecurity investments, tools, technologies, and capacity-building efforts that will have the greatest positive impact on the ability of the Joint Force, to include resilience and ability to execute its operational plans and achieve integrated deterrence.

(c) Organization.—The Under Secretary of Defense for Policy shall lead efforts to implement this section. In doing so, the Under Secretary shall consult with the Secretary of State, the National Cyber Director, the Director of Cybersecurity and Information Security, the Director of the Cybersecurity and Infrastructure Security Agency, and the Director of the Federal Bureau of Investigation, to align plans and programs as appropriate.

(d) Initial Briefing.—

(1) In General.—Not later than 180 days after the date of the enactment of this Act
and not less frequently than once each fiscal year until September 30, 2023, the Under Secretary of Defense for Policy shall provide to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives annual briefings on the implementation of this section.

(2) CONTENTS.—The briefing required by paragraph (1) shall include the following:

(A) An overview of efforts undertaken pursuant to this section.

(B) An account of all the Department’s security cooperation activities germane to cyberspace and changes made pursuant to implementing this section.

(C) A detailed schedule with target milestones and required expenditures for all planned activities related to the efforts described in subsection (b).

(D) Interim and final metrics for building the cybersecurity security cooperation enterprise of the Department.

(E) An account of such additional funding, authorities, and policies, as the Under Secretary determines may be required.

(F) Such recommendations as the Under Secretary of Defense or legislative action to improve the effectiveness of cybersecurity cooperation of the Department with foreign partners and agencies necessary to the action described in section 1603.

(3) ANNUAL REPORT.—Not later than 90 days after the date of the enactment of this Act, the Under Secretary of Defense for Intelligence and Security Cooperation, in coordination with the Commander of United States Cyber Command, the Under Secretary of Defense for Policy, and the Deputy Secretary of Defense shall provide to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives an annual report summarizing the cyber interagency cyberspace security cooperation within the Department, including the cybersecurity cooperation available for partners and allies of the United States, including bilateral and multilateral cybersecurity cooperation, mission assurance, and operations.

(4) ANNUAL REPORT.—Not later than 60 days after the date of the enactment of this Act, the Under Secretary of the Department of Homeland Security shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives an annual report summarizing the cyber interagency cyberspace security cooperation available for partners and allies of the United States, including bilateral and multilateral cybersecurity cooperation, mission assurance, and operations.

(5) Maximizing use of compensation and incentive authorities, including increasing bonuses and special pays, and alternative compensation mechanisms.

(6) Modifying strategies and service policies to permit consecutive assignments in key work roles without jeopardizing promotion opportunities.

(7) Increasing force commitments following training commensurate with the value of the key work role training.

(8) Standardizing compensation models across the Department.

(9) Requiring multiple rotations within the Cyber Mission Forces for key work roles.

(10) Adopting and implementing what are known as career ‘ratchets’ that enable civilian personnel to be promoted on the basis of skills and abilities demonstrated in a given position.

(11) Key Work Roles Defined.—In this section, the term “key work roles” means work roles that consist of access development, tool development, and exploitation analysis.

(a) STRATEGY REQUIRED.—(1) IN GENERAL.—The Deputy Secretary of Defense shall, in coordination with the Vice Chairman of the Joint Chiefs of Staff and in consultation with the Director of National Intelligence, develop a strategy for converged cyber and electronic warfare forces and systems that can—

(A) Defend cyber and electronic warfare systems and platforms and systems that can—

(B) Protect cyber and electronic warfare forces.

(2) IMPLEMENTATION.—Not later than 60 days after the date of the enactment of this Act, the Deputy Secretary of Defense shall—

(A) annually provide to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives an annual report summarizing the implementation of the strategy required by paragraph (1), the term “key work roles” means work roles that consist of access development, tool development, and exploitation analysis.

(b) RECOMMENDATIONS FOR DECONFLITION AND COORDINATION.—(1) Coordination on Cyber Mission Forces.—In developing the strategy required by paragraph (1), the Deputy Secretary shall ensure that the strategy development is in coordination with all relevant programs, activities, and capabilities ongoing within the Department of Defense, including special access programs and other intelligence community programs.

(2) RECOMMENDATIONS FOR DECONFLITION AND COORDINATION.—(1) Coordination on Cyber Mission Forces.—In developing the strategy required by paragraph (1), the Deputy Secretary shall ensure that the strategy development is in coordination with all relevant programs, activities, and capabilities ongoing within the Department of Defense, including special access programs and other intelligence community programs.

(c) REQUIREMENTS FOR SERVICE-RETIRED CYBER FORCES.—In parallel and in coordination with the development of the strategy required by subsection (a), the Under Secretary of Defense shall develop recommendations for service-retained cyber forces for offensive and defensive cyber missions.

(1) To deploy defended information technology and operational technology networks, include systems command and control nodes, tactical data networks, and weapon platforms and systems;

(2) To conduct offensive actions to achieve effects against adversary weapon systems, platforms, sensor systems, and tactical and operational command and control networks and communications systems; and

(3) To develop the interagency requirements, strategy, and requisite data flow to support converged cyber and electronic warfighting operations.

(4) STRATEGY DEVELOPMENT AND TRANSITION PROCESSES.—The Deputy Secretary shall identify, design, and create organizational constructs and processes to continuously generate and deliver cyber and converged cyber and electronic warfare capabilities into the Cyber Mission Forces, service-retained cyber forces, and other appropriate platforms and systems.

(5) SECURITY AND CONFLICT SECURITY IN SUPPORT OF CYBER EFFORTS AND SECURITY IN SUPPORT OF OPERATING FORCES.

(a) STRATEGY REQUIRED.—(1) IN GENERAL.—The Deputy Secretary of Defense shall, in coordination with the Vice Chairman of the Joint Chiefs of Staff and in consultation with the Director of National Intelligence, develop a strategy for converged cyber and electronic warfare forces and systems that can—

(A) Defend cyber and electronic warfare systems and platforms and systems that can—

(B) Protect cyber and electronic warfare forces.

(2) IMPLEMENTATION.—Not later than 60 days after the date of the enactment of this Act, the Deputy Secretary of Defense shall—

(A) annually provide to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives an annual report summarizing the implementation of the strategy required by paragraph (1), the term “key work roles” means work roles that consist of access development, tool development, and exploitation analysis.

(b) RECOMMENDATIONS FOR DECONFLITION AND COORDINATION.—(1) Coordination on Cyber Mission Forces.—In developing the strategy required by paragraph (1), the Deputy Secretary shall ensure that the strategy development is in coordination with all relevant programs, activities, and capabilities ongoing within the Department of Defense, including special access programs and other intelligence community programs.

(2) RECOMMENDATIONS FOR DECONFLITION AND COORDINATION.—(1) Coordination on Cyber Mission Forces.—In developing the strategy required by paragraph (1), the Deputy Secretary shall ensure that the strategy development is in coordination with all relevant programs, activities, and capabilities ongoing within the Department of Defense, including special access programs and other intelligence community programs.

(c) REQUIREMENTS FOR SERVICE-RETIRED CYBER FORCES.—In parallel and in coordination with the development of the strategy required by subsection (a), the Under Secretary of Defense shall develop recommendations for service-retained cyber forces for offensive and defensive cyber missions.

(1) To deploy defended information technology and operational technology networks, include systems command and control nodes, tactical data networks, and weapon platforms and systems;

(2) To conduct offensive actions to achieve effects against adversary weapon systems, platforms, sensor systems, and tactical and operational command and control networks and communications systems; and

(3) To develop the interagency requirements, strategy, and requisite data flow to support converged cyber and electronic warfighting operations.

(4) STRATEGY DEVELOPMENT AND TRANSITION PROCESSES.—The Deputy Secretary shall identify, design, and create organizational constructs and processes to continuously generate and deliver cyber and converged cyber and electronic warfare capabilities into the Cyber Mission Forces, service-retained cyber forces, and other appropriate platforms and systems.

(5) SECURITY AND CONFLICT SECURITY IN SUPPORT OF CYBER EFFORTS AND SECURITY IN SUPPORT OF OPERATING FORCES.

(6) STRATEGY DEVELOPMENT AND TRANSITION PROCESSES.—The Deputy Secretary shall identify, design, and create organizational constructs and processes to continuously generate and deliver cyber and converged cyber and electronic warfare capabilities into the Cyber Mission Forces, service-retained cyber forces, and other appropriate platforms and systems.
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technology networks, and weapon platforms and systems operating in or from space, air, ground, and maritime domains.

(e) BRIEFING REQUIRED.—Not later than one year after the date of the enactment of this Act, the Deputy Secretary shall brief the congressional defense committees and the congressional intelligence committees (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) on the status of the implementation of this section.

SEC. 1606. TOTAL FORCE GENERATION FOR THE CYBERSPACE OPERATIONS FORCES.

(a) STUDY.—

(1) IN GENERAL.—Not later than June 1, 2024, the Secretary of Defense shall complete a study on the responsibilities of the military services for organizing, training, and presenting the total force to United States Cyber Command.

(2) ELEMENTS.—The study required by paragraph (1) shall assess the following:

(A) Which military services should organize, train, and equip civilian assets and military Cybersecurity Operations Forces for assignment, allocation, and apportionment to United States Cyber Command.

(B) Sufficiency of the military service access and training model to provide forces to the Cyberspace Operations Forces, as well as the availability of personnel for the personnel resourcing of the supporting command and control staffs necessary as a component to United States Cyber Command.

(C) The organization of the Cyberspace Operations Forces and whether the total forces or elements of the forces function best as a collection of independent teams or through a different model.

(D) Under-represented work roles or skills within the Cyberspace Operations Forces, including additional work roles or skills required to enable infrastructure management and access generation.

(E) What unique or training-intensive expertise is needed by each of these work roles and whether native talents to master unique and training-intensive work roles can be identified and how personnel with those talents can be developed, retained, and employed across the active and reserve components.

(F) The appropriate pay scales, rotation or force structure, career paths, expertise, and progression, expertise-based grading, talent management practices, and training for each of those work roles, given expected operational requirements.

(G) Whether a single military service should be responsible for basic, intermediate, and advanced training for the Cyberspace Operations Forces, or at a minimum for the Cyber Mission Force.

(H) The level of training required before an individual should be assigned, allocated, or apportioned to United States Cyber Command.

(I) Whether or how the duties of the Director of the National Security Agency and the duties of the United States Cyber Command, resting with a single individual, enable each respective organization, and whether technical directors and intelligence expertise (i.e., the National Security Agency) should serve rotations in the Cyberspace Operations Forces.

(J) How personnel, such as military personnel, law enforcement officials, or intelligence personnel, should serve rotations in the Cyberspace Operations Forces.

(K) What work roles in the Cyberspace Operations Forces can only be filled by military personnel, which work roles can be filled by military personnel or civilians, and which work roles should be filled partially or fully by civilians due to the need for longevity of service to achieve required skill levels or retention rates.

(L) How specialized cyber experience, developed and maintained in the reserve components or remaining leverage, can be utilized to support the Cyberspace Operations Forces through innovative force generation models.

(M) Whether the Department of Defense should create or continue to organize, train, and equip the Cyberspace Operations Forces or at a minimum the Cyber Mission Forces.

(N) What resources, including billets, are required to account for any recommended changes.

(a) ESTABLISHMENT OF PROGRAM EXECUTIVE OFFICE.—The Deputy Secretary of Defense shall, in consultation with the Under Secretary of Defense for Acquisition and Sustainment and the Commander of United States Cyber Command, establish a program executive office (in this section referred to as the “Office”) to manage and provide oversight of the implementation and integration of the Joint Cyber Warfighting Architecture (in this section referred to as the “Architecture”) and the components of the Architecture.

(b) INDEPENDENCE OF OFFICE.—

(1) IN GENERAL.—The Deputy Secretary shall establish the Office outside of a military service.

(2) HEAD OF OFFICE.—The Deputy Secretary shall appoint the head of the Office and the head of the Office shall report to the Under Secretary and the Commander.

(c) CHIEF ARCHITECT AND SYSTEMS ENGINEER.—The Deputy Secretary shall ensure that the Office includes a chief architect and a systems engineer to provide the management and oversight described in subsection (a).

(d) APPOINTMENT OF EXPERTS.—The Deputy Secretary shall appoint to the Office personnel from organizations with relevant and high levels of technical and operational expertise, including the following:

(1) The Capabilities Directorate of the National Security Agency.


(3) The Strategic Capabilities Office.


(5) The Air Force Research Laboratory.

(6) The Office of Special Projects in the Navy.

(7) The operational units of the Cyber National Mission Force and cyber components of the military services.

(e) BUDGET EXECUTION CONTROL.—The head of the Office shall exercise budget execution
control over component programs of the Architecture that are subject to the responsibilities assigned to the Commander by section 1507 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 167b note).

(f) COMPLIANCE WITH DIRECTION.—The program managers of the components of the Architecture shall comply with direction from the head of the Office, without intermediary communications from the Commander or the Under Secretary to the senior acquisition executive on the staff of the military service.

(g) COORDINATION.—The Director of the Defense Advanced Research Projects Agency shall coordinate closely with the head of the Office in planning and executing the Constellation program via transactions under section 4021 of title 10, United States Code, between the Agency and the companies executing the components of the Architecture to create an effective framework and pipeline system for transitioning cyber applications for operational use from the Agency and other sources.

(h) BRIEFING REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the head of the Office and the Director of the National Security Agency shall provide to the congressional defense committees a briefing on the status of the implementation of this section.

(i) REVIEW.—

(i) AGREEMENT.—Not later than 180 days after the date of the enactment of this Act, the Deputy Secretary of Defense shall enter into an agreement with an appropriate third-party to perform the services covered by this subsection.

(ii) BRIEFING.—(A) The agreement entered into under subparagraph (i) shall include an assessment of and recommendations for improving:

(I) The effectiveness of the system integration and systems engineering efforts and governance structures of the Architecture.

(II) The acquisition model of the activities comprising the Architecture, including recommendations for expanded use of Budget Activity 8 (BA–8) authorities.

(iii) The pipeline for rapidly developing and incorporating new capabilities to respond to the rapidly-evolving cyber threat environment.

(iv) Such other matters as the Deputy Secretary considers appropriate.

(3) APPROPRIATE THIRD-PARTY.—For purposes of this subsection, an appropriate third-party is a person who—

(A) is not part of the Federal Government;

(B) operates as a not-for-profit entity; and

(C) has such expertise and objectivity as the Deputy Secretary considers appropriate to carry out the independent review under paragraph (2).

SEC. 1608. STUDY TO DETERMINE THE OPTIMAL STRATEGY FOR STRUCTURING AND MANAGING THE COMPONENTS OF THE JOINT FORCE HEADQUARTERS-CYBER ORGANIZATIONS, JOINT MISSION OPERATIONS CENTERS, AND CYBER OPERATIONS-INTEGRATED PLANNING ELEMENTS.

(a) STUDY.—

(1) IN GENERAL.—The Principal Cyber Advisor of the Department of Defense shall conduct a study to determine the optimal strategy for structuring and manning elements of the following:

(A) Joint Force Headquarters Cyber Organizations.

(B) Joint Mission Operations Centers.


(D) Joint Cyber Centers.

(2) ELEMENTS.—

(A) The study conducted under paragraph (1) shall include assessment of the following:

(i) Operational effects on the military services if each of the entities listed in subparagraphs (A) through (C) of paragraph (1) are realigned, restructured, or consolidated.

(ii) Operational and organizational effects on the military services, United States Cyber Command, other combatant commands, and the Joint Cyber Center if the entities listed in subparagraphs (A) through (D) of paragraph (1) are transferred to United States Cyber Command and designated as joint billets for joint qualification purposes.

(b) OPERATIONAL AND ORGANIZATIONAL EFFECTS.—

(i) The recruiting, retention, professional military education, and promotion of certain cyber operations personnel.

(ii) An assessment of the operational effects resulting from the relationship between the National Security Agency and United States Cyber Command, including a list of specific operations conducted over the previous year that were enabled by or benefitted from the relationship.

(iii) Another topic as the Director of the National Security Agency and the Commander of United States Cyber Command may consider appropriate.

SEC. 1610. REVIEW OF CERTAIN CYBER OPERATIONS PERSONNEL POLICIES.

(a) REVIEW REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the congressional defense committees a briefing on the relationship between the National Security Agency and United States Cyber Command described in section 16110 of title 10, United States Code, that could be used as a model for United States Cyber Command.

(b) ELEMENTS.—Each briefing provided under subsection (a) shall include an annual assessment of the following:

(1) The resources, authorities, activities, missions, facilities, and personnel used to conduct the relevant missions at the National Security Agency as well as the cyber offense and defense missions of United States Cyber Command.

(2) The processes used to manage risk, balance tradeoffs, and work with partners to execute operations.

(3) An assessment of the operating environment and the continuous need to balance tradeoffs to meet mission necessity and effectiveness.

(c) REPORT REQUIRED.—Not later than 90 days after the date on which the review and the processes required under subsection (a) are completed, the Secretary of Defense shall submit to the congressional defense committees a report on the findings of the Secretary on the military departments and the Commander of United States Cyber Command with respect to the review and the updates required by subsection (a).

(1) Such other matters as the Secretary of Defense determines necessary.

SEC. 1611. ANNUAL BRIEFING ON RELATIONSHIP BETWEEN UNITED STATES CYBER COMMAND AND UNITED STATES CYBER COMMAND.

(a) ANNUAL BRIEFINGS REQUIRED.—Not later than March 1, 2023, and not less frequently than once every 120 days thereafter, the Principal Cyber Advisor with respect to the study conducted under subsection (a).

(b) ELEMENTS.—(1) The findings of the Principal Cyber Advisor with respect to the study conducted under subsection (a).

(2) Details of the operational and organizational effects assessed under subsection (a).

(3) An assessment of the operational effects on the military departments and United States Cyber Command.

(c) REPORT REQUIRED.—Not later than 90 days after the date on which the review and the processes required under subsection (a) are completed, the Secretary of Defense shall submit to the congressional defense committees a report on the findings of the Secretary on the relationship between the National Security Agency and United States Cyber Command.
SEC. 1611. MILITARY CYBERSECURITY COOPERATION WITH KINGDOM OF JORDAN.

(a) In General.—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense shall, acting through the Under Secretary of Defense for Policy, in coordination with the Commander of United States Central Command, the Secretary of State, seek to engage their counterparts within the Ministry of Defence of the Kingdom of Jordan for the purpose of expanding cooperation of military cybersecurity activities.

(b) Cooperation Efforts.—The efforts to expand cooperation required by subsection (a) may include the following efforts between the Department of Defense and the Ministry of Defence of the Kingdom of Jordan: 

(1) Assessment activities or operations pursuant to section 394 of title 10, United States Code, in foreign cyberspace to deter, safeguard, or defend against such attacks.

(2) Mitigation activities for covered item—

(A) Whether activities to mitigate the risks associated with projected failure to replace a covered item by the required replacement date, a deviation from the modernization schedule established under section 153(a) of the Department of Defense Authorization Act for Fiscal Year 2019 (Public Law 115–223; 10 U.S.C. 711 note prec.), the cryptographic modernization for each covered item is pending, in progress, complete, or pursuant to paragraph (2) of such section, extended.

(B) The funding required for the covered fiscal year and for each subsequent fiscal year and for each department of defense program for fiscal year 2021 (Public Law 116–283; 10 U.S.C. 142 note), the cryptographic modernization for each covered item is pending, in progress, complete, or pursuant to paragraph (2) of such section, extended.

(C) Whether, in accordance with the schedule established under section 153(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 1105(a)), the cryptographic modernization for each covered item is pending, in progress, complete, or pursuant to paragraph (2) of such section, extended.

(D) The budget required for the covered fiscal year and for each subsequent fiscal year and for each department of defense program for fiscal year 2021 (Public Law 116–283; 10 U.S.C. 142 note), the cryptographic modernization for each covered item is pending, in progress, complete, or pursuant to paragraph (2) of such section, extended.

(E) The budget required for the covered fiscal year and for each subsequent fiscal year and for each department of defense program for fiscal year 2021 (Public Law 116–283; 10 U.S.C. 142 note), the cryptographic modernization for each covered item is pending, in progress, complete, or pursuant to paragraph (2) of such section, extended.

(F) Whether, in accordance with the schedule established under section 153(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 1105(a)), the cryptographic modernization for each covered item is pending, in progress, complete, or pursuant to paragraph (2) of such section, extended.

(G) Whether, in accordance with the schedule established under section 153(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 1105(a)), the cryptographic modernization for each covered item is pending, in progress, complete, or pursuant to paragraph (2) of such section, extended.

(H) Whether, in accordance with the schedule established under section 153(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 1105(a)), the cryptographic modernization for each covered item is pending, in progress, complete, or pursuant to paragraph (2) of such section, extended.

(I) Whether, in accordance with the schedule established under section 153(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 1105(a)), the cryptographic modernization for each covered item is pending, in progress, complete, or pursuant to paragraph (2) of such section, extended.

(J) Whether, in accordance with the schedule established under section 153(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 1105(a)), the cryptographic modernization for each covered item is pending, in progress, complete, or pursuant to paragraph (2) of such section, extended.

(K) Whether, in accordance with the schedule established under section 153(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 1105(a)), the cryptographic modernization for each covered item is pending, in progress, complete, or pursuant to paragraph (2) of such section, extended.

(L) Whether, in accordance with the schedule established under section 153(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 1105(a)), the cryptographic modernization for each covered item is pending, in progress, complete, or pursuant to paragraph (2) of such section, extended.

(M) Whether, in accordance with the schedule established under section 153(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 1105(a)), the cryptographic modernization for each covered item is pending, in progress, complete, or pursuant to paragraph (2) of such section, extended.

(N) Whether, in accordance with the schedule established under section 153(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 1105(a)), the cryptographic modernization for each covered item is pending, in progress, complete, or pursuant to paragraph (2) of such section, extended.

(O) Whether, in accordance with the schedule established under section 153(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 1105(a)), the cryptographic modernization for each covered item is pending, in progress, complete, or pursuant to paragraph (2) of such section, extended.

(P) Whether, in accordance with the schedule established under section 153(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 1105(a)), the cryptographic modernization for each covered item is pending, in progress, complete, or pursuant to paragraph (2) of such section, extended.

(Q) Whether, in accordance with the schedule established under section 153(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 1105(a)), the cryptographic modernization for each covered item is pending, in progress, complete, or pursuant to paragraph (2) of such section, extended.

(R) Whether, in accordance with the schedule established under section 153(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 1105(a)), the cryptographic modernization for each covered item is pending, in progress, complete, or pursuant to paragraph (2) of such section, extended.

(S) Whether, in accordance with the schedule established under section 153(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 1105(a)), the cryptographic modernization for each covered item is pending, in progress, complete, or pursuant to paragraph (2) of such section, extended.

(T) Whether, in accordance with the schedule established under section 153(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 1105(a)), the cryptographic modernization for each covered item is pending, in progress, complete, or pursuant to paragraph (2) of such section, extended.

(U) Whether, in accordance with the schedule established under section 153(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 1105(a)), the cryptographic modernization for each covered item is pending, in progress, complete, or pursuant to paragraph (2) of such section, extended.

(V) Whether, in accordance with the schedule established under section 153(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 1105(a)), the cryptographic modernization for each covered item is pending, in progress, complete, or pursuant to paragraph (2) of such section, extended.

(W) Whether, in accordance with the schedule established under section 153(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 1105(a)), the cryptographic modernization for each covered item is pending, in progress, complete, or pursuant to paragraph (2) of such section, extended.

(X) Whether, in accordance with the schedule established under section 153(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 1105(a)), the cryptographic modernization for each covered item is pending, in progress, complete, or pursuant to paragraph (2) of such section, extended.

(Y) Whether, in accordance with the schedule established under section 153(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 1105(a)), the cryptographic modernization for each covered item is pending, in progress, complete, or pursuant to paragraph (2) of such section, extended.

(Z) Whether, in accordance with the schedule established under section 153(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 1105(a)), the cryptographic modernization for each covered item is pending, in progress, complete, or pursuant to paragraph (2) of such section, extended.
year for required mitigation activities to complete any planned, pending, or in-progress mitigation activities for a covered item.

(c) A description of the activities planned in the covered fiscal year and each subsequent fiscal year to complete mitigation activities and an explanation of the efficacy of the mitigation activities.

(c) A description of the activities planned in the covered fiscal year and each subsequent fiscal year to complete mitigation activities and an explanation of the efficacy of the mitigation activities.

SEC. 162. ESTABLISHING PROJECTS FOR DATA MANAGEMENT, ARTIFICIAL INTELLIGENCE, AND DIGITAL SOLUTIONS.

(a) ESTABLISHMENT OF PRIORITY PROJECTS.—The Deputy Secretary of Defense shall—

(1) establish priority enterprise projects for data management, artificial intelligence, and digital solutions for both business efficiency and warfighting capabilities intended to accelerate decision advantage; and

(2) assign responsibilities for execution and funding of the projects established under paragraph (1).

(b) ACTIONS REQUIRED.—To ensure implementation of the priority projects of the Deputy Secretary of Defense under subsection (a), and to instill data science and technology discipline in the Department of Defense, the Deputy Secretary shall—

(1) hold the heads of Department components accountable for—

(A) making their component’s data available for use in common enterprise data sets in accordance with plans developed and approved by the head of the component and the Deputy Secretary;

(B) developing, implementing, and reporting measurable actions to acquire, preserve, and grow the population of government and contractor personnel with expertise in data management, artificial intelligence, and digital solutions;

(C) making their components use data management practices, analytics processes, computing environments, and operational test environments that are made available and specifically approved by the head of the component and the Deputy Secretary;

(D) identifying and reporting on an annual basis the strategy for incorporating new technologies into ongoing programs and activities and new initiatives within their components to which the component head determines should be applied analytics, digital, and artificial intelligence; and

(E) developing and implementing cybersecurity solutions, including red team assessments and test environments that conduct assessments of data management and digital solutions and data, development processes, and applications from adversary actions;

(2) require the Chief Digital and Artificial Intelligence Officer and heads of Department components to develop and report on an actionable plan for the Deputy Secretary to promulgate to reform the technologies, policies, and procedures used to identify, credentialed authority to order decisions to enable rapid deployment into operational environments of newly developed government, contractor, and commercial software;

(3) require the Chief Digital and Artificial Intelligence Officer and heads of Department components to develop and establish classified annexes of the DoD network architecture, control plane and virtualization hypervisor.

(b) ESTABLISHMENT OF PRIORITY PROJECTS.—The Deputy Secretary of Defense shall—

(1) establish priority enterprise projects for data management, artificial intelligence, and digital solutions for both business efficiency and warfighting capabilities intended to accelerate decision advantage; and

(2) assign responsibilities for execution and funding of the projects established under paragraph (1).

(b) ACTIONS REQUIRED.—To ensure implementation of the priority projects of the Deputy Secretary of Defense under subsection (a), and to instill data science and technology discipline in the Department of Defense, the Deputy Secretary shall—

(i) hold the heads of Department components accountable for—

(A) making their component’s data available for use in common enterprise data sets in accordance with plans developed and approved by the head of the component and the Deputy Secretary;

(B) developing, implementing, and reporting measurable actions to acquire, preserve, and grow the population of government and contractor personnel with expertise in data management, artificial intelligence, and digital solutions;

(C) making their components use data management practices, analytics processes, computing environments, and operational test environments that are made available and specifically approved by the head of the component and the Deputy Secretary;

(D) identifying and reporting on an annual basis the strategy for incorporating new technologies into ongoing programs and activities and new initiatives within their components to which the component head determines should be applied analytics, digital, and artificial intelligence; and

(E) developing and implementing cybersecurity solutions, including red team assessments and test environments that conduct assessments of data management and digital solutions and data, development processes, and applications from adversary actions;

(2) require the Chief Digital and Artificial Intelligence Officer and heads of Department components to develop and report on an actionable plan for the Deputy Secretary to promulgate to reform the technologies, policies, and procedures used to identify, credentialed authority to order decisions to enable rapid deployment into operational environments of newly developed government, contractor, and commercial software;

(3) require the Chief Digital and Artificial Intelligence Officer and heads of Department components to develop and establish classified annexes of the DoD network architecture, control plane and virtualization hypervisor.
SEC. 1625. REPORT ON RECOMMENDATIONS FROM NAVY CIVILIAN CAREER PATH STUDY.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the appropriate committees a report on the recommendations made in the report submitted to the congressional defense committees under section 1653(a)(2) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; relating to recommendations made in the report submitted by the Secretary of the Navy to Congress on the recommendations made in the report submitted to the congressional defense committees under section 1653(a)(2) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; relating to improving cyber career paths in the Navy).

(2) CONTENTS.—The report submitted under paragraph (1) shall include the following:

(A) A description of each recommendation described in such subsection that has already been implemented.

(B) A description of each recommendation described in such subsection that the Secretary has commenced implementing, including a justification for determining to commence implementing the recommendation.

(C) A description of each recommendation described in such subsection that the Secretary has not implemented or commenced implementing and a determination as to whether or not to implement the recommendations.

(D) For each recommendation under subparagraph (C) that the Secretary determines to implement, the following:

(i) A timeline for implementation.

(ii) A description of any additional resources or authorities required for implementation.

(iii) The plan for implementation.

(E) For each recommendation under subparagraph (C) that the Secretary determines not to implement, a justification for the determination not to implement.

(2) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall provide to the congressional defense committees a briefing on the preliminary findings of the Comptroller General with respect to the review conducted under paragraph (1).

(3) IN GENERAL.—Not later than 90 days after the date of the submittal of the report required by subsection (a)(1), the Comptroller General shall provide to the congressional defense committees a briefing on the preliminary findings of the Comptroller General with respect to the review conducted under paragraph (1).

(4) FINAL REPORT.—The Comptroller General shall submit to the congressional defense committees a report on the findings of the Comptroller General with respect to the review conducted under paragraph (1) at such time and in such format as is mutually agreed upon by the committees and the Comptroller General, and at the time of the briefing under paragraph (3).

SEC. 1626. REVIEW OF DEPARTMENT OF DEFENSE IMPLEMENTATION OF SEC. 1616 OF STRATEGIC CAPABILITY."
Agency, the Director of the National Security Agency, and the Under Secretary of Defense for Research and Engineering, shall jointly develop a five-year roadmap and implementation plan for rapidly adopting and acquiring artificial intelligence systems, applications, and supporting data and data management processes for the Cyberspace Operations Forces of the Department of Defense.

(b) ELEMENTS.—The roadmap and implementation plan required by subsection (a) shall include the following:

(1) Identification and prioritization of artificial intelligence systems, applications, data and data processing to counter cyber missions within the Department, and ameliorating threats to, and from, artificial intelligence applications.

(A) advancing the cybersecurity of Department systems with artificial intelligence;

(B) uses of artificial intelligence for cyber effects operations;

(C) assessing and mitigating vulnerabilities of artificial intelligence systems supporting cybersecurity and cyber operations to attacks; and

(D) defending against adversary artificial intelligence-based cyber attacks.

(2) A plan to develop, acquire, adopt, and sustain the identified artificial intelligence systems, applications, and data, and processing identified in paragraph (1).

(3) Roles and responsibilities for the following:

(a) acquiring, deploying, and operating artificial intelligence systems, applications, and data to cyber missions within the Department:

(A) The Commander of United States Cyber Command;

(B) The Commander of Joint-Force Headquarters Department of Defense Information Networks;

(C) The Chief Information Officer of the Department;

(D) The Chief Digital and Artificial Intelligence Officer; and

(E) The Under Secretary of Defense for Research and Engineering;

(F) The Secretaries of the military departments;

(G) The Director of the National Security Agency.

(4) Identification of currently deployed, adopted, and acquired artificial intelligence systems, applications, ongoing prototypes, and data.

(5) Identification of current capabilities and skill levels that must be addressed prior to the development and adoption of artificial intelligence applications identified in paragraph (1).

(6) Identification of opportunities to solicit operator utility feedback through inclusion into research and development processes and wargaming or experimentation events by developing a roadmap for such processes and events, as well as a formalized process for capturing and tracking lessons learned from such events to inform the development community.

(7) Identification of long-term technology gaps for fulfilling the Department’s cyber warfare mission to be addressed by research and development of artificial intelligence and associated critical enabling technology solutions, including phases in the maturity model or identified milestones and clearly identified areas for collaborative research.

(b) E LEMENTS.—The demonstration program required in subsection (a), the Commander and the Chief Information Officer complete development of the roadmap and implementation plan required in subsection (a), the Commander and the Chief Information Officer jointly determine may be required.

(c) Such other topics as the Commander and the Chief Information Officer jointly consider appropriate.

(b) BRIEFING.—Not later than 30 days after the date on which the Commander and the Chief Information Officer complete development of the roadmap and implementation plan required in subsection (a), the Commander and the Chief Information Officer shall provide the congressional defense committees a classified briefing on the roadmap and implementation plan.

SEC. 1630. DEMONSTRATION PROGRAM FOR CYBERSECURITY AND INFORMATION TECHNOLOGY BUDGET DATA ANALYTICS.

(a) DEMONSTRATION PROGRAM REQUIRED.—

(1) IN GENERAL.—Not later than February 1, 2024, the Chief Information Officer of the Department of Defense shall, in coordination with the Chief Digital and Artificial Intelligence Officer, complete a pilot program to demonstrate data analytics to the fiscal year 2024 cyber and information technology budget data of a military service.

(2) COORDINATION WITH MILITARY SERVICES.—In carrying out the demonstration program required by subsection (a), the Chief Information Officer shall, in coordination with the Secretary of the Air Force, the Secretary of the Army, the Secretary of the Navy, and the Secretary of Defense, select a military service for participation in the demonstration program.

(b) ELEMENTS.—The demonstration program shall include—

(1) efforts to determine, execute, and validate, in an auditable manner, data and data analytics activities for the information technology budget of a military service;

(2) efforts to improve transparency in cyber and information technology budget information that identifies cybersecurity efforts funded out of noncyber information technology lines, including qualitative techniques such as semantic analysis or natural language processing techniques;

(3) metrics developed to assess the effectiveness of the demonstration program;

(4) a cost tradeoff analysis of implementing the demonstration program across the cyber and information technology budgets of the Department of Defense;

(5) effort to utilize data analytics to make budget trade-offs; and

(6) efforts to incorporate data analytics into the congressional budget budget submision process.

(c) BRIEFING.—

(1) INITIAL BRIEFING.—Not later than 120 days after the date of the enactment of this Act, the Chief Information Officer shall provide the congressional defense committees a briefing on the results and findings of the demonstration program.

(b) BRIEFING.—The assessments required under subsection (a) with respect to vulnerabilities and risks described in such subsection shall include—

(1) identification of such vulnerabilities and risks;

(2) ranking of vulnerability, severity, and priority;

(3) recommendations for additional data analytics to the budget.

SEC. 1631. LIMITATION ON AVAILABILITY OF FUNDS FOR OPERATION AND MAINTENANCE FOR OFFICE OF SECRETARY OF DEFENSE UNTIL FRAMEWORK TO ENHANCE CYBERSECURITY OF UNITED STATES DEFENSE INDUSTRIAL BASE IS COMPLETED.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act for fiscal year 2023 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 framework required by section 1648 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 2201) is completed and submitted to the congressional defense committees.

(b) BRIEFING.—Not later than 30 days after the date of the enactment of this Act, the Chief Information Officer shall, in coordination with the Chief Digital and Artificial Intelligence Officer, complete a pilot program to demonstrate data analytics to the fiscal year 2024 cyber and information technology budget data of a military service.

(b) ELEMENTS.—The briefing required by paragraph (1) shall include the following:

(A) An overview of the framework submitted in accordance with subsection (a);

(B) Identification of such pilot programs as the Secretary considers may be required to improve the cybersecurity of the defense industrial base.

(c) Implementation timelines and identification of costs.

(b) BRIEFING.—Not later than 30 days after the date of the enactment of this Act, the Chief Information Officer shall provide the congressional defense committees a briefing on the results and findings of the demonstration program.
(3) development and selection of options, with associated costs and schedule, to correct such vulnerabilities, including installation of intrusion detection capabilities; and (4) development of integrated risk-based plans to implement the corrective actions selected.

(c) DEVELOPMENT OF CORRECTIVE ACTIONS.—In developing corrective actions under subsection (b)(3), the assessments required under subsection (a) shall address requirements for deployed members of the Armed Forces to analyze data collected on the weapons systems and respond to attacks.

(d) INTELLIGENCE INFORMED ASSESSMENTS.—The assessments required under subsection (a) shall be informed by intelligence, if available, and technical judgment regarding potential threats to embedded operational technology during operations of the Armed Forces.

(e) COORDINATION.—

(1) COORDINATION AND INTEGRATION OF ACTIVITIES.—The assessments required under subsection (a) shall be fully coordinated and integrated with activities described in such subsection.

(2) COORDINATION OF ORGANIZATIONS.—The Secretary shall ensure that the organizations conducting the assessments under subsection (a) in the military departments, the United States Special Operations Command, and the Defense Agencies coordinate with each other and share best practices, vulnerability analyses, and technical solutions.

(f) BRIEFINGS.—Not later than one year after the date of the enactment of this Act, the Secretary shall provide to the congressional defense committees briefings from the organizations specified under subsection (e)(2), as appropriate, on the activities and plans required under this section.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

SEC. 2001. SHORT TITLE.

This division may be cited as the “Military Construction Authorization Act for Fiscal Year 2023”.

SEC. 2002. EXPRIATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO BE SPECIFIED BY LAW.

(a) EXPRIATION 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, 2025; or

(2) the date of the enactment of an Act authorizing funds 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:

<table>
<thead>
<tr>
<th>Army: Inside the United States</th>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td></td>
<td>Redstone Arsenal</td>
<td>$96,000,000</td>
</tr>
<tr>
<td>Alaska</td>
<td></td>
<td>Fort Wainwright</td>
<td>$99,000,000</td>
</tr>
<tr>
<td>Colorado</td>
<td></td>
<td>Fort Carson</td>
<td>$14,200,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td></td>
<td>Fort Shafter</td>
<td>$33,000,000</td>
</tr>
<tr>
<td>Hawai</td>
<td></td>
<td>Schofield Barracks</td>
<td>$111,000,000</td>
</tr>
<tr>
<td>Louisiana</td>
<td></td>
<td>Tripler Army Medical Center</td>
<td>$27,000,000</td>
</tr>
<tr>
<td>Mississippi</td>
<td></td>
<td>Engineer Research and Development Center</td>
<td>$32,000,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td></td>
<td>Fort Bragg</td>
<td>$20,000,000</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td></td>
<td>Fort Bliss</td>
<td>$34,000,000</td>
</tr>
<tr>
<td>Texas</td>
<td></td>
<td>Fort Bliss</td>
<td>$38,000,000</td>
</tr>
<tr>
<td>Washington</td>
<td></td>
<td>Joint Base Lewis-McChord</td>
<td>$103,000,000</td>
</tr>
</tbody>
</table>

(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:

<table>
<thead>
<tr>
<th>Army: Outside the United States</th>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td></td>
<td>East Camp Grafenwoehr</td>
<td>$168,000,000</td>
</tr>
<tr>
<td>Japan</td>
<td></td>
<td>Kadena Air Force Base</td>
<td>$90,000,000</td>
</tr>
<tr>
<td>Kwajalein</td>
<td></td>
<td>Kwajalein Atoll</td>
<td>$69,000,000</td>
</tr>
</tbody>
</table>

SEC. 2102. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may construct or acquire family housing units (including land acquisition and supporting facilities) at the installations or locations, in the number of units, and in the amounts set forth in the following table:

<table>
<thead>
<tr>
<th>Family Housing Housing</th>
<th>Country</th>
<th>Installation</th>
<th>Units</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td></td>
<td>Baumholder</td>
<td>Family Housing Replacement Construction</td>
<td>$77,000,000</td>
</tr>
<tr>
<td>Italy</td>
<td></td>
<td>Vicenza</td>
<td>Family Housing New Construction</td>
<td>$96,000,000</td>
</tr>
</tbody>
</table>
(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 $17,339,000.

SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2022, 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 2803 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 AND MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2018 PROJECTS.

(a) KUNSAN AIR BASE, KOREA.—

(1) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1817), the authorization contained in the table in section 2102 of that Act (131 Stat. 1820) for Kunsan Air Base, Korea, for construction of an unmanned aerial vehicle hangar at the installation, the Secretary of the Army may construct the hangar at Camp Humphreys, Korea, and may remove primary scope associated with the relocation of the Air Defense Artillery (ADA) Battalion facilities, to include the ground based missile defense equipment area, fighting positions, missile resupply area ADA, ready building or command post, battery command post area, safety shelter, and guard post.

(b) KWAJALEIN ATOLL, KWAJALEIN.—

(1) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1817), the authorization contained in the table in section 2102 of that Act (131 Stat. 1820) for Kwajalein Atoll, Kwajalein, the Secretary of the Navy may increase scope for military construction for fiscal year 2024, whichever is later.

(2) MODIFICATION.—In the case of the authorization contained in the table in section 2102(b) of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1817) for Kunsan Air Base, Korea, for construction of an unmanned aerial vehicle hangar at the installation, the Secretary of the Army may construct the hangar at Camp Humphreys, Korea, and may remove primary scope associated with the relocation of the Air Defense Artillery (ADA) Battalion facilities, to include the ground based missile defense equipment area, fighting positions, missile resupply area ADA, ready building or command post, battery command post area, safety shelter, and guard post.

SEC. 2105. MODIFICATION OF AUTHORITY TO CARRY OUT FISCAL YEAR 2019 PROJECT AT CAMP TANGO, KOREA.

In the case of the authorization contained in the table in section 2101(b) of the John S. McCain National Defense Authorization Act for Fiscal Year 2018 (division B of Public Law 115–232; 132 Stat. 2242) for Camp Tango, Korea, for construction of a command and control facility at the installation, 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:

<table>
<thead>
<tr>
<th>State or Territory</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>Marine Corps Air Ground Combat Center Twentynine Palms</td>
<td>$120,382,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Base Camp Pendleton</td>
<td>$117,310,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Recruit Depot San Diego</td>
<td>$83,200,000</td>
</tr>
<tr>
<td></td>
<td>Naval Air Station Lemoore</td>
<td>$201,261,000</td>
</tr>
<tr>
<td></td>
<td>Naval Base San Diego</td>
<td>$132,700,000</td>
</tr>
<tr>
<td></td>
<td>Naval Base Point Loma Annex</td>
<td>$56,450,000</td>
</tr>
<tr>
<td></td>
<td>Naval Surface Warfare Center Corona Division</td>
<td>$15,000,000</td>
</tr>
<tr>
<td></td>
<td>Naval Submarine Base New London</td>
<td>$15,514,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Naval Air Station Jacksonville</td>
<td>$86,232,000</td>
</tr>
<tr>
<td></td>
<td>Naval Air Station Whiting Field</td>
<td>$199,289,000</td>
</tr>
<tr>
<td></td>
<td>Naval Surface Warfare Center Carderock Division</td>
<td>$2,079,000</td>
</tr>
<tr>
<td></td>
<td>Naval Submarine Base Kings Bay</td>
<td>$379,171,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Base Camp Blaz</td>
<td>$530,389,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Joint Base Pearl Harbor-Hickam</td>
<td>$3,754,192,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Base Kaneohe Bay</td>
<td>$87,900,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Naval Surface Warfare Center Indian Head Division</td>
<td>$8,039,000</td>
</tr>
<tr>
<td>Michigan</td>
<td>Marine Forces Reserve Battle Creek</td>
<td>$24,300,000</td>
</tr>
<tr>
<td>Nevada</td>
<td>Naval Air Station Fallon</td>
<td>$146,165,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Marine Corps Air Station Cherry Point</td>
<td>$38,415,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Air Station New River</td>
<td>$210,600,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Base Camp Lejeune</td>
<td>$47,475,000</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>Naval Surface Warfare Center Philadelphia Division</td>
<td>$86,610,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Marine Corps Recruit Depot Parris Island</td>
<td>$75,900,000</td>
</tr>
<tr>
<td></td>
<td>Naval Station Norfolk</td>
<td>$16,863,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Naval Surface Warfare Center Dahlgren Division</td>
<td>$2,509,000</td>
</tr>
<tr>
<td></td>
<td>Naval Air Station Whidbey Island</td>
<td>$105,561,000</td>
</tr>
</tbody>
</table>

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2203(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Australia</td>
<td>Royal Australian Air Force Base Darwin</td>
<td>$258,831,000</td>
</tr>
<tr>
<td>Djibouti</td>
<td>Camp Lemonnier</td>
<td>$106,700,000</td>
</tr>
<tr>
<td>Japan</td>
<td>Kadena Air Base</td>
<td>$195,400,000</td>
</tr>
</tbody>
</table>
**SEC. 2202. FAMILY HOUSING.**

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2203(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may construct or acquire family housing units (including land acquisition and supporting facilities) at the installations or locations, in the number of units, and in the amounts set forth in the following table:

<table>
<thead>
<tr>
<th>Territory</th>
<th>Installation or Location</th>
<th>Units</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Guam</td>
<td>NAVSUPPACT Andersen</td>
<td>Replace Andersen Housing</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>PH IV</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Replace Andersen Housing</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>PH V</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Replace Andersen Housing</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>PH VI</td>
<td></td>
</tr>
</tbody>
</table>

(b) IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.—Subject to section 2205 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2203(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may improve existing military family housing units in an amount not to exceed $74,540,000.

(c) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2203(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $14,123,000.

**SEC. 2203. AUTHORIZATION OF APPROPRIATIONS, NAVY.**

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2022, 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 2833 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.

**SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2303(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>Maxwell Air Force Base</td>
<td>$15,000,000</td>
</tr>
<tr>
<td>Alaska</td>
<td>Clear Space Force Station</td>
<td>$68,000,000</td>
</tr>
<tr>
<td>Arizona</td>
<td>Joint Base Elmendorf-Richardson</td>
<td>$5,200,000</td>
</tr>
<tr>
<td>California</td>
<td>Davis-Monthan Air Force Base</td>
<td>$7,500,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Travis Air Force Base</td>
<td>$7,500,000</td>
</tr>
<tr>
<td>Illinois</td>
<td>Vandenberg Space Force Base</td>
<td>$89,000,000</td>
</tr>
<tr>
<td>New York</td>
<td>Air Force Research Laboratory - Maui Experimental Site #1</td>
<td>$89,000,000</td>
</tr>
<tr>
<td>Ohio</td>
<td>Scott Air Force Base</td>
<td>$19,895,000</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Wright Patterson Air Force Base</td>
<td>$29,000,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Shaw Air Force Base</td>
<td>$10,000,000</td>
</tr>
<tr>
<td>South Dakota</td>
<td>Ellsworth Air Force Base</td>
<td>$328,000,000</td>
</tr>
<tr>
<td>Tennessee</td>
<td>Arnold Air Force Base</td>
<td>$38,000,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Joint Base San Antonio-Randolph</td>
<td>$29,000,000</td>
</tr>
<tr>
<td>Utah</td>
<td>Hill Air Force Base</td>
<td>$84,000,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Fairchild Air Force Base</td>
<td>$9,000,000</td>
</tr>
<tr>
<td>Wyoming</td>
<td>F.E. Warren Air Force Base</td>
<td>$186,000,000</td>
</tr>
</tbody>
</table>

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2303(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:


**Air Force: Outside the United States**

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Original Authorized Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hungary</td>
<td>Kecskemet Air Base</td>
<td>ERI: Airfield Upgrades</td>
<td>$12,900,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>ERI: Construct Parallel Taxiway</td>
<td>$30,000,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>ERI: Increase POL Storage Capacity</td>
<td>$12,500,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>ERI: ECAOS Deployable Airfield</td>
<td>$67,400,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>ERI: Airfield Upgrades</td>
<td>$4,000,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>ERI: Increase POL Storage Capacity</td>
<td>$20,000,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>ERI: Airfield Upgrades</td>
<td>$22,000,000</td>
</tr>
<tr>
<td>Luxembourg</td>
<td>Sanem</td>
<td>ERI: Airfield Upgrades</td>
<td>$12,900,000</td>
</tr>
<tr>
<td>Slovakia</td>
<td>Malacky</td>
<td>ERI: Airfield Upgrades</td>
<td>$30,000,000</td>
</tr>
<tr>
<td></td>
<td>Sliac Airport</td>
<td>ERI: Airfield Upgrades</td>
<td>$12,500,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>ERI: Increase POL Storage Capacity</td>
<td>$67,400,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>ERI: Airfield Upgrades</td>
<td>$4,000,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>ERI: Increase POL Storage Capacity</td>
<td>$20,000,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>ERI: Airfield Upgrades</td>
<td>$22,000,000</td>
</tr>
</tbody>
</table>

**Air Force: Extension of 2018 Project Authorizations**

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Original Authorized Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Florida</td>
<td>Tyndall Air Force Base</td>
<td>Fire Station</td>
<td>$17,000,000</td>
</tr>
<tr>
<td></td>
<td>Joint Base San Antonio</td>
<td>BMT Classrooms/Dining</td>
<td>$38,000,000</td>
</tr>
<tr>
<td></td>
<td>Camp Bullis Dining Facility</td>
<td></td>
<td>$18,500,000</td>
</tr>
<tr>
<td>Wyoming</td>
<td>F. E. Warren Air Force Base</td>
<td>Consolidated Helo/TRF Ops/AMU and Alert Fac.</td>
<td>$62,000,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**SEC. 2302. FAMILY HOUSING.**

(a) **IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.—** Subject to section 2305 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2303(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may improve existing military family housing units in an amount not to exceed $17,730,000.

(b) **PLANNING AND DESIGN.—** Using amounts appropriated pursuant to the authorization of appropriations in section 2303(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $233,858,000.

(b) **OVERSEAS CONTINGENCY OPERATIONS.—**

(1) **IN GENERAL.**—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1817), the authorizations set forth in the table in paragraph (2), as provided in section 2301(a) of that Act (131 Stat. 1825), for the projects specified in that table 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.

(2) **TABLE.**—The table referred to in paragraph (1) is as follows:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Original Authorized Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hungary</td>
<td>Kecskemet Air Base</td>
<td>ERI: Airfield Upgrades</td>
<td>$12,900,000</td>
</tr>
<tr>
<td></td>
<td>Kecskemet Air Base</td>
<td>ERI: Construct Parallel Taxiway</td>
<td>$30,000,000</td>
</tr>
<tr>
<td></td>
<td>Kecskemet Air Base</td>
<td>ERI: Increase POL Storage Capacity</td>
<td>$12,500,000</td>
</tr>
<tr>
<td></td>
<td>Sanem</td>
<td>ERI: ECAOS Deployable Airfield</td>
<td>$67,400,000</td>
</tr>
<tr>
<td></td>
<td>Malacky</td>
<td>ERI: Airfield Upgrades</td>
<td>$4,000,000</td>
</tr>
<tr>
<td></td>
<td>Sliac Airport</td>
<td>ERI: Airfield Upgrades</td>
<td>$20,000,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>ERI: Increase POL Storage Capacity</td>
<td>$22,000,000</td>
</tr>
</tbody>
</table>

**SEC. 2303. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.**

(a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2022, 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. 2304. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2018 PROJECTS.**

(a) **AIR FORCE CONSTRUCTION AND LAND ACQUISITION.**—

(1) **IN GENERAL.**—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1817), the authorizations set forth in the table in paragraph (2), as provided in section 2301(a) of that Act (131 Stat. 1825), for the projects specified in that table 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.

(2) **TABLE.**—The table referred to in paragraph (1) is as follows:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Original Authorized Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Florida</td>
<td>Tyndall Air Force Base</td>
<td>Fire Station</td>
<td>$17,000,000</td>
</tr>
<tr>
<td></td>
<td>Joint Base San Antonio</td>
<td>BMT Classrooms/Dining</td>
<td>$38,000,000</td>
</tr>
<tr>
<td></td>
<td>Camp Bullis Dining Facility</td>
<td></td>
<td>$18,500,000</td>
</tr>
<tr>
<td></td>
<td>Consolidated Helo/TRF Ops/AMU and Alert Fac.</td>
<td></td>
<td>$62,000,000</td>
</tr>
</tbody>
</table>

**SEC. 2305. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN 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. 1915) for Tyndall Air Force Base, Florida—

(1) for construction of Lodging Facilities Phases 1-2, as specified in such funding table in section 4669 of that Act (133 Stat. 2163) and modified by subsection (a)(7) of section 2906 of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116–283; 134 Stat. 4302), the Secretary of the Air Force may construct two emergency backup generators;

(2) for construction of Dorm Complex Phases 1-2, as specified in such funding table in section 4669 of that Act (133 Stat. 2163) and modified by subsection (a)(7) of section 2906 of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116–283; 134 Stat. 4302), the Secretary of the Air Force may construct—

(3) for construction of Site Development, Utilities & Demo Phase 2, as specified in such funding table and modified by subsection (a)(6) of such section 2906, the Secretary of the Air Force may construct—
In the case of the authorization contained in section 2303(a) of the Military Construction Authorization Act for Fiscal Year 2022 (division B of Public Law 116–283; 134 Stat. 4299) for Hill Air Force Base, Utah, for construction of GBSD Organic Software Sustainability Center, as specified in the funding table in section 4601 of such Act (134 Stat. 4902), the Secretary of the Air Force may construct—

(1) up to 7,526 square meters of surface parking lot in lieu of constructing a 13,494 square meters vehicle parking garage; and

(2) up to 402 square meters of storage igloo.

(5) for construction of Deployment Center/Flight Line Dining/AAFES, as specified in such funding table and modified by subsection (a)(11) of such section 2306, the Secretary of the Air Force may construct up to 164 square meters of AAFES (Shoppette).

(b) O UTSIDE 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

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td>Baumholder</td>
<td>$149,023,000</td>
</tr>
<tr>
<td>Japan</td>
<td>Yokota Air Base</td>
<td>$72,154,000</td>
</tr>
</tbody>
</table>

(a) Inside the United States.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for energy conservation projects 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

<table>
<thead>
<tr>
<th>State or Territory</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>Missile and Space Intelligence Center, Redstone Arsenal</td>
<td>$10,700,000</td>
</tr>
<tr>
<td>California</td>
<td>Marine Corps Mountain Warfare Training Center</td>
<td>$25,560,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Naval Base Ventura County</td>
<td>$13,360,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Patrick Space Force Base</td>
<td>$2,400,000</td>
</tr>
<tr>
<td>Guam</td>
<td>Naval Submarine Base Kings Bay</td>
<td>$11,200,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Joint Base Pearl Harbor-Hickam</td>
<td>$25,000,000</td>
</tr>
<tr>
<td>Kansas</td>
<td>Fort Riley</td>
<td>$25,780,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>National Security Agency-Washington, Fort Meade</td>
<td>$23,310,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Fort Hood</td>
<td>$31,500,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>U.S. Army Reserve Center, Conroe</td>
<td>$9,600,000</td>
</tr>
<tr>
<td></td>
<td>Naval Support Activity Hampton Roads</td>
<td>$1,190,000</td>
</tr>
</tbody>
</table>

(b) Outside the United States.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for 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

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Djibouti</td>
<td>Camp Lemonnier</td>
<td>$24,000,000</td>
</tr>
</tbody>
</table>
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, 2022, 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 2833 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 AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2018 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1817), the authorization set forth in the table in subsection (b), as provided in section 2601(b) of that Act (131 Stat. 1899), for the projects specified in that table 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 2019, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Original Authorized Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Japan</td>
<td>Kadena Air Base</td>
<td></td>
<td>$780,000</td>
</tr>
<tr>
<td>Kuwait</td>
<td>Camp Arifjan</td>
<td></td>
<td>$26,850,000</td>
</tr>
</tbody>
</table>

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 2906 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.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2022, for contributions by the Secretary of Defense under section 2906 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.

Subtitle B—Host Country In-Kind Contributions

SEC. 2511. REPUBLIC OF KOREA-FUNDED CONSTRUCTION PROJECTS.

Pursuant to agreement with the Republic of Korea for required in-kind contributions, the Secretary of Defense may accept military construction projects for the installations or locations in the Republic of Korea, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation Location</th>
<th>Project Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Army</td>
<td>Camp Humphreys</td>
<td>Quartermaster Laundry/Dry Cleaner Facility</td>
<td>$24,000,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>MILVAN CONNEX Storage Yard</td>
<td>$20,000,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Replace Ordnance Storage Magazines</td>
<td>$150,000,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Water Treatment Plant Relocation</td>
<td>$6,000,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Refueling Vehicle Shop</td>
<td>$9,800,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Combined Air and Space Operations Intelligence Center</td>
<td>$306,000,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Upgrade Electrical Distribution West, Phase 3</td>
<td>$235,000,000</td>
</tr>
</tbody>
</table>

SEC. 2512. REPEAL OF AUTHORIZED APPROACH TO CONSTRUCTION PROJECT AT CAMP HUMPHREYS, REPUBLIC OF KOREA.

Section 2511 of the Military Construction Authorization Act for Fiscal Year 2022 (division B of Public Law 117–81; 135 Stat. 2177) is amended—

(1) in subsection (a), by striking “(a) AUTHORITY TO ACCEPT PROJECTS.—Pursuant to” and inserting “Pursuant to” and

(2) by striking subsection (b).

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2906 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:

<table>
<thead>
<tr>
<th>State or Territory</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alaska</td>
<td>Joint Base Elmendorf-Richardson</td>
<td>$63,000,000</td>
</tr>
<tr>
<td>Arkansas</td>
<td>Camp Robinson</td>
<td>$9,500,000</td>
</tr>
<tr>
<td>Delaware</td>
<td>New Castle</td>
<td>$16,000,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Gainesville</td>
<td>$21,000,000</td>
</tr>
<tr>
<td>State or Territory</td>
<td>Location</td>
<td>Amount</td>
</tr>
<tr>
<td>----------------------</td>
<td>-----------------------------</td>
<td>---------</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Palm Coast</td>
<td>$12,000,000</td>
</tr>
<tr>
<td>Indiana</td>
<td>Kapiolai</td>
<td>$29,000,000</td>
</tr>
<tr>
<td>Iowa</td>
<td>Atlanta</td>
<td>$20,000,000</td>
</tr>
<tr>
<td>Minnesota</td>
<td>West Des Moines</td>
<td>$15,000,000</td>
</tr>
<tr>
<td>Nevada</td>
<td>Reno</td>
<td>$18,000,000</td>
</tr>
<tr>
<td>New York</td>
<td>Troy</td>
<td>$17,000,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>McLeansville</td>
<td>$15,000,000</td>
</tr>
<tr>
<td>Oregon</td>
<td>Camp Umatilla</td>
<td>$14,249,000</td>
</tr>
<tr>
<td>Puerto Rico</td>
<td>Arroyo</td>
<td>$29,602,000</td>
</tr>
<tr>
<td>West Virginia</td>
<td>Buckhannon</td>
<td>$14,000,000</td>
</tr>
<tr>
<td>Wyoming</td>
<td>Camp Guernsey</td>
<td>$19,500,000</td>
</tr>
<tr>
<td></td>
<td>Sheridan</td>
<td>$14,800,000</td>
</tr>
</tbody>
</table>

SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army Reserve locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State or Territory</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>Camp Pendleton</td>
<td>$13,000,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Perrine</td>
<td>$46,000,000</td>
</tr>
<tr>
<td>Ohio</td>
<td>Wright-Patterson Air Force Base</td>
<td>$24,000,000</td>
</tr>
<tr>
<td>Puerto Rico</td>
<td>Fort Buchanan</td>
<td>$22,000,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Yakima</td>
<td>$64,000,000</td>
</tr>
<tr>
<td>Wisconsin</td>
<td>Fort McCoy</td>
<td></td>
</tr>
</tbody>
</table>

SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE CORPS RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the Navy Reserve and Marine Corps Reserve locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hawaii</td>
<td>Marine Corps Base Kanoehe Bay</td>
<td>$102,600,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Marine Forces Reserve Dam Neck Virginia Beach</td>
<td>$10,400,000</td>
</tr>
</tbody>
</table>

SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air National Guard locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>Birmingham International Airport</td>
<td>$7,500,000</td>
</tr>
<tr>
<td>Arizona</td>
<td>Montgomery Regional Airport</td>
<td>$9,200,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Morris Air National Guard Base</td>
<td>$12,000,000</td>
</tr>
<tr>
<td>Indiana</td>
<td>Tucson International Airport</td>
<td>$10,000,000</td>
</tr>
<tr>
<td>Tennessee</td>
<td>Jacksonville International Airport</td>
<td>$22,200,000</td>
</tr>
<tr>
<td>Rhode Island</td>
<td>Fort Wayne International Airport</td>
<td>$12,300,000</td>
</tr>
<tr>
<td>West Virginia</td>
<td>McGhee-Tyson Airport</td>
<td>$23,900,000</td>
</tr>
<tr>
<td></td>
<td>Quonset State Airport</td>
<td>$35,000,000</td>
</tr>
<tr>
<td></td>
<td>McLaughlin Air National Guard Base</td>
<td>$10,000,000</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arizona</td>
<td>Davis-Monthan Air Force Base</td>
<td>$8,000,000</td>
</tr>
<tr>
<td>Mississippi</td>
<td>Keesler Air Force Base</td>
<td>$10,000,000</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Tinker Air Force Base</td>
<td>$12,500,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Langley Air Force Base</td>
<td>$10,500,000</td>
</tr>
</tbody>
</table>

SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NATIONAL GUARD AND RESERVE.
Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2022, 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 186 of title 10, United States Code (including the cost of acquisition of land for those facilities), as specified in the funding table in section 4601.

SEC. 2701. AUTHORIZATION OF APPROPRIATIONS.
Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2022, for base realignment and closure activities, including real property acquisition and military construction projects, as authorized under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687), 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 ACT PROJECTS.
Nothing in this Act shall be construed to authorize an additional Base Realignment and Closure (BRAC) round.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program

SEC. 2801. MODIFICATION OF COST THRESHOLDS FOR AUTHORITY OF DEPARTMENT OF DEFENSE TO ACQUIRE LOW-COST INTERESTS IN LAND.
Section 2606(c) of title 10, United States Code, is amended—
(1) in paragraph (1)(B), by striking "$750,000" and inserting "$6,000,000";
(2) by striking paragraph (2); and
(3) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively; and
(4) in paragraph (2), as redesignated by paragraph (3), by striking "unless the total cost is not more than $750,000" and inserting "unless the total cost is not more than $6,000,000."

SEC. 2802. CLARIFICATION OF EXCEPTIONS TO LIMITATIONS ON COST VARIATIONS FOR MILITARY CONSTRUCTION PROJECTS AND MILITARY FAMILY HOUSING PROJECTS.
Subparagraph (D) of section 2833(c)(1) of title 10, United States Code, is amended to read as follows:
"(D) The Secretary concerned may not use the authority provided by subparagraph (A) to waive the cost limitation applicable to a military construction project with a total authorized cost greater than $500,000,000 or a military family housing project with a total authorized cost greater than $500,000,000 if that waiver would increase the project cost by more than 50 percent of the total authorized cost of the project.".

SEC. 2803. ELIMINATION OF SUNSET OF AUTHORITY TO CONDUCT UNSPECIFIED MINOR MILITARY CONSTRUCTION FOR LAB REVITALIZATION.
Section 2856(d) of title 10, United States Code, is amended by striking paragraph (5).

SEC. 2804. REQUIREMENT FOR INCLUSION OF DEPARTMENT OF DEFENSE FORMS 1391 WITH ANNUAL BUDGET SUBMISSION BY PRESIDENT.
Concurrently with the submission to Congress by the President of the annual budget of the Department of Defense for a fiscal year under section 1105(a) of title 31, United States Code, the President shall include each Department of Defense Form 1391, or successor similar form, for a military construction project to be carried out during that fiscal year.

SEC. 2805. DETERMINATION AND NOTIFICATION RELATING TO EXECUTIVE ORDERS THAT IMPACT COST AND SCOPE OF WORK OF MILITARY CONSTRUCTION PROJECTS.
(a) DETERMINATION AND UPDATE OF FORM FOR LIMITATIONS ON COST.
(b) NOTIFICATION TO CONGRESS.

(A) projects for the next fiscal year; and
(B) projects covered by the future-years defense program submitted under section 221 of title 10, United States Code.

(A) projects for the next fiscal year; and
(B) projects covered by the future-years defense program submitted under section 221 of title 10, United States Code.
(c) Certification.—Before the submission to Congress of the budget of the President for a fiscal year under section 1105(a) of title 31, United States Code, each Secretary concerned shall certify to Congress that each Department of Defense Form 1391 provided to Congress for that fiscal year for a military construction project that has been updated with any cost or scope of work variation specified in subsection (a)(1) caused by an Executive order signed during the four-year period preceding submission, including an indication of any cost increases for such project that is directly attributable to such Executive order.

(d) Secretary Concerned Defined.—In this section, the term ‘Secretary concerned’ has the meaning given that term in section 101 of title 10, United States Code.

SEC. 2806. EXTENSION OF AUTHORIZATION OF DEPOT WORKING CAPITAL FUNDS FOR UNINSURED MINOR MILITARY CONSTRUCTION.

Section 2208(u)(4) of title 10, United States Code, is amended by striking ‘‘September 30, 2023’’, and inserting ‘‘September 30, 2025’’.

SEC. 2807. TEMPORARY INCREASE OF AMOUNTS IN CONNECTION WITH AUTHORITY TO CONTRACT TO INCORPORATE FACILITIES OF A RESERVE COMPONENT OWNED AND FACILITIES OF A RESERVE COMPONENT OWNED TO MATTERS CONCERNING THE DEFENSE AGENCIES WITH RESPECT TO FACILITIES UNDER THE JURISDICTION OF THE DEPARTMENT OF DEFENSE.

For the period beginning on the date of the enactment of this Act and ending on December 31, 2023, the amounts specified in section 101(a)(1) of title 10, United States Code, shall be applied and administered—

(1) in subsection (a)(2), by substituting ‘‘$9,000,000’’ for ‘‘$6,000,000’’;

(2) in subsection (c), by substituting ‘‘$4,000,000’’ for ‘‘$2,000,000’’;

(3) in subsection (d)(1), by substituting ‘‘$9,000,000’’ for ‘‘$6,000,000’’;

(4) in subsection (d)(3), by substituting ‘‘$9,000,000’’ for ‘‘$6,000,000’’;

(5) in subsection (d)(4), by substituting ‘‘$13,000,000’’ for ‘‘$10,000,000’’.

SEC. 2808. ELECTRICAL CHARGING CAPABILITY CONSTRUCTION REQUIREMENTS Relating to Parking for Federal Government Motor Vehicles.

(a) In General.—If the Secretary concerned develops plans for a project to construct or reconstruct parking facilities that include parking for covered motor vehicles, the Secretary concerned shall include in any Department of Defense Form 1391, or successor form, submitted to Congress for that project—

(1) the provision of electric vehicle charging capability at the facility and the facility will be the primary charging area; and

(2) the inclusion of the cost of constructing such capability in the overall cost of the project.

Sec. 2809. USE OF INTEGRATED PROJECT DELIVERY CONTRACTS.

(a) In General.—In fiscal year 2023, the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force shall each enter into at least one integrated project delivery contract for the delivery of a military construction project.

(b) Integrated Project Delivery Contract Defined.—In this section, the term ‘integrated project delivery contract’ means a contract, including a multi-party contract that—

(1) includes at the least the owner, builder, and architect; and

(2) rewards teams and rewards among all parties to the contract.

SEC. 2810. EXPANSION OF PILOT PROGRAM ON INCREASED USE OF SUSTAINABLE BUILDING MATERIALS IN MILITARY CONSTRUCTION TO INCLUDE LOCATIONS THROUGHOUT THE UNITED STATES.

Section 2601(b)(2) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 2802 note) is amended in the matter preceding subparagraph (A), by striking ‘‘continental’’.

Subtitle B—Military Housing

SEC. 2821. SPECIFICATION OF ASSISTANT SECRETARY OF DEFENSE FOR ENERGY, INFRASTRUCTURE, AND ENVIRONMENT AS CHIEF HOUSING OFFICER.


(1) by striking ‘‘(I) the Assistant Secretary of Defense for Energy, Infrastructure, and Environment, who shall serve as the Chief Housing Officer, shall oversee family housing and military unaccompanied housing under the jurisdiction of the Department of Defense or acquired or constructed under section 2814 of this chapter, is referred to as ‘covered housing units’.’’;

(2) by substituting—

‘‘(I) One individual appointed by the Secretary of Defense among representatives of the Institute of Inspection Cleaning and Restoration Certification’’ for ‘‘(I) the Assistant Secretary of Defense for Energy, Infrastructure, and Environment, who shall serve as the Chief Housing Officer, shall oversee family housing and military unaccompanied housing under the jurisdiction of the Department of Defense or acquired or constructed under section 2814 of this chapter, is referred to as ‘covered housing units’.’’;

in subsection (a)(1); and

(3) by substituting—

‘‘(3) To make recommendations to the Secretary of Defense regarding policies for privatized military housing, including inspections practices, resident surveys, landlord payment of medical bills for residents of housing units that have not maintained minimum standards of habitability, and access to maintenance work order systems.’’ for ‘‘(3) To make recommendations to the Secretary of Defense and the Secretary of the Navy, the Secretary of the Army, and the Secretary of the Air Force with respect to—’’.

‘‘(b) MEMBERS.—’’;

in subsection (a)(1); and

(4) by substituting—

‘‘(b) Members.—’’ for ‘‘(b) Members.—’’.

SEC. 2822. DEPARTMENT OF DEFENSE MILITARY HOUSING READINESS COUNCIL.

(a) In General.—Chapter 88 of title 10, United States Code, is amended by inserting after section 1781c the following new section:


'(a) In General.—There is in the Department of Defense the Department of Defense Housing Readiness Council (in this section referred to as the ‘Council’).

'(b) Members.—

'(1) Availability of Documents.—Subject to section 552 of title 5 (commonly known as ‘the Freedom of Information Act’), the records, reports, transcripts, minutes, appendices, working papers, drafts, studies, agendas, and other documents made available to one or more individuals by or on behalf of the Department of Defense, and other support services among policymakers, service providers, and targeted beneficiaries.

'(2) Annual reporting.—

'(A) Availability of Documents.—Subject to section 552 of title 5 (commonly known as ‘the Freedom of Information Act’), the records, reports, transcripts, minutes, appendices, working papers, drafts, studies, agendas, and other documents made available to one or more individuals by or on behalf of the Department of Defense, and other support services among policymakers, service providers, and targeted beneficiaries.

'(B) Certification.—The chair of the Council shall certify to Congress for each fiscal year the number of each landlord to attend such meetings of the Council as the chair considers appropriate.

'(C) Meetings.—The Council shall meet not less often than four times each year.

'(D) Duties.—The duties of the Council shall include the following:

'(i) To review and make recommendations to the Secretary of Defense regarding policies for privatized military housing, including inspections practices, resident surveys, landlord payment of medical bills for residents of housing units that have not maintained minimum standards of habitability, and access to maintenance work order systems.

'(ii) To monitor compliance by the Department with and effective implementation by the Department of statutory improvements to policies for privatized military housing, including the Military Housing Privatization Initiative Tenant Bill of Rights developed under section 2905 of this title and the complaint database established under section 294(b) of this title.

'(iii) To make recommendations to the Secretary of Defense to include information, awareness, and promotion of accurate and timely information about privatized military housing, accommodations available through the Energy Efficiency and Renewable Energy Program of the Department of Defense, and other support services among policymakers, service providers, and targeted beneficiaries.

'(E) Publication Reporting.—

'(1) Availability of Documents.—Subject to section 552 of title 5 (commonly known as ‘the Freedom of Information Act’), the records, reports, transcripts, minutes, appendices, working papers, drafts, studies, agendas, and other documents made available to one or more individuals by or on behalf of the Department of Defense, and other support services among policymakers, service providers, and targeted beneficiaries.

'(2) Meetings.—

'(A) In General.—Detailed minutes of each meeting of the Council shall be kept and shall contain:—

'(i) A record of the individuals present;

'(ii) A complete and accurate description of matters discussed and conclusions reached; and

'(iii) Copies of all reports received, issued, or approved by the Council.

'(B) Certification.—The chair of the Council shall certify to Congress for each fiscal year the number of each landlord to attend such meetings of the Council.

'(C) Annual Reports.—

'(D) Certification.—The chair of the Council shall certify to Congress for each fiscal year the number of each landlord to attend such meetings of the Council.”
SEC. 2853. MANDATORY DISCLOSURE OF POTENTIAL PRESENCE OF MOLD AND HEALTH EFFECTS OF MYCOTOXINS BEFORE A LEASE IS SIGNED FOR PRIVATIZED MILITARY HOUSING.

(a) In General.—The Secretary of Defense shall develop a mold disclosure document, which is hereby provided by each landlord to a prospective tenant of a housing unit owned or managed by such landlord.

(b) Elements of Document.—The mold disclosure document developed under subsection (a) shall include the following:

(1) A notification that mold could be present in the housing unit.

(2) A statement that any tenant that discovers mold in the housing unit should notify the landlord not later than 48 hours after discovering mold.

(3) Information regarding the health effects of mycotoxins.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of this chapter is amended by inserting after the item relating to section 1781d of title 10, United States Code, the new section 1781d–1, as follows:

'(1) An assessment of the adequacy and effects of the provision of privatized military housing and the activities of the Department of Defense in meeting the needs of military families relating to housing during the preceding fiscal year.

'(b) A description of activities of the Council during the preceding fiscal year, including—

'“(i) analyses of complaints of tenants of housing units;

'“(ii) data received by the Council on maintenance response time and completion of maintenance requests relating to housing units;

'“(iii) assessments of dispute resolution processes;

'“(iv) assessments of overall customer service for tenants;

'“(v) assessments of results of housing inspections conducted with and without notice;

'“(vi) any survey results conducted on behalf of or received by the Council.


Subtitle C—Land Conveyances

SEC. 2841. CONVEYANCE, JOINT BASE CHARLESTON, SOUTH CAROLINA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force (in this section referred to as the “Secretary”) may convey to the City of North Charleston, South Carolina, 28 acres known as the Old Navy Yard at Joint Base Charleston, South Carolina, for the purpose of permitting the City to use the property for economic development.

(b) Consideration.—

'(1) IN GENERAL.—As consideration for the conveyance under this section, the City shall pay to the United States an amount equal to not less than the fair market value, as determined by the Secretary, based on an appraisal of the property to be conveyed under such subsection, which may consist of cash payment, in-kind consideration as described under paragraph (3), or a combination thereof.

'(2) Sufficiency of Consideration.—

'(A) In General.—Consideration paid to the Secretary under paragraph (1) must be sufficient to enable the Secretary, at the time of the conveyance, to provide replacement space for, and for the relocation of, any personnel, furniture, fixtures, equipment, and personal property of any kind belonging to any military department located upon the property to be conveyed under subsection (a).

'(B) Completion Prior to Conveyance.—Any cash consideration must be paid in full and any in-kind consideration must be complete, usable, and delivered to the satisfaction of the Secretary at or prior to the conveyance under subsection (a).

'(C) In-Kind Consideration.—In-kind consideration paid by the City under paragraph (1) may include the acquisition, construction, provision, improvement, maintenance, repair, or restoration (including environmental restoration), or combination thereof, of any facilities or infrastructure with proximate utility connections for use by the City, to support the nonmilitary utilities, facilities, and infrastructure, including but not limited to the electric power grid and electric power generation capabilities to ensure that the expected increase in Department of Defense requirements can be satisfied without adversely affecting the general population;

'(D) Refund of Amounts.—If amounts paid under subsection (a) are insufficient, the City shall refund the amount to the United States.

'(E) Adequate and Effectual Conveyance.—Any cash consideration received by the City must be used for the purposes for which the conveyance (commonly known as a conveyance “as is”).

'(F) Additional Terms and Conditions.—The conveyance under subsection (a) is subject to all valid existing rights and the City shall accept the property (and any improvements thereon) in its condition at the time of the conveyance (commonly known as a conveyance “as is”).

Sec. 2824. Implementation of Recommendations on Actions to be Taken in Response to the Inspector General of the Department of Defense dated April 1, 2022, audit of the U.S. Army, the U.S. Air Force, and the U.S. Marine Corps on Conditions of Residents in Privatized Military Housing.

(a) In General.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall—

'(1) prepare and submit to the Defense Committees a report on privatized military housing readiness.

'(2) periodically update the report on privatized military housing readiness.

'(3) amend title 10, United States Code, as follows:

'inserting after the item relating to section 1781c the following new item:


Subtitle D—Other Matters

SEC. 2861. INTEGRATED MASTER INFRASTRUCTURE PLAN TO SUPPORT DEFENSE OF GUAM.

(a) UPDATE OF PLAN AND REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the heads of such Federal agencies as the Secretary considers appropriate—

'(1) update the plan detailing descriptions of work, costs, and a schedule for completion of construction, improvements, and repairs to the nonmilitary utilities, facilities, and infrastructure, including but not limited to the existing civilian electrical power grid and electric power generation capabilities to ensure that the expected increase in Department of Defense requirements can be satisfied without adversely affecting the general population;

'(2) opportunities for increasing energy resiliency for Department of Defense facilities and reducing expected demands on civilian resources;
(3) expediting the ability to remove unexploded ordinance during construction;
(4) required enhancements to potable water supplies and sewer systems to sustain expected increases in Department of Defense employees, military, supporting personnel, and dependents;
(5) needed civilian roadway rehabilitation efforts; and enhancements to support increased traffic and heavy equipment movements;
(6) advisable commercial airport and seaport rehabilitation and capacity expansion projects that could improve logistical effectiveness and efficiency;
(7) needed public safety infrastructure needs to provide adequate fire and police services for expected increases in Department of Defense employees, military, supporting personnel, and dependents;
(8) projected timelines for completion and anticipated phasing for projects; and
(9) other topics the Secretary deems appropriate to include.

SEC. 2862. REPEAL OF REQUIREMENT FOR INTER-AGENCY COORDINATION GROUP OF INSPECTORS GENERAL FOR GUAM REALIGNMENT.

Section 2833 of the Military Construction Authorization Act for Fiscal Year 2013 (Public Law 112–33; 10 U.S.C. 2677 note) is repealed.

SEC. 2863. TEMPORARY AUTHORITY FOR ACCEPTANCE OF FUNDING FOR PARTICULAR CONSTRUCTION PROJECTS IN THE REPUBLIC OF KOREA.

Section 2824 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1899) is amended—
(1) in the section heading, by striking “MU-"TUAL BENEFICIAL TO THE DEPARTMENT OF DEFENSE AND" and inserting "IN";
(2) in subsection (a)(1)—
(A) in the matter preceding subparagraph (A), by striking “cash”;
(B) in subparagraph (B), by inserting “and construction” after “The design”;
(C) in subsection (b), by striking “Contributions” and inserting “Cash contributions”; and
(4) by amending subsection (e) to read as follows:

“(e) Method of Contribution.—Contributions may be accepted under subsection (a) in any of the following forms—
(1) Irrevocable letter of credit issued by a financial institution acceptable to the Treasurer of the United States.
(2) Drawing rights on a commercial bank account established and funded by the Republic of Korea, which account is blocked such that funds deposited cannot be withdrawn except by or with the approval of the United States.
(3) Cash, which shall be deposited into the account established under subsection (b).”.

SEC. 2864. MODIFICATION OF QUITCLAIM DEED REQUIREMENT IN THE UNITED STATES AND THE CITY OF CLINTON, OKLAHOMA.

(a) In General.—The Secretary of Defense shall abrogate and release the City of Clinton, Oklahoma, or any subsequent grantee, from the conditions specified in subsection (b) for the land specified in subsection (d).
(b) Modification.—The conditions specified in this subsection are the following:
(1) That during any national emergency declared by the President or Congress, the Department of Defense shall have the right to make exclusive or nonexclusive use and have exclusive or nonexclusive control and possession, without charge, of the airport located on the land specified in subsection (d), or of such portion thereof as the President may desire.
(2) That the Department of Defense shall be responsible for the entire cost of maintaining such part of the airport as it may use exclusively, or over which it may have exclusive possession or control, during the period of such use, possession, or control, and shall be obligated to contribute a reasonable share, commensurate with the use made by it, of the cost of maintenance of such property as it may use nonexclusively or over which it may have nonexclusive control and possession.
(3) That the Department of Defense shall pay a fair rental for its use, control, or possession, exclusively or nonexclusively, of any improvements to the airport made without aid from the Department.
(c) Payment of Costs.—The City of Clinton, Oklahoma, or any subsequent grantee, shall pay all costs related to any survey, legal description, contract modification, or deed modification necessary to carry out subsection (a).
(d) Land Specific.—The land specified in this subsection—
(1) is the land owned or maintained by the Department of Defense that is—
(A) adjacent to the City of Clinton Spaceport covered within theMO Utilization Agreement initially signed January 27, 1949, between the United States and the City of Clinton, Oklahoma; 
(B) east of the Clinton Sherman Airport with—
(i) northern boundary of Sooner Drive between 7th Street and 2nd Street; 
(ii) southern boundary of East 1160 Road extending from 2nd Street past Little Elk Creek; 
(iii) western boundary running parallel to 2nd Street; and
(iv) western boundary extending past Little Elk Creek to Woodland Street; and
(C) encompassing the Greens Burns Flat Golf Course;
(2) does not include—
(A) the Clinton Sherman Airport or runway; or
(B) any land west of 2nd Street adjacent to the Oklahoma Space Industry Development Authority maintenance building or its surrounding support west of 2nd Street.
SEC. 2865. PROHIBITION ON JOINT USE OF HOME-STEAD AIR RESERVE BASE WITH COMMERCIAL AVIATION.

On or before September 30, 2026, the Secretary of the Air Force may not enter into an agreement that would provide for or permit the joint use of Homestead Air Reserve Base, Homestead, Florida, by the Air Force and civil aviation.

SEC. 2866. INCLUSION OF INFRASTRUCTURE IMPROVEMENTS IDENTIFIED IN THE REPORT ON STRATEGIC SEAPORTS IN DEFENSE COMMUNITY INFRASTRUCTURE PILOT PROGRAM.

Section 239(d) of title 10, United States Code, is amended by—
(1) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and
(2) by inserting after paragraph (2) the following new paragraph (3):

“(3) In selecting community infrastructure projects to receive assistance under this subsection, the Secretary shall consider infrastructure improvements identified in the report on strategic seaports required by section 3515 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 3415).”

SEC. 2867. PROCUREMENT OF ELECTRIC, ZERO EMISSION, ADVANCED-BIOFUEL-Powered, OR HYDROGEN-POWERED VEHICLES FOR THE DEPARTMENT OF DEFENSE.

(a) PROCUREMENT REQUIREMENT.—
(1) In General.—Section 2922g of title 10, United States Code, is amended to read as follows:

“2922g. Procurement of electric, zero emission, advanced-biofuel-powered, or hydrogen-powered vehicles

“(a) REQUIREMENT.—Except as provided in section 2922b, all covered nontactical vehicles purchased or leased by or for the use of the Department of Defense shall be—
(1) electric or hydrogen-powered vehicles that use a charging connector type or other means to transmit electricity to the vehicle that meets applicable industry accepted standards for interoperability and safety;
(2) an advanced-biofuel-powered vehicle; or
(3) a hydrogen-powered vehicle.

“(b) RELATION TO OTHER VEHICLE TECHNOLOGIES THAT REDUCE CONSUMPTION OF FOSSIL FUELS.—Notwithstanding the requirement under subsection (a), the Secretary of Defense may authorize the purchase or lease of covered nontactical vehicles that are not described in such subsection if the Secretary determines, on a case by case basis, that—
(1) the technology used in the vehicles to be purchased or leased reduces the consumption of fossil fuels compared to vehicles that use conventional internal combustion technology;
(2) the purchase or lease of such vehicles is consistent with the energy performance goals and plan of the Department of Defense required by section 2921 of this title; and
(3) the purchase or lease of vehicles described in subsection (a) is impracticable under the circumstances.

“(c) WAIVER.—
(1) IN GENERAL.—The Secretary of Defense may waive the requirement under subsection (a).
(2) NONDELEGATION.—The Secretary of Defense may not delegate the waiver authority under paragraph (1).

“(d) DEFINITIONS.—In this section:

(1) ADVANCED-BIOFUEL-Powered VEHICLE.—The term ‘advanced-biofuel-powered vehicle’ includes a vehicle that uses a fuel described in section 9001(3)(A) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8101(3)(A)).
(2) COVERED NONTACTICAL VEHICLE.—The term ‘covered nontactical vehicle’ means any vehicle—
(A) that is not a tactical vehicle designed for use in combat; and
(B) that is purchased or leased by the Department of Defense pursuant to a contract entered into, renewed, modified, or amended on or after October 1, 2038.

(3) HYDROGEN-Powered VEHICLE.—The term ‘hydrogen-powered vehicle’ means a vehicle that uses hydrogen as the main source of motive power, either through a fuel cell or internal combustion.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter II of chapter 173 of such title is amended by striking the item relating to section 2922g and inserting the following new item:

“2922g. Procurement of electric, zero emission, advanced-biofuel-powered, or hydrogen-powered vehicles

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 2038.
DIVISION C—DEPARTMENT OF ENERGY
NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS
TITLE XXXI—DEPARTMENT OF ENERGY NUCLEAR 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 2023 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 23-D-516, Energetic Materials Characterization Facility, Los Alamos National Laboratory, Los Alamos, New Mexico, $19,000,000.
- Project 23-D-517, Electrical Power Capacity Upgrade, Los Alamos National Laboratory, Los Alamos, New Mexico, $24,000,000.
- Project 23-D-518, Plutonium Modernization Operations, Environmental Management Office Building, Los Alamos National Laboratory, Los Alamos, New Mexico, $46,500,000.
- Project 23-D-519, Special Materials Facility, National Nuclear Security Complex, Oak Ridge, Tennessee, $19,500,000.
- Project 23-D-533, Component Test Complex Project, Bettis Atomic Power Laboratory, West Mifflin, Pennsylvania, $67,520,000.

SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.
(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2023 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 23-D-402, Calcine Construction, Idaho National Laboratory, Idaho Falls, Idaho, $20,000,000.

SEC. 3103. OTHER DEFENSE ACTIVITIES.
Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2023 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 2023 for nuclear energy as specified in the funding table in section 5701.

Subtitle B—Program Authorizations, Restrictions, and Limitations
SEC. 3111. WORKFORCE ENHANCEMENT FOR NATIONAL NUCLEAR SECURITY ADMINISTRATION.
(a) FIXED-TERM APPOINTMENT FOR ADMINISTRATOR FOR NUCLEAR SECURITY.—(1) IN GENERAL.—Section 4002(c) of the Department of Energy Organization Act (42 U.S.C. 7132(c)) is amended—
- (A) in paragraph (1)—
  (i) by inserting ‘‘(A) after ‘(1)’’;
  (ii) by striking ‘‘shall be appointed’’ and inserting the following: ‘‘shall be appointed by the President, by and with the advice and consent of the Senate; and’’;
  (iii) by adding at the end the following: ‘‘(B) including, if the Administrator determines, if possible through the use of lease real estate options, a production facility for manufacturing depleted uranium components with net-shape casting; and’’;
- (B) by redesigning paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and
- (C) by inserting after paragraph (1) the following new paragraph (2):
  ‘‘(2) The Under Secretary for Nuclear Security shall be compensated at the rate provided for at level II of the Executive Schedule under section 5314 of title 5, United States Code.’’;

(b) OPERATIONS OF MANUFACTURING FACILITIES.—The Administrator for Nuclear Security shall require the nuclear security enterprise to accelerate the modernization of manufacturing processes for the production of depleted uranium so that the nuclear security enterprise—
- (1) by not later than 2026—
  (A) demonstrates bulk cold hearth melting of depleted uranium to replace existing technologies; and
  (B) manufactures, on a repeatable and ongoing basis, war reserve depleted uranium components with net-shape casting; and
- (2) by not later than 2028, produces bulk depleted uranium using cold hearth melting on an operational basis for war reserve components.

(c) OPERATION OF MANUFACTURING FACILITIES.—(1) ACQUISITION OF FACILITY.—By not later than 2028, the Administrator shall demonstrate, if possible through the use of lease real estate options, a production facility for manufacturing depleted uranium components with net-shape casting.

SEC. 3112. ACCELERATION OF DEPLETED URANIUM MANUFACTURING PROCESSES.
(a) ACCELERATION OF MANUFACTURING.—The Administrator for Nuclear Security shall require the nuclear security enterprise to—
- (1) by not later than 2026—
  (A) demonstrates bulk cold hearth melting of depleted uranium to replace existing technologies; and
  (B) manufactures, on a repeatable and ongoing basis, war reserve depleted uranium components with net-shape casting; and
- (2) by not later than 2028, produces bulk depleted uranium using cold hearth melting on an operational basis for war reserve components.

(b) OPERATION OF MANUFACTURING FACILITIES.—(1) ACQUISITION OF FACILITY.—By not later than 2026, the Administrator shall demonstrate, if possible through the use of lease real estate options, a production facility for manufacturing depleted uranium components with net-shape casting.

(c) CONVERTING DEPLETED URANIUM HEXAFLUORIDE TO DEPLETED URANIUM TETRAFLUORIDE.—The Administrator shall ensure that the nuclear security enterprise—
- (1) by not later than 2028, completes the conversion of depleted uranium hexafluoride to depleted uranium tetrafluoride; and
- (2) by not later than 2028, converts depleted uranium hexafluoride to depleted uranium tetrafluoride on an operational basis; and
- (3) by not later than 2030, has available the capability for depleted uranium fuel for the production of war reserve components.

SEC. 3113. CERTIFICATION OF COMPLETION OF MILESTONES WITH RESPECT TO PLUTONIUM PIT AGING.
(a) IN GENERAL.—The National Nuclear Security Administration shall complete the milestones on plutonium pit aging identified in the report entitled ‘‘Research Program Plan for Plutonium Pit Aging’’ published by the Administration in September 2021.
(b) ANNUAL ASSESSMENT.—The Administrator for Nuclear Security shall seek to enter into an arrangement with the private scientific advisory group known as JASON to conduct, annually through 2030, an assessment of the progress achieved toward completing the milestones described in subsection (a).
(c) BRIEFING OF CONGRESSIONAL DEFENSE COMMITTEES.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter until 2030, the Administrator shall brief the congressional defense committees on—
- (1) the progress achieved toward completing the milestones described in subsection (a); and
- (2) the results of the assessment described in subsection (b).

SEC. 3114. ASSISTANCE BY THE NATIONAL NUCLEAR SECURITY ADMINISTRATION TO THE AIR FORCE FOR THE DEVELOPMENT OF THE MARK 21A FUSE.
(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall enter into an agreement with the Secretary of the Air Force under which the Administrator shall—
- (1) provide funding to the Secretary of the Air Force for the development of a fuse for the Mark 21A reentry vehicle to support the W80-1 warhead

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over the projected lifetime of the warhead, including by—

(1) acting as an external reviewer of the Mark 21A fuse, including by reviewing—

(A) the design of the fuse; 
(B) the quality of manufacturing and parts; and

(C) the life availability of components; 

(2) supporting the Air Force on strategies to mitigate technical and schedule fuse risks; and 

(3) otherwise ensuring the expertise of the National Nuclear Security Administration in the design and manufacturing of the Air force and warhead design and manufacturing is available to support successful development and sustainment of the fuse over its lifetime.

(b) BUDGET REQUEST.—The Administrator shall include, in the budget justification material submitted to Congress in support of the budget of the Department of Energy for fiscal year 2023 (as submitted with the budget of the President under section 1105(a) of title 31, United States Code), a request for amounts sufficient to ensure that the assistance provided to the Air Force under the agreement required by subsection (a) does not negatively affect ongoing nuclear modernization programs of the Administration.

(c) NUCLEAR WEAPONS COUNCIL REVIEW.—The Council established under section 179 of title 16, United States Code, shall review the agreement required by subsection (a) and ensure that assistance provided pursuant to the agreement is compatible with ongoing programs of record between the Department of Defense and the Administration.

(d) TRANSMITTAL OF AGREEMENT.—Not later than 120 days after the date of the enactment of this Act, the Nuclear Weapons Council shall transmit to the congressional defense committees—

(1) in subsection (c)(1)(M)(ii), by inserting ‘‘environmental restoration and remediation, the Secretary shall, to the maximum extent practicable, complete the environmental restoration or remediation of the covered parcel of land not later than fiscal year 2023, and otherwise in compliance with such authority.’’;

(b) CONVEYANCE OR TRANSFER.—If the Secretary, under any authority granted by law, determines that a covered parcel of land requires environmental restoration or remediation, the Secretary shall, to the maximum extent practicable, complete the environmental restoration or remediation of the covered parcel of land not later than fiscal year 2023, and otherwise in compliance with such authority.

(c) COVERED PARCEL OF LAND DEFINED.—The term ‘‘covered parcel of land’’ means a parcel of land—

(1) under the jurisdiction or administrative control of the Secretary of Energy; 

(2) located at or on the property of Los Alamos National Laboratory, Los Alamos, New Mexico; and

(3) that the Secretary identified, in a report submitted to the congressional defense committees before the date of the enactment of this Act, as suitable for conveyance or transfer to Los Alamos County.

SEC. 3116. USE OF ALTERNATIVE TECHNOLOGIES TO ELIMINATE PROLIFERATION THREATS AT VULNERABLE SITES.

Section 462 of the Atomic Energy Defense Act (50 U.S.C. 2753(a)) is amended—

(1) in subsection (a)(2)(B)(i), by striking ‘‘$600,000,000’’ and inserting ‘‘$65,000,000’’; and

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

‘‘(7) The term ‘alternative technologies’ means technologies, such as accelerator-based equipment, that do not use radiological materials.’’

SEC. 3117. UNIFORM PLAN TO PLAN FOR DEACTIVATION AND DECOMMISSIONING OF NON-OPERATIONAL DEFENSE NUCLEAR FACILITIES.

(a) IN GENERAL.—Subject to the limitations in subsection (g) (as the case may be) of the nuclear weapon acquisition threshold (as defined in section 4701 of the Atomic Energy Defense Act (50 U.S.C. 2741)), the Department of Energy, acting through the Administrator of the National Nuclear Security Administration, shall submit to the congressional defense committees a report describing the standard indirect cost elements determined under subsection (g) and a plan to require contractors to report, beginning in fiscal year 2026, such indirect cost elements to the Administrator.

(b) CLEMICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by inserting after the item relating to section 3264 the following new item:

‘‘Sec. 3265. Use of option for the purchase of options to purchase or lease real property.’’

SEC. 3124. DETERMINATION OF STANDARDIZED INDIRECT COST ELEMENTS DEFINED.—In this section, the term ‘standardized indirect cost elements’ means the categories of indirect costs incurred by management and operating contractors that receive funds to perform work for the National Nuclear Security Administration.

SEC. 3125. MODIFICATION OF COST BASELINES FOR FUTURE YEARS.

Section 471(a) of the Atomic Energy Defense Act (50 U.S.C. 2753(a)) is amended—

(1) in paragraph (2), by inserting ‘‘$750,000,000’’ and inserting ‘‘$960,000,000 (in base fiscal year 2022 dollars)’’;

(2) in paragraph (3)(A)(i), by inserting ‘‘$50,000,000’’ and inserting ‘‘$65,000,000 (in base fiscal year 2022 dollars)’’; and

(3) in paragraph (3)(A)(ii), by striking ‘‘$50,000,000’’ and inserting ‘‘$65,000,000 (in base fiscal year 2022 dollars)’’.

SEC. 3122. PURCHASE OF REAL PROPERTY OP-PORT.

Section 4209 of the Atomic Energy Defense Act (50 U.S.C. 2529) is amended—

(1) in subsection (a)(1), by inserting ‘‘be used by ‘The’;’’; and

(2) by striking paragraph (2) and inserting the following new paragraph:

‘‘(2) MINOR CONSTRUCTION THRESHOLD.—The term ‘minor construction threshold’ means $25,000,000 (in base fiscal year 2021 dollars).’’

SEC. 3126. REQUIREMENTS FOR SPECIFIC REQUISITION FOR NEW OR MODIFIED NUCLEAR WEAPONS.

Section 4209 of the Atomic Energy Defense Act (50 U.S.C. 2529) is amended—

(1) in subsection (a)(1), by inserting ‘‘be used by ‘The’;’’; and

(2) by striking paragraph (2) and inserting the following new paragraph:

‘‘(2) BUDGET REQUEST FORMAT.—In a request for funds under subsection (a), the Secretary shall include a dedicated line item for each activity described in subsection (a)(2) for a new nuclear weapon or modified nuclear weapon that is in phase 2 or higher or phase 3 or higher, as the case may be, of the nuclear weapon acquisition process.’’

SEC. 3127. LIMITATION ON USE OF FUNDS FOR NATIONAL NUCLEAR SECURITY ADMINISTRATION FACILITY ADVANCED MANUFACTURING DEVELOPMENT.

(a) IN GENERAL.—Of the funds authorized to be appropriated by this Act for fiscal year 2023 for the National Nuclear Security Administration for advanced manufacturing development, the Administrator for Nuclear Security may authorize an amount, not to exceed 5 percent of such funds, to be used by the director of a nuclear weapons production facility to engage in research, development, demonstration, and testing in order to maintain and enhance the engineering and manufacturing capabilities at such facility.

(b) NUCLEAR WEAPONS PRODUCTION FACILITIES.—In this section, the term ‘‘nuclear weapons production facility’’ means any of the following:
SEC. 3201. AUTHORIZATION.

There are authorized to be appropriated for fiscal year 2023, $41,401,400 for the operation of the Defense Nuclear Facilities Safety Board under chapter 21 of the Atomic Energy Act of 1954 (50 U.S.C. 2570 et seq.) is amended—

(A) in title XXII—

(i) in subsection A, by striking section 4215; and

(ii) in subsection B, by striking section 4403; and

(B) in title XXX—

(i) in subsection A, by striking section 4445, and 4446; and

(ii) in subsection D, by striking section 4543.00.

2. CERECIAL AMENDMENT—The table of contents for the Atomic Energy Defense Act is amended by striking the items relating to sections 221, 225, 4403, 4444, 4445, and 4454.

(b) REPEAL OF OTHER PROVISIONS.—

(1) AUTHORITY TO USE INTERNATIONAL NUCLEAR MATERIALS PROTECTION AND COOPERATION PROGRAM FUNDS OUTSIDE THE FORMER SOVIET UNION.—Section 3212 of the National Defense Authorization Act for Fiscal Year 2004 (50 U.S.C. 2568) is repealed.


TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SEC. 3202. DELEGATION OF AUTHORITY TO CHAIRPERSON OF DEFENSE NUCLEAR FACILITIES SAFETY BOARD.

Section 311 of the Atomic Energy Act of 1954 (c. U.S.C. 2286) is amended by striking subsection (e) and inserting the following new subsection (e): "(e) QUORUM.—

(1) IN GENERAL.—Three members of the Board shall constitute a quorum, but a lesser number may constitute a quorum.

(2) DELEGATION OF AUTHORITY.—"(A) IN GENERAL.—Upon a loss of quorum due to vacancy or incapacity of a member of the Board, the authorities of the Board under sections 312, 313, 315, and 316 shall be delegated to the Chairperson.

(B) TERMINATION OF DELEGATION.—Any delegation of authority under subparagraph (A) shall terminate upon re-establishment of a quorum.

(C) LIMITATIONS ON DELEGATED AUTHORITY.—The authority of the Board has been delegated to the Chairperson under subparagraph (A) and a member is serving on the Board with the Chairperson, the Chairperson—

(i) shall consult with such member before exercising such delegated authority; and

(ii) may initiate an investigation or issue a recommendation to the Secretary of Energy only with the approval of such member.

(D) NOTIFICATION.—The Board shall notify the committees not later than 30 days before any date on which—

(i) the Board delegates any authority under subparagraph (A); and

(ii) the Chairperson exercises such authority; or

(iii) the Chairperson initiates an investigation or issues a recommendation to the Secretary of Energy.

TITLE XXXIII—MARITIME MATTERS

Subtitle A—Short Title; Authorization of Appropriations for the Maritime Administration

SEC. 3501. SHORT TITLE.

This title may be cited as the “Maritime Administration Authorization Act for Fiscal Year 2023.”

SEC. 3502. AUTHORIZATION OF APPROPRIATIONS FOR THE MARITIME ADMINISTRATION.

(a) MARITIME ADMINISTRATION.—There are authorized to be appropriated to the Department of Transportation for fiscal year 2023, for programs associated with maintaining the United States Merchant Marine, the following amounts:

(1) For expenses necessary to support the United States Merchant Marine Academy, $127,489,000, of which—

(A) $87,886,000 shall be for Academy operations;

(B) $22,000,000 shall be for facilities maintenance and repair and equipment; and

(C) $3,000,000 shall be for training, staffing, retention, recruiting, and contract management for United States Merchant Marine Academy capital improvement projects.

(2) For expenses necessary to support the State maritime academies, $80,700,000, of which—

(A) $2,400,000 shall be for the Student Incentive Program;

(B) $6,000,000 shall be for direct payments for State maritime academies;

(C) $6,000,000 shall be for training ship fuel assistance;

(D) $8,000,000 shall be for offsetting the costs of training ship sharing; and

(E) $30,500,000 shall be for maintenance and repair of State maritime academy training vessels.

(3) For expenses necessary to support the National Security Vessel Program, including funds for construction and necessary expenses to construct shoreside infrastructure to support such vessels, $75,000,000.

(4) For expenses necessary to support Maritime Administration operations and programs, $101,250,000, of which—

(A) $15,000,000 shall be for the Maritime Environmental and Technical Assistance program authorized under section 5007 of title 46, United States Code;

(B) $31,816,000 shall be for the Marine Highways Program, including to make grants as authorized under section 55601 of title 46, United States Code; and

(C) $37,533,000 shall be for headquarters operations expenses.

(5) For expenses necessary for the disposal of obsolete vessels in the National Defense Reserve Fleet of the Maritime Administration, $6,000,000.

(6) For expenses necessary to maintain and preserve a fleet of merchant vessels documented under chapter 121 of title 46, United States Code, to serve the national security needs of the United States, as authorized under chapter 351 of title 46, United States Code.

(7) For expenses necessary for the loan guarantee program authorized under chapter 5 of title 46, United States Code, $33,000,000, of which—

(A) $30,000,000 may be for the cost (as defined in section 5023) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5)) of loan guarantees under the program; and

(B) $3,000,000 may be used for administrative expenses related to loan guarantee commitments under the program.

(8) For expenses necessary to provide assistance to small shipyards and for maritime training programs authorized under section 561 of title 46, United States Code, $40,000,000.

(9) For expenses necessary to implement the Port Infrastructure Development Program authorized under section 5001 of title 46, United States Code, $750,000,000, to remain available until expended, except that no such funds authorized under this title for this program may be used to provide a grant to purchase fully automated cargo handling equipment that is remotely operated or remotely monitored with or without the exercise of human intervention or control, if the Secretary of Transportation determines such equipment would result in a net loss of jobs within a port or port terminal. If such a determination is made, the data and analysis for such determination shall be reported to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives not later than 3 days after the date of the determination.

(b) AVAILABILITY OF AMOUNTS.—Amounts appropriated—

(1) pursuant to the authority provided in paragraphs (1)(A), (2)(A), and (4)(A) of subsection (a) shall remain available through September 30, 2023; and

(2) pursuant to the authority provided in paragraphs (1)(B), (1)(C), (2)(B), (2)(D), (3), (4)(B), (4)(C), (4)(D), (4)(E), (4)(F), (4)(G), (4)(H), (4)(I), (4)(J), (4)(K), (4)(L), (4)(M), (4)(N), (4)(O), (5), (6), (7)(A), (7)(B), (7)(C), (7)(D), (7)(E), (7)(F), (7)(G), and (7)(H) of subsection (a) shall remain available without fiscal year limitation.

(c) TANKER SECURITY FLEET.—

(1) FUNDING.—Section 5311 of title 46, United States Code, is amended by striking "$60,000,000" and inserting "$120,000,000".

(2) INCREASE IN NUMBER OF VESSELS.—Section 53063(c) of title 46, United States Code, is amended by striking "10" and inserting "20".

Subtitle B—General Provisions

SEC. 3511. STUDY TO INFORM A NATIONAL MARITIME STRATEGY.

(a) IN GENERAL.—The Secretary of Transportation and the Secretary of the department in which the Coast Guard is operating shall enter into an agreement with a studies and analysis federally funded research and development center under which such federally funded research and development center shall conduct a study of the key elements and objectives needed for a national maritime strategy. The strategy shall address national maritime objectives, as described in section 50101 of title 46, United States Code, to ensure—

(1) a capable, commercially viable, militarily useful fleet of merchant vessels; and

(2) a robust United States mariner workforce.

(b) LIMITATIONS ON DELEGATED AUTHORITY.—The authority of the Board has been delegated to the Chairperson under subparagraph (A) and a member is serving on the Board with the Chairperson, the Chairperson—

(i) shall consult with such member before exercising such delegated authority; and

(ii) may initiate an investigation or issue a recommendation to the Secretary of Energy only with the approval of such member.

(d) NOTIFICATION.—The Board shall notify the committees not later than 30 days before any date on which—

(i) the Board delegates any authority under subparagraph (A); and

(ii) the Chairperson exercises such authority; or

(iii) the Chairperson initiates an investigation or issues a recommendation to the Secretary of Energy.
Program under chapter 534 of title 46, United States Code, and the Cable Security Program under chapter 532 of title 46, United States Code, currently meet the economic and national security needs of the United States and would reliably continue to meet those needs under future economic or national security emergencies.

(b) Before carrying out the study, the federally funded research and development center shall solicit input from—

(1) relevant Federal departments and agencies;
(2) nongovernmental organizations;
(3) United States companies;
(4) maritime labor organizations;
(5) commercial industries that depend on United States mariners;
(6) domestic shipyards regarding shipbuilding and repair capacity, and the associated skilled workforce, such as the workforce required for transportation, offshore wind, fishing, and aquaculture;
(7) providers of maritime workforce training; and
(8) any other relevant organizations.

(c) ELEMENTS OF THE STUDY.—The study conducted under subsection (a) shall include consultation with the Secretary of Transportation, the Department of Defense, the Departments of Commerce and Homeland Security, the National Oceanic and Atmospheric Administration, and other relevant Federal agencies, in the identification and evaluation of—

(1) incentives, including regulatory changes, needed to continue to meet the shipbuilding and ship maintenance needs of the United States for commercial and national security purposes, including through a review of—

(A) the loans and guarantees program carried out under chapter 537 of title 46, United States Code, and how the development of new offshore commercial industries, such as wind, could be supported through modification of or other Federal programs, and thus also support the United States sealift in the future;
(B) the barriers to participation in the loans and guarantees program carried out under chapter 537 of title 46, United States Code, and how the program may be improved to facilitate additional shipbuilding activities in the United States; and
(C) the needed resources, human and financial, for such incentives; and

(2) current and anticipated number of shipbuilding and ship maintenance contracts at United States shipyards through 2032, to the extent practicable;

(3) incentives, including regulatory changes, needed to maintain a commercially viable United States-documentated fleet, which shall include—

(A) an examination of how the preferences under section 2631 of title 10, United States Code, and chapter 553 of title 46, United States Code, the Maritime Security Program under chapter 531 of title 46, United States Code, the Security Program under chapter 534 of title 46, United States Code, and the Cable Security Program under chapter 532 of title 46, United States Code, should be used to further maintain and grow a United States-documentated fleet and the identification of other incentives that could be used that may not be authorized at the time of the study;

(B) an estimate of the number and type of commercial ships needed over the next 30 years; and

(C) estimates of the needed human and financial resources for such incentives;

(D) the availability of United States mariners, and future needs, including—

(1) the number and type of vessels needed for the United States commercial and national security needs over the next 30 years;

(E) the policies and programs (at the time of the study) to recruit, train, and retain United States mariners to support the United States maritime workforce needs during periods of war or other national emergencies; and

(F) how those programs could be improved to grow the number of maritime workers trained each year, including how potential collaboration with the uniformed services, the United States Merchant Marine Academy, State maritime academies, maritime labor training centers, and the Centers of Excellence for Domestic Maritime Workforce Training under section 51706 of title 46, United States Code, could be used most effectively; and

(G) estimates of the necessary resources, human and financial, to implement such programs in each relevant Federal agency over the next 30 years; and

(H) the interaction among the elements described under paragraphs (1) through (3).

(d) PUBLIC AVAILABILITY.—The study conducted under subsection (a) shall be made publicly available on a website of the Department of Transportation.

SEC. 3512. NATIONAL MARITIME STRATEGY.

(a) IN GENERAL.—Not later than 6 months after the date of receipt of the study conducted under subsection (a) the Secretary of Transportation, in consultation with the Secretary of the Department of Homeland Security, the Department of Transportation, the Department of Defense, the National Oceanic and Atmospheric Administration, and the United States Coast Guard and Maritime Transportation System, including the Cable Security Program under chapter 534 of title 46, United States Code, section 2631 of title 10, United States Code, and how the development of innovative physical and information technologies would reliably continue to meet those needs over the next 30 years; and

(b) IMPLEMENTATION.—Not later than 6 months after completion of the updated national maritime strategy, the Secretary of Transportation shall publish on a publicly available website an implementation plan for the most recent national maritime strategy.

SEC. 3513. NEGATIVE DETERMINATION NOTICE.

(a) SHORT TITLE.—This section may be cited as the ‘‘Maritime Highway Promotion Act’’.

(b) FINDINGS.—Congress finds the following:

(1) Our Nation’s waterways are an integral part of the transportation network of the United States.

(2) Using the Nation’s coastal, inland, and ocean waterways can support commercial transportation, can provide maritime transportation options where no alternative surface transportation exists, and alleviates surface transportation congestion and burdensome road and bridge repair costs.

(3) Maritime highways are serviced by documentated United States flag vessels and mariners by United States citizens, providing added resources for national security and to aid in times of crisis.

(4) According to the United States Army Corps of Engineers, inland navigation is a key element of economics development and is essential in maintaining economic competitiveness and national security.

(c) MARITIME HIGHWAY PROGRAM.—

(1) IN GENERAL.—Section 55601 of title 46, United States Code, is amended to read as follows:

‘‘55601. United States Marine Highway Program’’.

‘‘((a) PROGRAM.—

(1) ESTABLISHMENT.—The Maritime Administration shall establish a Maritime Highway Program to be known as the ‘United States Marine Highway Program’. Under
such program, the Maritime Administrator shall—

(a) designate marine highway routes as extensions of the surface transportation system under section 104; and

(b) subject to the availability of appropriations, make grants or enter into contracts or cooperative agreements under subsection (c).

(2) PROGRAM ACTIVITIES.—In carrying out the Marine Highway Program established under paragraph (1), the Maritime Administrator shall—

(A) coordinate with ports, State departments of transportation, localities, other public agencies, and the private sector on the development of landside facilities and infrastructure to support marine highway transportation;

(B) establish performance measures for such Marine Highway Program;

(C) collect and disseminate data for the designation and delineation of marine highway routes under subsection (b); and

(D) conduct research on solutions to impediments to marine highway services eligible for assistance under subsection (c).

(b) DESIGNATION OF MARINE HIGHWAY ROUTES.—

(1) AUTHORITY.—The Maritime Administrator, or modify a marine highway route as an extension of the surface transportation system if—

(A) such a designation or modification is requested by—

(i) the government of a State or territory;

(ii) a metropolitan planning organization; or

(iii) a port authority;

(iv) a non-Federal navigation district; or

(v) a Tribal government; and

(B) the Maritime Administrator determines such marine highway route satisfies at least one covered function under subsection (d).

(2) DETERMINATION.—Not later than 180 days after the date on which the Maritime Administrator receives a request for designation or modification of a marine highway route under paragraph (1), the Maritime Administrator shall make a determination of whether to make the requested designation or modification.

(3) NOTIFICATION.—Not later than 14 days after the date on which the Maritime Administrator makes a determination to make the requested designation or modification, the Maritime Administrator shall send the requester a notification of the determination.

(4) MAP.—

(A) IN GENERAL.—Not later than 120 days after the date of enactment of the Maritime Administrator Authorization Act for Fiscal Year 2023, and thereafter each time a marine highway route is designated or modified, the Administrator shall make publicly available a map showing the location of marine highway routes, including such routes along the coasts, in the inland waterways, and at sea.

(B) COORDINATION.—The Administrator shall coordinate with the National Oceanic and Atmospheric Administration to incorporate the map into the Marine Cadastre.

(c) ASSISTANCE FOR MARINE HIGHWAY SERVICES.—

(1) IN GENERAL.—The Maritime Administrator may make grants to, or enter into contracts or cooperative agreements with, an eligible entity to implement a marine highway service or component of a marine highway service, if the Administrator determines that—

(A) satisfies at least one covered function under subsection (d); and

(B) uses vessels documented under chapter 12 of title 46;

(C(i) implements strategies developed under section 55683; or

(ii) develops, expands, or promotes—

(I) marine highway transportation services; or

(II) shipper utilization of marine highway transportation services.

(2) ELIGIBLE ENTITY.—In this subsection, the term ‘eligible entity’ means—

(A) a State, a political subdivision of a State, or a local government;

(B) a United States metropolitan planning organization;

(C) a United States port authority;

(D) a Tribal government in the United States; or

(E) a United States private sector operator of marine highway services or private sector entities that endorse—

(I) a marine highway route partner described in subsection (b)(1)(A), including an Alaska Native Corporation.

(3) APPLICATION.—

(A) IN GENERAL.—To be eligible to receive a grant or enter into a contract or cooperative agreement under this subsection to implement a marine highway service, an eligible entity shall submit an application in such form and manner, at such time, and containing such information as the Maritime Administrator may require, including—

(i) a comprehensive description of—

(I) the regions to be served by the marine highway service;

(II) the marine highway route that the service will use, which may include connection to existing or planned transportation infrastructure and intermodal facilities, key navigational factors such as available draft, channel width, bridge air draft, or lock clearance, and any foreseeable impacts on navigation or commerce, and a map of the proposed route;

(III) the marine highway service support, which may include business affiliations, private sector stakeholders, State departments of transportation, metropolitan planning organizations, municipalities, or other governmental entities (including Tribal governments), as applicable;

(iv) the estimated volume of passengers, if applicable, or cargo using the service, and predicted changes in such volume during the 5-year period following the date of the application;

(v) the need for the service;

(vi) the definition of the success goal for the service, such as volumes of cargo or passengers handled, and costs for environmental mitigation, safety, reduced vehicle miles traveled, or reduced maintenance and repair costs;

(vii) the methodology for implementing the service, including a description of the proposed operational framework of the service including the origin, destination, and any intermediate steps on the route, transit times, vessel types, and service frequency; and

(viii) any existing programs or arrangements that can be used to supplement or leverage assistance under the program; and

(ii) a demonstration, to the satisfaction of the Maritime Administrator, that—

(I) the marine highway service is financially viable;

(II) the funds or other assistance provided under this subsection will be spent or used efficiently; and

(III) a market exists for the services of the proposed marine highway service, as evidenced by contracts or written statements of intent from potential customers.

(4) TIMING OF GRANT NOTICES.—The Maritime Administrator shall post a Notice of Funding Opportunity regarding grants, contracts, or cooperative agreements under this subsection not more than 60 days after the date of enactment of the Appropriations Act for the fiscal year concerned.

(5) GRANT APPLICATION FEEDBACK.—Following the award of grants for a particular fiscal year, the Maritime Administrator may provide feedback to applicants to help applicants improve future applications if the feedback is requested by that applicant.

(6) TIMING OF GRANTS.—The Maritime Administrator shall award grants, contracts, or cooperative agreements under this subsection not later than 270 days after the date of enactment of the Appropriations Act for the fiscal year concerned.

(7) NON-FEDERAL SHARE.—

(A) IN GENERAL.—An applicant shall provide not less than 20 percent of the costs from non-Federal sources, except as provided in subparagraph (B).

(B) REGIONS AND METROPOLITAN AREAS.—The Maritime Administrator may increase the Federal share of service costs above 80 percent for a service located in a Tribal or rural area.

(C) TRIBAL GOVERNMENT.—The Maritime Administrator may increase the Federal share of service costs above 80 percent for a service located in a Tribal or rural area.

(D) REUSE OF UNEXPENDED GRANT FUNDS.—Notwithstanding paragraph (6), amounts awarded under this subsection that are not expended by the recipient within 3 years after obligation of funds or that are returned under paragraph (10)(C) shall remain available to the Maritime Administrator to make grants and enter into contracts and cooperative agreements under this subsection.

(E) ADMINISTRATIVE COSTS.—Not more than 3 percent of the total amount made available to carry out this subsection for any fiscal year may be used for the necessary administrative costs associated with grants, contracts, or cooperative agreements made under this subsection.

(F) PROCEDURAL SAFEGUARDS.—The Maritime Administrator, in consultation with the Office of the Inspector General, shall issue guidelines to establish appropriate accounting, reporting, and review procedures to ensure that—

(A) amounts made available to carry out this subsection are used for the purposes for which they were made available;

(B) recipients of funds under this subsection (excluding the appropriations, contracts, or cooperative agreements) have properly accounted for all expenditures of such funds; and

(C) any such funds that are not obligated or expended for the purposes for which they were made available are returned to the Administrator.

(G) CONDITIONS ON PROVISION OF FUNDS.—The Maritime Administrator may not award funds to an applicant under this subsection unless the Maritime Administrator determines that—

(A) sufficient funding is available to meet the non-Federal share requirement of paragraph (7),

(B) the marine highway service for which such funds are provided will be completed without unreasonable delay; and

(C) PER-PROPOSAL FEEDBACK.—Not later than 30 days after receiving a pre-proposal, the Maritime Administrator shall provide feedback to the eligible entity that submitted the proposed application, either in writing or electronically, or in person, to encourage the eligible entity from submitting a full application. An eligible entity may still submit a full application even if that entity is not encouraged to do so after submitting a pre-proposal.

(8) RELEASE OF UNEXPENDED GRANT FUNDS.—Notwithstanding paragraph (6), amounts awarded under this subsection that are not expended by the recipient within 3 years after obligation of funds or that are returned under paragraph (10)(C) shall remain available to the Maritime Administrator to make grants and enter into contracts and cooperative agreements under this subsection.

(9) ADMINISTRATIVE COSTS.—Not more than 3 percent of the total amount made available to carry out this program for any fiscal year may be used for the necessary administrative costs associated with grants, contracts, or cooperative agreements made under this subsection.

(10) PROCEDURAL SAFEGUARDS.—The Maritime Administrator, in consultation with the Office of the Inspector General, shall issue guidelines to establish appropriate accounting, reporting, and review procedures to ensure that—

(A) amounts made available to carry out this subsection are used for the purposes for which they were made available;
"(C) the recipient of such funds has authority to implement the proposed marine highway service.

(d) COVERED FUNCTIONS.—A covered function under this subsection is one of the following:

(1) Promotion of marine highway transportation.

(2) Provision of a coordinated and capable alternative to landside transportation.

(3) Mitigation or relief of landside congestion.

(e) PROHIBITED USE.—Funds awarded under this section may not be used to:

(1) raise sunken vessels, construct buildings or facilities, or acquire land unless such activities are necessary for the establishment or operation of a marine highway service implemented using grant funds pursuant to a contract or cooperative agreement entered into under subsection (c); or

(2) improve port or land-based infrastructure outside the United States.

(f) GEOGRAPHIC DISTRIBUTION.—In making grants, contracts, and cooperative agreements under this section the Maritime Administrator shall take such measures so as to ensure an equitable geographic distribution of funds.

(g) FAsT AND EXAMINATIONS.—All recipients (including recipients of grants, contracts, and cooperative agreements) under this section shall maintain such records as the Maritime Administrator may require and make such records available for review and audit by the Maritime Administrator.

(2) RULES.—

(A) FINAL RULE.—Not later than 1 year after the date of enactment of this title, the Secretary of Transportation shall prescribe such final rules as are necessary to carry out the amendments made by this subsection.

(B) INTERIM RULES.—The Secretary of Transportation may prescribe temporary interim rules necessary to carry out the amendments made by this subsection. For this purpose, the Maritime Administrator, in prescribing rules under this subparagraph, is excepted from compliance with the notice and comment requirements of section 55501 of title 46, United States Code, prior to the effective date of the interim rules. All interim rules prescribed under the authority of this subparagraph shall take effect only after the interim rule described in subparagraph (B) is promulgated by the Secretary.

(d) MULTISTATE, STATE, AND REGIONAL TRANSPORTATION PLANNING.—Chapter 556 of title 46, United States Code, is amended by inserting after section 55602 the following:

SEC. 55603. MULTISTATE, STATE, AND REGIONAL TRANSPORTATION PLANNING.

(a) IN GENERAL.—The Maritime Administrator, in consultation with the heads of other appropriate Federal departments and agencies and the States, shall encourage the use of marine highway transportation for the transportation of passengers and cargo.

(b) STRATEGIES.—If the Maritime Administrator develops the strategies described in subsection (a), the Maritime Administrator may—

(1) assess the extent to which States and local governments include marine highway transportation and other marine transportation solutions for regional and interstate transportation of freight and passengers in transportation planning; and

(2) encourage State departments of transportation to develop strategies, where appropriate, to incorporate marine highway transportation, ferries, and other marine transportation solutions for regional and inter-state transport of freight and passengers in transportation planning; and

(3) encourage groups of States and multistate transportation entities to determine how marine highway transportation can address congestion, bottlenecks, and other interstate transportation challenges, including the lack of alternative surface transportation options.

(c) RESEARCH AND REPORT.—Section 55601 of title 46, United States Code, is amended—

(1) by redesignating paragraphs (1) through (3) as paragraphs (4) through (6), respectively, and

(2) by inserting after paragraph (4), as redesignated by paragraph (1), the following new paragraphs:

(1) Economic importance of marine highway transportation to the United States economy;

(2) The importance of marine highway transportation to rural areas, including the lack of alternative surface transportation options;

(3) United States regions and territories, and within-region areas, that do not yet have marine highway services underway but that could benefit from the establishment of marine highways;

(d) DEFINITIONS.—Section 55605 of title 46, United States Code, is amended to read as follows:

SEC. 55605. Definitions.

In this chapter—

(1) the term 'marine highway transportation' means the carriage by a documented vessel of cargo (including such cargo carriage of cargo and passengers), and such cargo—

(A) is—

(i) contained in intermodal cargo containers and loaded by crane on the vessel;

(ii) loaded on the vessel by means of wheeled technology, including roll-on roll-off cargo;

(iii) shipped in discrete units or packages that are handled individually, palletized, or unitized for purposes of transportation;

(iv) bulk cargo loaded in tanks, holds, hoppers, or on deck; or

(v) freight vehicles carried aboard committer ferry boats; and

(B) is—

(i) loaded at a port in the United States and unloaded either at another port in the United States or at a port in Canada or Mexico; or

(ii) loaded at a port in Canada or Mexico and unloaded at a port in the United States;

(2) the term 'marine highway service' means a planned or contemplated new service, or expansion of an existing service, on a marine highway route, that seeks to provide new modal choices to shippers, offer more desirable services, reduce transportation costs, or provide public benefits;

(3) the term 'marine highway route' means a route on commercially navigable coastal, inland, or intracoastal waters of the United States, including connections between the United States and a port in Canada or Mexico, that is designated under section 55606(b);

(4) the term 'Tribal Government' means the recognized governing body of any Indian or Alaska Native Tribe, band, nation, pueblo, village, corps, component band, or component reservation, individually identified (including parenthetically) in the list published most recently as of the date of enactment of this Act in the National Academy of Sciences study on strengthening supply chain resilience, to establish a framework for ports to follow to increase resiliency to major weather-related disruptions before they occur.

The extent to which the Department of Transportation and other Federal agencies have provided funds to ports for resiliency-related projects.

The extent to which Federal agencies have a coordinated approach to helping ports

SEC. 3522. GAO REVIEW OF EFFORTS TO ENHANCE PORT INFRASTRUCTURE RESILIENCE AND DISASTER PREPAREDNESS.

(a) In General.—The Comptroller General of the United States shall transmit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that examines United States Government efforts to promote the growth and modernization of the United States maritime industry, and the vessels of the United States, as defined in section 116 of title 46, United States Code, including the overall efficacy of United States Government financial support and policies, including the Capital Construction Fund, Construction Reserve Fund, and other eligible loan, grant, or other programs.

(b) GAO Review.—The Comptroller General of the United States shall transmit a report to the Committee on Commerce, Science, and Transportation and to the Senate Appropriations Committee and the Committee on Transportation and Infrastructure of the House of Representatives that examines Federal efforts to assist ports in enhancing the resiliency of their key intermodal connectors to weather-related disasters. The report shall include consideration of the following:

(1) Actions being undertaken at various ports to better identify critical land-side connectors that may be vulnerable to disruption in the event of a natural disaster, including how to communicate such information during a disaster when communications systems may be compromised, and the level of Federal involvement in such efforts.

(2) The extent to which the Department of Transportation and other Federal agencies are working in line with recent recommendations from key resiliency reports, including the National Academies of Science study on strengthening supply chain resilience, to establish a framework for ports to follow to increase resiliency to major weather-related disruptions before they occur.

(3) The extent to which the Department of Transportation or other Federal agencies have provided funds to ports for resiliency-related projects.

(4) The extent to which Federal agencies have a coordinated approach to helping ports
and the multiple State, local, Tribal, and private stakeholders involved, to improve resiliency prior to weather-related disasters.

SEC. 3524. STUDY ON FOREIGN INVESTMENT IN UNITED STATES PORTS.

(a) ASSESSMENT.—Subject to appropriation, the Under Secretary of Commerce for International Trade (referred to in this section as an "Under Secretary") in coordination with Maritime Administration, the Federal Maritime Commission, and other relevant agencies shall conduct an assessment of the extent to which foreign-controlled, owned, and other financial infrastructure or benefits provided by foreign states that control more than 30 percent of the world merchant fleet to entities or individuals building, owning, chartering, operating, or financing vessels not documented under the laws of the United States that are engaged in foreign commerce.

(b) REPORT.—Not later than 1 year after the date of enactment of this section, the Under Secretary shall submit to the appropriate committees of Congress, as defined in section 3538, a report on the assessment conducted under subsection (a), including—

(1) the amount, in United States dollars, of such support provided by a foreign state described in subsection (a) to—

(A) the shipping industry of each country as a whole;

(B) the shipping industry as a percent of gross domestic product of each country; and

(C) each ship on average, by ship type for cargo, tankers, and containers;

(2) the amount, in United States dollars, of such support provided by a foreign state described in subsection (a) to the shipping industry of another foreign state, including favorable financial arrangements for ship construction;

(3) a description of the shipping industry activities of state-owned enterprises of a foreign state described in subsection (a);

(4) a description of the type of support provided by a foreign state described in subsection (a), including tax relief, direct payments, indirect support of state-controlled financial entities, or other such support, as determined by the Under Secretary; and

(5) a description of how the subsidies provided by a foreign state described in subsection (a) may be disadvantaging the competitiveness of vessels documented under the laws of the United States, including labor and safety standards, or otherwise placing vessels documented under the laws of the United States at a competitive disadvantage relative to vessels documented under the laws of foreign states.

(c) DEFINITIONS.—In this section:

(1) FOREIGN COMMERCE.—The term "foreign commerce" means—

(A) commerce or trade between the United States, its territories or possessions, or the District of Columbia, and a foreign country; or

(B) commerce or trade between foreign countries; or

(C) commerce or trade within a foreign country.

(2) FOREIGN STATE.—The term "foreign state" has the meaning given the term in section 1609(a) of title 28, United States Code.

(3) SHIPPING INDUSTRY.—The term "shipping industry" means the construction, ownership, chartering, operation, or financing of vessels engaged in foreign commerce.

SEC. 3525. REPORT REGARDING ALTERNATE MARITIME BUNKERING FACILITIES AT PORTS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this title, the Maritime Administrator shall report on the necessary port-related infrastructure needed to support bunkering facilities for liquefied natural gas, hydrogen, ammonia, or other new marine fuels under development. The Maritime Administrator shall publish the report on a publicly available website.

(b) CONTENTS.—The report described in subsection (a) shall include—

(1) information about the existing United States infrastructure, in particular the stor- age facilities, transfer systems, and trans- porter systems to support bunkering facilities for liquefied natural gas, hydrogen, ammo- nia, or other new marine fuels under develop- ment;

(2) the amount, in United States dollars, of such support provided by a foreign state described in subsection (a) to—

(A) the shipping industry of each country as a whole;

(B) the shipping industry as a percent of gross domestic product of each country; and

(C) each ship on average, by ship type for cargo, tankers, and containers;

(3) a description of how the subsidies provided by a foreign state described in subsection (a) may be disadvantaging the competitiveness of vessels documented under the laws of the United States, including labor and safety standards, or otherwise placing vessels documented under the laws of the United States at a competitive disadvantage relative to vessels documented under the laws of foreign states.

(c) DEFINITIONS.—In this section:

(1) FOREIGN COMMERCE.—The term "foreign commerce" means—

(A) commerce or trade between the United States, its territories or possessions, or the District of Columbia, and a foreign country; or

(B) commerce or trade between foreign countries; or

(C) commerce or trade within a foreign country.

(2) FOREIGN STATE.—The term "foreign state" has the meaning given the term in section 1609(a) of title 28, United States Code.

(3) SHIPPING INDUSTRY.—The term "shipping industry" means the construction, ownership, chartering, operation, or financing of vessels engaged in foreign commerce.

SEC. 3526. STUDY OF CYBERSECURITY AND NATIONAL SECURITY THREATS POSED BY FOREIGN MANUFACTURED CRANES AT UNITED STATES PORTS.

The Administrator of the Maritime Administration shall—

(1) conduct a study, in consultation with the Secretary of Homeland Security, the Secretary of Transportation, and the Under Secretary of the Cyberspace and Critical Infrastructure Security Agency, to assess whether there are cybersecurity or national security threats posed by foreign-manufactured cranes at United States ports;

(2) submit, not later than 1 year after the date of enactment of this title, an unclassified report on the results of the study described in paragraph (1) to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Armed Services of the House of Representatives; and

(3) if determined necessary by the Administrator, submit a classified report on the study described in paragraph (1) to the committees described in paragraph (2) and the Committee on Armed Services of the House of Representatives.

SEC. 3527. PROJECT SELECTION CRITERIA FOR PORT INFRASTRUCTURE DEVELOPMENT PROGRAM.

Section 3537(b)(6) of title 46, United States Code, is amended by adding at the end the following:

'(C) CONSIDERATIONS FOR NONCONTINUOUS STATES AND TERRITORIES.—In considering the criteria under subparagraphs (A)(ii) and (B)(ii) for selecting a project described in paragraph (3), in the case of the proposed location of the project on a contiguous State or territory, the Secretary may take into account the geographic isolation of the State or territory and the economic dependence of the States or territory on the proposed project.'

SEC. 3528. INFRASTRUCTURE IMPROVEMENTS IDENTIFIED IN THE REPORT ON STRATEGIC SEAPORTS.

Section 4930(a)(6) of title 46, United States Code, is amended by adding at the end the following:

'(C) INFRASTRUCTURE IMPROVEMENTS IDENTIFIED IN THE REPORT ON STRATEGIC SEAPORTS.—In selecting projects described in paragraph (6), in consultation with the Secretary of Transportation, the Secretary may consider infrastructure improvements identified in the re-
"(b) SEXUAL ASSAULT.—If it is shown at a hearing under this chapter that a holder of a license, certificate of registry, or merchant mariner’s document issued under this part, within 20 years before the beginning of the suspension or revocation proceedings, is the subject of a substantiated claim of sexual harassment or sexual assault as defined in subsection (d), the determination affords appropriate due process rights to the subject of the investigation.

"(c) SUBSTANTIATED CLAIM.—(1) IN GENERAL.—The term ‘substantiated claim’ means—

"(A) a legal proceeding or agency action in any administrative proceeding that determines that committed sexual harassment or sexual assault in violation of any Federal, State, local, or Tribal law or regulation and for which all appeals have been exhausted or are pending;

"(B) a determination that acquits an individual of wrongs in a final agency action or final judicial proceeding.

"(2) INFORMATION MAINTAINED IN THE SYSTEM.—Information maintained in the system shall include the following information, to the extent that information is available:

"(A) The overall number of sexual assault or sexual harassment incidents per fiscal year.

"(B) The location of each such incident, including vessel name and the name of the company operating the vessel, if applicable.

"(C) The general nature of each such incident.

"(D) The nature of each such incident, to include copies of any associated reports completed on the incident.

"(E) The type of inquiry made into each such incident.

"(F) A determination to whether each such incident shall be submitted to a law enforcement agency.

"(G) Any informal and formal accountability measures taken for misconduct related to the incident, including decisions on whether to prosecute the case.

"(3) PAST INFORMATION INCLUDED.—The information management system under this section shall include the relevant data listed in this subsection related to sexual assault and sexual harassment that the Maritime Administrator possesses, and shall not be limited to data collected after January 1, 2023.

"(4) PRIVACY PROTECTIONS.—The Maritime Administrator shall establish an information management system under this section shall be established and maintained in a secure fashion to ensure the protection of the privacy of any individuals whose information is entered in such system.

"(5) CYBERSecurity AUDIT.—Ninety days after the implementation of the information management system, the Office of Inspector General of the Department of Transportation shall commence an audit of the cybersecurity posture of the system and shall submit a report containing the results of that audit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

"(6) CORRECTING RECORDS.—In establishing the information management system, the Maritime Administrator shall ensure that the system is procured in a manner that all records created by the system shall include information sufficient to ensure that if any incident report results in a final agency action or final judicial decision that acquires an individual of wrong doing, the system is capable of preventing the acquittal of an individual removed is removed from that incident report in the system.

"(b) SEA YEAR PROGRAM.—The Maritime Administrator shall establish a program to be conducted by personal and virtual confidential exit interviews, to be conducted by personnel who are not involved in the assignment of the midshipmen to a Sea Year vessel, for midshipmen from the Academy upon completion of Sea Year and following completion of in-person and virtual confidential exit interviews, to be conducted by personal and for midshipmen of the survey under section 51322(d).

"(c) DATA-INFORMED DECISIONMAKING.—The data maintained in the data management system shall be used to inform the creation of new policy or regulation, or changes to any existing policy or regulation, in the areas of sexual harassment, dating violence, domestic violence, sexual assault, and stalking.

"§ 51326. Student advisory board at the United States Merchant Marine Academy

"(a) IN GENERAL.—The Maritime Administrator shall establish at the United States Merchant Marine Academy an advisory board to be known as the Advisory Board to the Secretary of Transportation referred to in this section as the ‘Advisory Board’.

"(b) MEMBERSHIP.—The Advisory Board shall be composed of not fewer than 12 midshipmen of the Merchant Marine Academy who are enrolled at the Merchant Marine Academy at the time of the appointment, including not fewer than 3 cadets from each class.

"(c) APPOINTMENT.—Midshipmen shall serve on the Advisory Board pursuant to appointment by the Maritime Administrator. Appointments shall be made not later than 60 days after the date of the swearing in of a new class of midshipmen at the Academy. No member of the Advisory Board may reappoint more than 1 midshipmen on the Advisory Board shall be 1 academic year.

"(d) REAPPOINTMENT.—The Maritime Administrator may reappoint not more than 6 cadets from the previous term to serve on the Advisory Board for an additional academic year if the Maritime Administrator determines such reappointment to be in the best interests of the Merchant Marine Academy.

"(e) MEETINGS.—The Advisory Board shall meet with the Secretary of Transportation not less than once each academic year to discuss the activities of the Advisory Board. The Advisory Board shall meet in person at least twice each academic year to discuss the activities of the Advisory Board.

"(f) DUTIES.—The Advisory Board shall—

"(1) identify and propose possible solutions, including improvements to culture and leadership development at the Merchant Marine Academy;

"(2) discuss and propose possible solutions, including improvements to culture and leadership development at the Merchant Marine Academy; and

"(3) periodically review the efficacy of the program in section 51325(b), as appropriate, and provide recommendations to the Maritime Administrator for improvement.

"(g) ADVISORY BOARD.—The Advisory Board may establish one or more working groups to assist the Advisory Board in carrying out its duties, including working groups in subsection (a) and through the exit interviews under subsection (b) shall be affirmatively referenced and used to inform the creation of new policy or regulation, or changes to any existing policy or regulation, in the areas of sexual harassment, dating violence, domestic violence, sexual assault, and stalking.

"§ 51325. Sexual assault and sexual harassment prevention information system

"(a) INFORMATION MANAGEMENT SYSTEM.—

"(1) IN GENERAL.—Not later than January 1, 2023, the Maritime Administrator shall establish an information management system to track and maintain information about the activities of the Advisory Board.

"(2) INFORMATION MAINTAINED IN THE SYSTEM.—Information maintained in the system shall include the following information, to the extent that information is available:

"(A) The overall number of sexual assault or sexual harassment incidents per fiscal year.

"(B) The location of each such incident, including vessel name and the name of the company operating the vessel, if applicable.

"(C) The general nature of each such incident.

"(D) The nature of each such incident, to include copies of any associated reports completed on the incident.

"(E) The type of inquiry made into each such incident.

"(F) A determination to whether each such incident shall be submitted to a law enforcement agency.

"(G) Any informal and formal accountability measures taken for misconduct related to the incident, including decisions on whether to prosecute the case.

"(3) PAST INFORMATION INCLUDED.—The information management system under this section shall include the relevant data listed in this subsection related to sexual assault and sexual harassment that the Maritime Administrator possesses, and shall not be limited to data collected after January 1, 2023.

"(4) PRIVACY PROTECTIONS.—The Maritime Administrator shall establish an information management system under this section shall be established and maintained in a secure fashion to ensure the protection of the privacy of any individuals whose information is entered in such system.

"(5) CYBERSecurity AUDIT.—Ninety days after the implementation of the information management system, the Office of Inspector General of the Department of Transportation shall commence an audit of the cybersecurity posture of the system and shall submit a report containing the results of that audit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

"(6) CORRECTING RECORDS.—In establishing the information management system, the Maritime Administrator shall ensure that the system is procured in a manner that all records created by the system shall include information sufficient to ensure that if any incident report results in a final agency action or final judicial decision that acquires an individual of wrong doing, the system is capable of preventing the acquittal of an individual removed is removed from that incident report in the system.

"(b) SEA YEAR PROGRAM.—The Maritime Administrator shall establish a program to be conducted by personal and virtual confidential exit interviews, to be conducted by personal and for midshipmen of the survey under section 51322(d).

"(c) DATA-INFORMED DECISIONMAKING.—The data maintained in the data management system shall be used to inform the creation of new policy or regulation, or changes to any existing policy or regulation, in the areas of sexual harassment, dating violence, domestic violence, sexual assault, and stalking.

"§ 51326. Student advisory board at the United States Merchant Marine Academy

"(a) IN GENERAL.—The Maritime Administrator shall establish at the United States Merchant Marine Academy an advisory board to be known as the Advisory Board to the Secretary of Transportation referred to in this section as the ‘Advisory Board’.

"(b) MEMBERSHIP.—The Advisory Board shall be composed of not fewer than 12 midshipmen of the Merchant Marine Academy who are enrolled at the Merchant Marine Academy at the time of the appointment, including not fewer than 3 cadets from each class.

"(c) APPOINTMENT.—Midshipmen shall serve on the Advisory Board pursuant to appointment by the Maritime Administrator. Appointments shall be made not later than 60 days after the date of the swearing in of a new class of midshipmen at the Academy. No member of the Advisory Board may reappoint more than 1 midshipmen on the Advisory Board shall be 1 academic year.

"(d) REAPPOINTMENT.—The Maritime Administrator may reappoint not more than 6 cadets from the previous term to serve on the Advisory Board for an additional academic year if the Maritime Administrator determines such reappointment to be in the best interests of the Merchant Marine Academy.

"(e) MEETINGS.—The Advisory Board shall meet with the Secretary of Transportation not less than once each academic year to discuss the activities of the Advisory Board. The Advisory Board shall meet in person at least twice each academic year to discuss the activities of the Advisory Board.

"(f) DUTIES.—The Advisory Board shall—

"(1) identify and propose possible solutions, including improvements to culture and leadership development at the Merchant Marine Academy;

"(2) discuss and propose possible solutions, including improvements to culture and leadership development at the Merchant Marine Academy; and

"(3) periodically review the efficacy of the program in section 51325(b), as appropriate, and provide recommendations to the Maritime Administrator for improvement.

"(g) ADVISORY BOARD.—The Advisory Board may establish one or more working groups to assist the Advisory Board in carrying out its duties, including working groups in subsection (a) and through the exit interviews under subsection (b) shall be affirmatively referenced and used to inform the creation of new policy or regulation, or changes to any existing policy or regulation, in the areas of sexual harassment, dating violence, domestic violence, sexual assault, and stalking.
§51327. Sexual Assault Advisory Council

(a) ESTABLISHMENT.—The Secretary of Transportation shall establish a Sexual Assault Advisory Council (in this section referred to as the Council). 

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Council shall be composed of not fewer than 8 and not more than 14 individuals selected by the Secretary of Transportation from midshipmen of the United States Merchant Marine Academy (including midshipmen or alumni who, because of their victim status or notified status, were previously victimized by sexual assault, to the maximum extent practicable, and midshipmen or alumni who were not victims of sexual assault) and governmental and nongovernmental experts and professionals in the sexual assault field.

(2) EXPERTS INCLUDED.—The Council shall include—

(A) not less than 1 member who is licensed in the field of mental health and has prior experience working as a counselor or therapist providing mental health care to survivors of sexual assault in a victim services agency or organization; and

(B) not less than 1 member who has prior experience developing or implementing sexual assault prevention and response policies in an academic setting.

(3) RULES REGARDING MEMBERSHIP.—No employment by the Department of Transportation shall be a requirement of the Council. The number of governmental experts appointed to the Council shall not exceed the number of nongovernmental experts.

(c) DUTIES; AUTHORIZED ACTIVITIES.—

(1) IN GENERAL.—The Council shall meet not less often than semiannually to—

(A) review—

(i) the policies on sexual harassment, dating violence, domestic violence, sexual assault, and stalking under section 5318 of this title;

(ii) the trends and patterns of data contained in the system described under section 51325 of this title; and

(iii) related matters the Council views as appropriate; and

(B) develop recommendations designed to ensure that such policies and such matters comport practicable to best practices in the field of sexual assault and sexual harassment response and prevention.

(2) AUTHORIZED ACTIVITIES.—To carry out this subsection, the Council may—

(A) conduct case reviews, as appropriate and only with the consent of the victim of sexual assault or harassment;

(B) develop recommendations to—

(i) establish the sexual assault prevention and response field and include appropriate scenario-based training for midshipmen of the United States Merchant Marine Academy (to the extent that such midshipmen provide the Department of Transportation consent to be interviewed by the Council); and

(ii) conduct case reviews, as appropriate and only with the consent of the victim of sexual assault or harassment.

(C) ensure that the Secretary of Transportation does not issue a sexual assault prevention and response standard under section 51323(a) without the consent of the Council; and

(D) require an annual survey of faculty and staff assessing the adequacy of mental health resources for midshipmen of the Academy, both on-campus and during Sea Year;

(3) LEISLATIVE CHANGE PROPOSALS.—If, as a result of the recommendations under subsection (c)(2), the Maritime Administrator determines that additional authority is necessary to properly implement this section, the Administrator may recommend to the Congress legislative change proposals that would provide additional resources and personnel to the Academy.

(d) REPORT TO CONGRESS.—Not later than 30 days after the date of enactment of this section, the Maritime Administrator shall provide Congress with a report on the resources necessary to properly implement this section.

§51328. Student support

The Maritime Administrator shall—

(1) require a biannual survey of midshipmen and alumni of the Academy assessing the inclusiveness of the environment of the Academy; and

(2) require an annual survey of faculty and staff of the Academy assessing the inclusiveness of the environment of the Sea Year program.

(e) REPORT TO CONGRESS.—Not later than one year after the date of enactment of this section, the Maritime Administrator shall provide Congress with a report on the resources necessary to properly implement this section, the Maritime Administrator, and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives, a report on the Council’s findings based on the reviews conducted pursuant to subsection (c) and related recommendations.

(f) EMPLOYEES.—No employees of the Council shall not be considered employees of the United States Government for any purpose and shall not receive compensation other than per diem in accordance with section 5703 of title 5.

§51329. NONAPPLICABILITY OF FACA

(1) NONAPPLICABILITY.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Council.

§51328. Student support

‘‘The Maritime Administrator shall—

‘‘(1) require a biannual survey of midshipmen and alumni of the Academy assessing the inclusiveness of the environment of the Academy; and

‘‘(2) require an annual survey of faculty and staff of the Academy assessing the inclusiveness of the environment of the Sea Year program.’’. 

(f) MEMBERSHIP.—On an annual basis for each section (a) and (d) of this section (as added by the amendment made by section (a) of title 46, United States Code, as added by adding at the end the following):

§51325. Sexual assault and sexual harassment prevention information management system.

§51326. Student advisory board at the United States Merchant Marine Academy.

§51327. Sexual Assault Advisory Council.

§51328. Student support.

(c) MEMBERSHIP.—

(1) by redesignating subsection (c) as subsection (d); and

(2) in inserting ‘‘flag-rank’’;

§51327. Sexual Assault Advisory Council.

(a) ESTABLISHMENT.—The Secretary shall designate an attorney (to be known as the ‘‘Special Victims Advisor’’) for the purpose of providing legal assistance to any cadet of the Academy who is the victim of an alleged sex-related offense regarding administrative and criminal proceedings related to such offense, regardless of whether the report of that offense is restricted or unrestricted.

§51328. Special Victims Advisor.

(a) ESTABLISHMENT.—The Secretary shall ensure that the attorney designated as the Special Victims Advisor has knowledge of the Uniform Code of Military Justice, as well as criminal and civil law.

(b) AUTHORIZED ACTIVITIES.—Any communications between a victim of an alleged sex-related offense and the Special Victim’s Advisor, when accepted as such, shall have the same protection that applicable law provides for confidential attorney-client communications.

(c) UN FILLED VACANCIES.—If the Special Victims Advisor is unavailable, the Secretary shall designate qualified personnel to fill vacancies under subsections (a) and (d) of this section without regard to sections 3309 through 3319 of title 5.

(1) CATCH A SERIAL OFFENDER PROGRAM.—

(1) IN GENERAL.—Not later than one year after the date of enactment of this section, the Commandant of the Coast Guard, in coordination with the Maritime Administrator, shall conduct an assessment of the feasibility of establishing a partnership with appropriate entities to establish a program for the United States Merchant Marine Academy and United States Merchant Marine Academy alumni for—

(a) identifying and apprehending sex offenders;

(b) providing legal assistance to midshipmen or alumni who were not victims of sexual assault, midshipmen or alumni who were victims of sexual assault, and students or alumni in related industries; and

(c) formulating a plan to address the sexual assault field.

(2) REQUIREMENT.—Not later than January 1, 2023, the Maritime Administrator shall issue a Student Support Plan for the United States Merchant Marine Academy, in consultation with relevant mental health professionals in the Federal Government or experienced with the maritime industry or related industries. Such plan shall—

(A) address mental health resources available to midshipmen, both on-campus and during Sea Year;

(B) establish a sexual assault prevention system for suicidal ideations and suicide attempts of midshipmen, which excludes personally identifiable information.

§51329. Nonapplicability of FACA

(1) NONAPPLICABILITY.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Council.

(d) MEMBERSHIP.—On an annual basis for each section (a) and (d) of this section (as added by the amendment made by section (a) of title 46, United States Code, as added by adding at the end the following):

(1) CATCH A SERIAL OFFENDER PROGRAM.—

(1) IN GENERAL.—Not later than one year after the date of enactment of this section, the Commandant of the Coast Guard, in coordination with the Maritime Administrator, shall conduct an assessment of the feasibility of establishing a partnership with appropriate entities to establish a program for the United States Merchant Marine Academy and United States Merchant Marine Academy alumni for—

(a) identifying and apprehending sex offenders;

(b) providing legal assistance to midshipmen or alumni who were not victims of sexual assault, midshipmen or alumni who were victims of sexual assault, and students or alumni in related industries; and

(c) formulating a plan to address the sexual assault field.
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(B) in paragraph (3), by adding at the end the following:

"(C) REPLACEMENT.—If a member of the Board is replaced, not later than 60 days after the date of the replacement, the Designated Federal Officer selected under subsection (g)(2) shall notify that member;";

(2) in subsection (d), in paragraph (1), by inserting "and 2 additional meetings, which may be held in person or virtually" after "Academy"; and

(b) by adding at the end the following:

"(3) SCHEDULING; NOTIFICATION.—When scheduling a meeting of the Board, the Designated Federal Officer shall coordinate, to the greatest extent practicable, with the members of the Board to determine the date and time of the visit. Members of the Board shall be notified of the date of each meeting not less than 30 days prior to the meeting date;"

(3) in subsection (e), by adding at the end the following:

"(4) STAFF.—One or more staff of each member of the Board may accompany them on Academy visits.

(5) SCHEDULING; NOTIFICATION.—When scheduling a visit to the Academy, the Designated Federal Officer shall coordinate, to the greatest extent practicable, with the members of the Board to determine the date and time of each visit. Members of the Board shall be notified of the date of each visit not less than 30 days prior to the visit date;"

and

(4) in subsection (b),

(A) by inserting "and ranking member" after "chairman" each place the term appears; and

(B) by adding at the end the following:

"Such staff may attend meetings and may visit the Academy.";

and

(5) by inserting after subsection (a), by striking "of title";

(2) in subsection (b), in the subsection heading, by striking "ASSISTANCE" and inserting "COOPERATIVE AGREEMENTS";

(3) by redesignating subsection (c) as subsection (d);

(4) in subsection (d), as redesignated by paragraph (2), by adding at the end the following:

"(3) SECRETARY.—The term 'Secretary' means the Secretary of Transportation;";

and

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

"(C) GRANT PROGRAM.—

"(1) DEFINITIONS.—In this subsection:

"(A) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the Maritime Administration.

"(B) ELIGIBLE INSTITUTION.—The term 'eligible institution' means an institution that has a demonstrated record of success in training and—

"(i) a postsecondary educational institution (as defined in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302));

"(ii) a postsecondary vocational institution (as defined under section 102(c) of the Higher Education Act of 1965 (20 U.S.C. 102(c));

"(iii) a public or private nonprofit entity that offers one or more structured experiential learning training programs for American workers in the United States maritime industry, including a program that is offered by a labor organization or conducted in partnership with a nonprofit organization or 1 or more employers in the maritime industry; or

"(iv) an entity sponsoring a registered apprenticeship program.

"(C) REGISTERED APPRENTICESHIP PROGRAM.—The term 'registered apprenticeship program' means an apprenticeship program registered with the Office of Apprenticeship of the Employment and Training Administration of the Department of Labor or a State agency recognized by the Office of Apprenticeship pursuant to the Act of August 16, 1937 (commonly known as the 'National Apprenticeship Act'); 50 Stat. 684, chapter 607, subtitle seq.).

"(D) UNITED STATES MARITIME INDUSTRY.—The term 'United States maritime industry' means all segments of the maritime-related transportation system of the United States, both in domestic and foreign trade, and in coastal, offshore, and inland waters, as well as non-commercial maritime activities, such as pleasure boating and marine sciences (including all scientific research vessels), and all of the industries that support or depend upon such uses, including—

"(i) vessel construction and repair;

"(ii) vessel design;

"(iii) shipbuilding supply chain;

"(iv) ship intermediaries;

"(v) ship operators;

"(vi) intermodal operations;

"(vii) terminal operations;

"(viii) vessel design;

"(ix) marine brokerage;

"(x) marine insurance;

"(xi) marine finance;

"(xii) charting;

"(xiii) marine-oriented supply chain operations;

"(xiv) offshore industry;

"(xv) offshore wind construction, operation, and repair;

"(xvi) maritime-oriented research and development.

"(2) GRANT AUTHORIZATION.—

"(A) IN GENERAL.—Not later than 1 year after the date of enactment of the Maritime Technological Advancement Act of 2022, the Administrator shall award maritime career training grants to eligible institutions for the purpose of developing, offering, or improving educational or career training programs for American workers related to the maritime workforce.

"(B) GUIDELINES.—Not later than 1 year after the date of enactment of the Maritime Technological Advancement Act of 2022, the Administrator shall—

"(i) promulgate guidelines for the submission of grant proposals under this subsection; and

"(ii) publish and maintain such guidelines on the website of the Maritime Administration.

"(3) LIMITATIONS.—The Administrator may not award grants under this subsection in an amount that is more than $12,000,000.

"(4) REQUIRED INFORMATION.—

"(A) IN GENERAL.—An eligible institution that desires to apply under this subsection shall submit to the Administrator a grant proposal that includes a detailed description of—

"(i) the specific project for which the grant proposal is submitted, including the manner in which the grant will be used to develop, offer, or improve an educational or career training program that is suited to maritime industry workers;

"(ii) the extent to which the project for which the grant proposal is submitted will meet the training needs of maritime workers in the community served by the eligible institution, particularly any individuals with a barrier to employment;

"(iii) the extent to which the project for which the grant proposal is submitted fits within the overall strategic plan developed by an eligible community; and

"(iv) any previous experience of the eligible institution in providing maritime education or career training opportunities.

"(B) COMMUNITY OUTREACH REQUIRED.—In order to be considered by the Administrator, a grant proposal submitted by an eligible institution under this subsection shall—

"(i) demonstrate that the eligible institution—

"(I) reached out to employers to identify—

"(aa) any shortcomings in existing maritime educational and career training opportunities available to workers in the community; and

"(bb) any future employment opportunities within the community and the educational and career training skills required for workers to meet the future maritime employment demand; and

"(ii) included a detailed description of—

"(I) the extent to which the project for which the grant proposal is submitted will contribute to meeting any shortcomings identified under clause (i)(aa) or any maritime educational or career training needs identified under clause (i)(bb); and

"(II) the extent to which the project serves by an eligible community; and

"(C) CRITERIA FOR AWARD OF GRANTS.—Subject to the appropriation of funds, the Administrator shall award grants under this subsection based on—

"(A) a determination of the merits of the grant proposal submitted by the eligible institution; and

"(B) an evaluation of the likely employment opportunities available to complete a maritime educational or career training program that the eligible institution proposes to develop, offer, or improve; and

"(C) an evaluation of the capability for training programs by workers in the community served by the eligible institution, as well as the availability and capacity of existing maritime training programs to meet future demand for training programs; and

"(D) any prior designation of an institution as a Center of Excellence for Domestic Maritime Workforce Training and Education; and

"(E) an evaluation of the previous experience of the eligible institution in providing maritime educational or career training programs.

"(6) COMPETITIVE AWARDS.—

"(A) IN GENERAL.—The Administrator shall award grants under this subsection to eligible institutions on a competitive basis in accordance with guidelines and requirements established by the Administrator under paragraph (4).

"(B) TIMING OF GRANT NOTICE.—The Administrator shall post a Notice of Funding Opportunity regarding grants awarded under this subsection not more than 120 days after the date of enactment of the Appropriations Act for the fiscal year concerned.
(xvii) assist in the development and replication of effective service delivery strategies for the United States maritime industry as a whole.

(b) PUBLIC REPORT.—Not later than December 15 in each of the calendar years 2023 through 2027, the Maritime Administrator shall make available on a publicly available website a report and provide a briefing to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives—

(A) describing each grant awarded under this subsection during the preceding fiscal year;

(B) assessing the impact of each award of a grant under this subsection during the preceding fiscal year on the performance of subparagraph (A) on workers receiving training; and

(C) the performance of the grant awarded with respect to the indicators of performance under section 116(b)(2)(A)(1) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3110(b)(2)(A)(1)).

(9) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $60,000,000 for each of the fiscal years 2023 through 2027.

SEC. 3537. STUDY ON CAPITAL IMPROVEMENT PROGRAM AT THE USMMA.

(a) FINDINGS.—Congress finds the following:

(1) The United States Merchant Marine Academy campus is nearly 80 years old and many of the buildings have fallen into a serious state of disrepair.

(2) The United States Merchant Marine Academy has taken to bring the buildings, infrastructure, and other facilities up to standards, to address the necessary costs of grant administration.

(3) The United States Merchant Marine Academy has taken to bring the buildings, infrastructure, and other facilities up to standards, to address the necessary costs of grant administration.

(4) The United States Merchant Marine Academy has taken to bring the buildings, infrastructure, and other facilities up to standards, to address the necessary costs of grant administration.

(b) STUDY.—The Comptroller General shall conduct a study of the United States Merchant Marine Academy Capital Improvement Program. The study shall include an evaluation of:

(1) the actions the United States Merchant Marine Academy has taken to bring the buildings, infrastructure, and other facilities up to standards, to address the necessary costs of grant administration.

(2) the actions the United States Merchant Marine Academy has taken to bring the buildings, infrastructure, and other facilities up to standards, to address the necessary costs of grant administration.

(3) the actions the United States Merchant Marine Academy has taken to bring the buildings, infrastructure, and other facilities up to standards, to address the necessary costs of grant administration.

(4) the actions the United States Merchant Marine Academy has taken to bring the buildings, infrastructure, and other facilities up to standards, to address the necessary costs of grant administration.

(5) the actions the United States Merchant Marine Academy has taken to bring the buildings, infrastructure, and other facilities up to standards, to address the necessary costs of grant administration.

(c) REPORT.—Not later than 18 months after the date of enactment of this section, the Comptroller General shall submit to the President, the Congress, the Comptroller General of the Department of Transportation, and the Secretary of Transportation and Infrastructure of the House of Representatives a report containing the results of the study under this section.

SEC. 3538. IMPLEMENTATION OF RECOMMENDATIONS FROM THE NATIONAL ACADEMY OF PUBLIC ADMINISTRATION.

(a) INSPECTOR GENERAL AUDIT.—The Inspector General of the Department of Transportation shall—

(1) not later than 180 days after the date of enactment of this section, initiate an audit of the National Academy of Public Administration’s recommendations to the Department of Transportation, and prepare a report containing the results of the audit described in subsection (b) on the audit.

(b) AUDIT TO BE COMPLETED. The Inspector General shall submit the report required under subsection (a) on the audit to the appropriate committees of Congress, not later than 18 months after the date of enactment of this section.

(c) REPORT TO THE NATIONAL ACADEMY OF PUBLIC ADMINISTRATION.—

(1) IN GENERAL.—Not later than 30 days after the date of the report of the Inspector General, the Secretary of Transportation and Infrastructure of the House of Representatives shall enter into an agreement with the National Academy of Public Administration (referred to in this section as the “Academy”) to provide support for—

(A) prioritizing and addressing the recommendations described in subsection (a)(1), and establishing a process for prioritizing other recommendations in the future;

(B) development of long-term processes and a timeframe for long-term process improvements, as well as corrective actions and best practice criteria that can be implemented in the medium- and near-term;

(C) establishment of a clear assignment of responsibility for implementation of each recommendation described in subsection (a)(1), and a strategy for assigning other recommendations in the future; and

(D) a performance management system, including data collection and tracking and evaluating progress toward goals.

(2) REPORT TO CONGRESS.—Not later than 1 year after the date of the report described in paragraph (1), the Academy shall prepare and submit a report to Congress.
the Maritime Administrator, the Inspector General of the Department of Transportation, and the appropriate committees of Congress.

(PrERIoIIZATIoN AND IINPLEMENTATIoN PLAN.)—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this title, the Maritime Administrator shall prepare a prioritization and implementation plan to assess, prioritize, and address the recommendations identified by the National Academy of Public Administration panel in the November 2021 report entitled “Organizational Assessment of the United States Merchant Marine Academy: A Path Forward” that not the Maritime Administration and the Inspector General of the Maritime Administration and not listed in subsection (a)(1).

The prioritization and implementation plan shall—

(A) make use of the strategies, processes, and systems described in subsection (b)(1);

(B) include estimated timelines and cost estimates for implementation of priority goals; and

(C) include summaries of stakeholder and interagency engagement used to assess goals and timelines; and

(D) released publicly and submitted to the Inspector General of the Department of Transportation and the appropriate committees of Congress.

(2) ANNUAL REPORT.—The Inspector General of the Department of Transportation shall—

(A) not later than 180 days after the date of publication of the prioritization and implementation plan described in paragraph (1), initiate an audit of the Maritime Administration’s actions to address the prioritization and implementation plan;

(B) monitor the Maritime Administration’s actions to implement recommendations made by the Inspector General’s audit described in subparagraph (A) and its predecessor audits of the Maritime Administration’s implementation of National Academy of Public Administration recommendations and periodically initiate subsequent audits of the Maritime Administration’s continued actions to address the prioritization and implementation plan, as the Inspector General determines necessary;

(C) release publicly and submit to the Administrator of the Maritime Administration and the appropriate committees of Congress a report containing the results of the audit once the audit is completed.

(3) REPORT OF PROGRESS.—Not later than 180 days after the date of publication of the Inspector General’s report described in paragraph (2)(C), and annually thereafter, the Administrator of the Maritime Administration shall prepare and submit to the Inspector General of the Department of Transportation and the appropriate committees of Congress a report containing the results of the audit once the audit is completed.

The Secretary of Defense may and insert ‘’CERTAIN OF WORKS’’ and inserting ‘’CERTAIN WORKS’’;

(2) in the first subsection (c), by striking ‘’The Secretary of Defense may’’ and inserting ‘’The Secretary of Defense’’ and ‘’CERTAIN WORKS’’;

(3) by redesigning the second subsection (c) as subsection (d), as redesignated by paragraph (3), by adding at the end the following:

‘’(M) United States Merchant Marine Academy.’’;

SEC. 3539. SERVICE ACADEMY FACULTY PARITY.

Section 105 of title 17, United States Code, is amended—

(1) in the heading of subsection (b), by striking ‘’CERTAIN OF WORKS’’ and inserting ‘’CERTAIN WORKS’’;

(2) in subsection (b)(1), by striking ‘’Transportation’’ and inserting the following:

‘’(1) IN GENERAL.—Not later than 1 year after the date of publication of this subtitle, the Maritime Administrator, the Inspector General of the Department of Transportation, and the appropriate committees of Congress described in paragraphs (1) through (3).’’;

(3) by redesigning subsection (b)(2), as redesignated by paragraph (3), by adding at the end the following:

‘’(M) United States Merchant Marine Academy.’’;

SEC. 3540. UPDATED REQUIREMENTS FOR FISHING OF OFF-WATCH VESSELS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this title, the Maritime Administrator shall—

(1) in paragraph (2), by striking ‘’and’’ after the semicolon;

(2) by redesigning paragraph (3) as paragraph (4); and

(3) by inserting after paragraph (2) the following:

‘’(3) if the vessel is a catcher processor or fish processing vessel with more than 25 crew, require that the crewmember be served not less than 3 meals a day that total not less than 3.100 calories, including adequate water and minerals in accordance with the United States Recommended Daily Allowance;’’;

Subtitle E—Technology Innovation and Resilience

SEC. 3541. MARITIME ENVIRONMENTAL AND TECHNICAL ASSISTANCE PROGRAM.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this title, the Maritime Administrator shall, through a cooperative agreement, establish a United States Center for Maritime Innovation (referred to in this subsection as the ‘’Center’’) to support the study, research, development, evaluation, and deployment of emerging marine technologies and practices.

(b) ELIGIBLE ENTITY DEFINED.—In this section, the term ‘‘eligible entity’’ means—

(1) a private entity, including a nonprofit organization;

(2) a State, regional, or local government or entity, including special districts;

(3) an Indian Tribe (as defined in section 3 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5309)) or a consortium of Indian Tribes;

(4) an institution of higher education as described under section 107 of the Higher Education Act of 1965 (20 U.S.C. 1002); or

(5) a partnership or collaboration of entities described in paragraphs (1) through (4).

(c) ELIGIBLE PROJECTS DEFINED.—In this section, the term ‘‘eligible project’’ means a project—

(1) that will provide assistance to eligible entities for projects in the United States consistent with the goals of this section; and

(2) that is not less than 3 meals a day that total not less than 3.100 calories, including adequate water and minerals in accordance with the United States Recommended Daily Allowance;’’;

The Secretary of Defense may and insert ‘’this section’’;

‘’(D) in paragraph (4), as redesignated by subparagraph (A), by striking ‘’or improve’’ and inserting ‘’improve, or support efforts related to’’;

(4) in subsection (b), as redesignated by paragraph (5) of this section, by striking ‘’subsection (b)(2)’’ and inserting ‘’this section’’;

‘’(E) by adding at the end the following:

‘’(5) GRANTS.—Subject to the availability of appropriations, the Maritime Administrator, may establish and carry out a comprehensive grant program to award grants to eligible entities for projects in the United States consistent with the goals of this section.

Subsection (b)(1)’’;

(c) VESSELS.—Activities carried out under a grant or cooperative agreement made under this section may be conducted on public or private vessels under the control of the Maritime Administration, upon approval of the Maritime Administrator.

(d) ELIGIBLE ENTITY DEFINED.—In this section, the term ‘‘eligible entity’’ means—

(1) a private entity, including a nonprofit organization;

(2) a State, regional, or local government or entity, including special districts;

(3) an Indian Tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5309)) or a consortium of Indian Tribes;

(4) an institution of higher education as described under section 107 of the Higher Education Act of 1965 (20 U.S.C. 1002); or

(5) a partnership or collaboration of entities described in paragraphs (1) through (4).

(e) CENTER FOR MARITIME INNOVATION.—In this section, the term ‘‘Center’’ means, not later than 1 year after the date of enactment of the Maritime Administration Authorization Act for Fiscal Year 2023, the Secretary of Transportation through a cooperative agreement, establish a United States Center for Maritime Innovation (referred to in this subsection as the ‘’Center’’) to support the study, research, development, evaluation, and deployment of emerging marine technologies and practices related to the maritime transportation system.

(f) SELECTION.—The Center shall be—

(A) selected through a competitive process of eligible entities;
(B) monitor and assess, on an ongoing basis, the current state of knowledge regarding emerging marine technologies in the United States;

(C) identify any significant gaps in emerging marine technologies research specific to the United States maritime industry, and seek to fill those gaps;

(D) conduct research, development, testing, and evaluation for equipment, technologies, and sea-based work with academic and private sector partners to address the components under subsection (a);

(E) provide—

(i) guidance on best available technologies;

(ii) technical analysis;

(iii) assistance with understanding complex regulatory requirements; and

(iv) documentation of best practices in the maritime industry, including training and informational webinars on solutions for the maritime industry; and

(F) work with academic and private sector training centers and Domestic Maritime Workforce Training and Education Centers of Excellence to develop maritime strategies applicable to various segments of the United States maritime industry, including the inland, deep water, and coastal fleets.

SEC. 3542. STUDY ON STORMWATER IMPACTS ON SALMON.

(a) In General.—Not later than 90 days after the date of enactment of this section, the Administrator of the National Oceanic and Atmospheric Administration, in concert with the Secretary of Transportation and the Administrator of the Environmental Protection Agency, and in consultation with the Federal Fish and Wildlife Service, shall commence a study that—

(1) examines the existing science on tire-related chemicals in stormwater runoff at ports and the impacts of such chemicals on Pacific salmon and steelhead;

(2) examines the challenges of studying tire-related chemicals in stormwater runoff at ports and the impacts of such chemicals on Pacific salmon and steelhead;

(3) provides recommendations for improving monitoring of stormwater and research related to run-off for tire-related chemicals and the impacts of such chemicals on Pacific salmon and steelhead at ports; and

(4) provides recommendations based on the best available science on relevant management approaches at ports under their respective jurisdictions.

(b) SUBMISSION OF STUDY.—Not later than 18 months after commencing the study under subsection (a), the Administrator of the National Oceanic and Atmospheric Administration, in concert with the Secretary of Transportation and the Administrator of the Environmental Protection Agency, shall—

(B) make publicly available the report that includes, at a minimum—

(i) a review of technology-based controls and best management practices for reducing vessel-generated underwater noise; and

(ii) for each technology-based control and best management practice identified, an evaluation of—

(A) the applicability of each measure to various vessel types;

(B) the technical feasibility and economic achievability of each measure; and

(C) the co-benefits and trade-offs of each measure.

(b) COMMITTEES.—The report under subsection (a) shall be submitted to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

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 program, project, or activity, the obligation and expenditure of the specified dollar amount for the program, project, 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 3201 and 4024 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 102 of this Act or any other provision of this Act, unless such transfer or reprogramming would move funds between appropriation accounts.

(d) APPLICABILITY TO CLASSIFIED ANNEX.—No oral or written communication concerning any amount specified in the funding tables in this division shall supersede the requirements of this section.

TITLE XI—PROCUREMENT

SEC. 4101. PROCUREMENT (In Thousands of Dollars)

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**MISSILE PROCUREMENT, ARMY**

**SURFACE-TO-AIR MISSILE SYSTEM**

1. LOWER TIER AIR AND MISSILE DEFENSE (AMD) SEN 4,260 4,260
2. LOWER TIER AIR AND MISSILE DEFENSE (AMD) SEN 9,200 9,200
4. MSE MISSILE 1,037,093 1,037,093
5. PRECISION STRIKE MISSILE (PRSM) 213,172 213,172
6. INDIRECT FIRE PROTECTION CAPABILITY INC 2-I 18,924 18,924

**AIR-TO-SURFACE MISSILE SYSTEM**

7. HELLFIRE SYS SUMMARY 111,294 411,294
8. JOINT AIR-TO-GROUND MLRS (JAGM) 216,030 312,030
   Capacity expansion 36,000 36,000
   Production increase 60,000 60,000
9. LONG-RANGE HYPersonic WEAPON 249,285 249,285

**ANTI-TANK/ASSAULT MISSILE SYS**

10. JAVELIN (AAWS-M) SYSTEM SUMMARY 162,968 362,968
    Production increase 200,000 200,000
11. TOW 2 SYSTEM SUMMARY 105,423 105,423
12. GUIDED MLRS ROCKET (GMLRS) 785,028 1,035,528
    Production increase 250,500 250,500
13. MLRS REDUCED RANGE PRACTICE ROCKETS (RRPL) 4,354 4,354
14. HIGH MOBILITY ARTILLERY ROCKET SYSTEM (HIMARS) 155,705 265,705
    Production increase [100,000] 100,000
15. LETHAL MINIATURE AERIAL MISSILE SYSTEM (LMAMS) 37,937 37,937

**MODIFICATIONS**

16. PATRIOT MODS 253,687 253,687
17. ATACMS MODS 0 100,000
18. ITAS/TOW MODS 5,154 5,154
19. MLRS MODS 218,359 218,359
20. HIMARS MODIFICATIONS 20,468 20,468
21. STINGER 0 200,000
22. BIX 1 refirm missiles 0 200,000

**SPARES AND REPAIR PARTS**

23. SPARES AND REPAIRS 6,508 106,508
24. SUPPORT EQUIPMENT & FACILITIES 11,317 11,317

**TOTAL MISSILE PROCUREMENT, ARMY**

3,761,915 5,236,355

**PROCUREMENT OF W&TVC, ARMY**

**TRACKED COMBAT VEHICLES**

1. ARMORED MULTI PURPOSE VEHICLE (AMPV) 380,677 380,677
2. ASSAULT BREACHER VEHICLE (ABV) 3,852 3,852
3. MOBILE PROTECTED FIREPOWER 356,708 356,708

**MODIFICATION OF TRACKED COMBAT VEHICLES**
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## SEC. 4101. PROCUREMENT

(In Thousands of Dollars)

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<td>ELEC EQUIP—TACTICAL SURV. (TAC SURV)</td>
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<td>ELEC EQUIP—TACTICAL C2 SYSTEM</td>
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### SEC. 4101. PROCUREMENT

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### PROCUREMENT OF AMMO, NAVY & MC

#### NAVY AMMUNITION

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## TOTAL PROCUREMENT OF AMMO, NAVY & MC

**SHIPBUILDING AND CONVERSION, NAVY**

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## TOTAL PROCUREMENT OF AMMO, NAVY & MC

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## SEC. 4101. PROCUREMENT

(In Thousands of Dollars)

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DEFENSE PRODUCTION ACT PURCHASES
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TOTAL DEFENSE PRODUCTION ACT PURCHASES | 0 | 30,097 |

TOTAL PROCUREMENT | 144,219,205 | 157,919,016 |
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**Total: 1386,582**
## SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION (In Thousands of Dollars)

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### SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

(In Thousands of Dollars)

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**Inflation effects .................. [1,000,847]**
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## SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

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### SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

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**SYSTEM DEVELOPMENT & DEMONSTRATION**

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### SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

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**SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.**

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<td>274</td>
<td>0608197V</td>
<td>NATIONAL BACKGROUND INVESTIGATION SERVICES—SOFTWARE PILOT PROGRAM.</td>
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**SUBTOTAL UNDISTRIBUTED**

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Inflation effects ............................ [-100,000]
SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

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OPERATIONAL TEST & EVAL, DEFENSE MANAGEMENT SUPPORT

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SUBTOTAL MANAGEMENT SUPPORT | 277,194 | 287,194 |

UNDISTRIBUTED

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Increase for Army Caisson platoon facility improvements | [-5,000] |

SUBTOTAL UNDISTRIBUTED | 0 | 9,485 |

TOTAL OPERATIONAL TEST & EVAL, DEFENSE. | 277,194 | 296,679 |

TOTAL RDT&E | 130,097,410 | 137,749,422 |

TITLE XLIII—OPERATION AND MAINTENANCE
SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

<table>
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Increase for Army Caisson platoon facility improvements | [-5,000] |

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Army UFR—Arctic OCIE for Alaska bases, Fort Drum, Fort Carson | [-65,050] |

Army UFR—female/small stature body armor | [-66,750] |

Army UFR—initial issue of Extended Cold Weather Clothing System Layer 1 and 2 | [-8,999] |

INDOPACOM UFR—SIGINT upgrades | [-3,400] |

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Increase for Army Caisson platoon facility improvements | [-17,900] |

Increase for FSRM to 100% | [-538,940] |

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AFRICOM combatant command support | [-10,000] |

AFRICOM UFR—COMSATCOM | [-16,750] |

AFRICOM UFR—counter-UAS | [-8,500] |

AFRICOM UFR—force protection | [-8,100] |
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## SEC. 4301. OPERATION AND MAINTENANCE

### ADMIN & SRVWD ACTIVITIES

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Space Force UFR—Weapons systems sustainment [20,400]

| 070  | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION | 235,253 | 317,453 |

Increase for FSRM to 100% [38,400]

NORTHCOM UFR—Cheyenne Mountain Complex [43,300]

| 080  | CONTRACTOR LOGISTICS AND SYSTEM SUPPORT | 1,358,565 | 1,450,365 |

Space Force UFR—Weapons systems sustainment [91,800]

| 090  | SPACE OPERATIONS -BOS | 144,937 | 150,437 |

NORTHCOM UFR—Cheyenne Mountain Complex [5,500]

| 9999 | CLASSIFIED PROGRAMS | 272,941 | 272,941 |

| 100  | ADMINISTRATION | 228,420 | 228,420 |

| 101  | SUBTOTAL ADMINISTRATION AND SERVICE WIDE ACTIVITIES | 228,420 | 228,420 |

| 998  | UNDISTRIBUTED | 0 | 66,020 |

Foreign currency fluctuations [-14,100]

Inflation effects [112,020]

Unobligated balances [-31,900]

| 102  | TOTAL OPERATION & MAINTENANCE, SPACE FORCE | 4,034,658 | 4,300,578 |

| 010  | PRIMARY COMBAT FORCES | 1,743,908 | 1,759,608 |

Air Force UFR—readiness spare packages [15,700]

| 020  | MISSION SUPPORT OPERATIONS | 193,568 | 193,568 |

| 030  | DEPOT PURCHASE EQUIPMENT MAINTENANCE | 493,664 | 507,764 |

Air Force UFR—Weapon system sustainment [14,100]

| 040  | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION | 133,782 | 151,282 |

Increase for FSRM to 100% [17,500]

| 050  | CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT | 341,724 | 341,724 |

| 060  | BASE SUPPORT | 522,195 | 522,195 |

| 070  | CYBERSPACE ACTIVITIES | 1,706 | 1,706 |

| 103  | SUBTOTAL OPERATING FORCES | 3,430,547 | 3,477,847 |

| 080  | ADMINISTRATION | 102,038 | 102,038 |

| 090  | RECRUITING AND ADVERTISING | 9,057 | 9,057 |

| 100  | MILITARY MANPOWER AND PERS MGMT (ARPC) | 14,896 | 14,896 |

| 110  | OTHER PERS SUPPORT (DISABILITY COMP) | 7,544 | 7,544 |

| 120  | AUDIOVISUAL | 462 | 462 |

| 104  | SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES | 133,997 | 133,997 |

| 998  | UNDISTRIBUTED | 0 | 25,565 |

Foreign currency fluctuations [-12,500]

Inflation effects [65,065]

Unobligated balances [-27,000]
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TOTAL OPERATION & MAINTENANCE, DEFENSE-WIDE: 11,007,534
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### SEC. 4301. OPERATION AND MAINTENANCE

#### (In Thousands of Dollars)

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### SEC. 4301. OPERATION AND MAINTENANCE
**(In Thousands of Dollars)**

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### TITLE XLIV—MILITARY PERSONNEL

#### SEC. 4401. MILITARY PERSONNEL

**(In Thousands of Dollars)**

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#### SEC. 4501. OTHER AUTHORIZATIONS

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### SEC. 4601. MILITARY CONSTRUCTION

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### TITLE XLVI—MILITARY CONSTRUCTION

#### SEC. 4601. MILITARY CONSTRUCTION

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## SEC. 4601. MILITARY CONSTRUCTION

### (In Thousands of Dollars)

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### Subtotal Military Construction, Army

845,565 1,927,231
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**AIR FORCE**

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(In Thousands of Dollars)

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Subtotal Military Construction, Air Force ............................................... 2,055,456 3,748,419

DEFENSE-WIDE

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Subtotal Military Construction, Defense-Wide ........................................................................... 2,416,398 2,735,074

ARMY NATIONAL GUARD

Army National Guard

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**ARMY RESERVE**

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### SEC. 4601. MILITARY CONSTRUCTION

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### AIR FORCE RESERVE

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### NATO SECURITY INVESTMENT PROGRAM

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Subtotal Family Housing Operation & Maintenance, Navy & Marine Corps .......................................................... 368,224 376,888

FAMILY HOUSING CONSTRUCTION, AIR FORCE

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FAMILY HOUSING O&M, AIR FORCE

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### SEC. 4601. MILITARY CONSTRUCTION

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Subtotal Family Housing Operation And Maintenance, Air Force .................................................. 355,222 363,528

**FAMILY HOUSING O&M, DEFENSE-WIDE**

Worldwide Unspecified

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Subtotal Family Housing Operation And Maintenance, Defense-Wide .................................................. 50,113 50,113

**FAMILY HOUSING IMPROVEMENT FUND**

Worldwide Unspecified

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Subtotal Family Housing Improvement Fund ............................................................................ 6,442 6,626

**UNACCOMPANIED HOUSING IMPROVEMENT FUND**

Worldwide Unspecified

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Subtotal Unaccompanied Housing Improvement Fund .......................................................... 494 494

**TOTAL FAMILY HOUSING** ........................................................................................................ 1,956,330 2,302,599

**DEFENSE BASE REALIGNMENT AND CLOSURE**
### SEC. 4601. MILITARY CONSTRUCTION

#### (In Thousands of Dollars)

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### 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)

<table>
<thead>
<tr>
<th>Program</th>
<th>FY 2023 Request</th>
<th>Senate Authorized</th>
</tr>
</thead>
<tbody>
<tr>
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<tr>
<td><strong>Discretionary Summary by Appropriation</strong></td>
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<tr>
<td><strong>Energy Programs</strong></td>
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<tr>
<td>Nuclear Energy</td>
<td></td>
<td>156,600</td>
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<tr>
<td><strong>Atomic Energy Defense Activities</strong></td>
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<tr>
<td>National Nuclear Security Administration:</td>
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<tr>
<td>Weapons Activities</td>
<td></td>
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<td>Naval Reactors</td>
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<td>2,081,445</td>
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<tr>
<td>Federal Salaries and Expenses</td>
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<tr>
<td><strong>Total, National Nuclear Security Administration</strong></td>
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<td>Defense Environmental Cleanup</td>
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<td>Other Defense Activities</td>
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<td><strong>Total, Atomic Energy Defense Activities</strong></td>
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**Nuclear Energy**

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**Weapons Activities**

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<th>Stockpile major modernization</th>
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<td><strong>W88 Alteration program</strong></td>
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<td><strong>W93</strong></td>
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**Production Modernization**

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<td><strong>07-D-220-04, Transuranic Liquid Waste Facility, LANL</strong></td>
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<td><strong>04-D-125, Chemistry and Metallurgy Research Replacement Project, LANL</strong></td>
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<td><strong>Savannah River Plutonium Modernization</strong></td>
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<td><strong>Savannah River Plutonium Operations</strong></td>
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<td><strong>21-D-511, Savannah River Plutonium Processing Facility, SRS</strong></td>
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<td><strong>Program increase—glovebox long lead procurement</strong></td>
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<td><strong>Program increase—long lead items</strong></td>
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<td><strong>Program increase—demolition of MOX building</strong></td>
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<td><strong>Program increase—site prep</strong></td>
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<td><strong>Subtotal, Savannah River Plutonium Modernization</strong></td>
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<td><strong>Total, Plutonium Modernization</strong></td>
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<td><strong>High Explosives &amp; Energetics</strong></td>
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<td><strong>High Explosives &amp; Energetics</strong></td>
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<td><strong>23-D-516, Energetic Materials Characterization Facility, LANL</strong></td>
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<td><strong>15-D-301, HE Science &amp; Engineering Facility, PX</strong></td>
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<td><strong>Subtotal, High Explosives &amp; Energetics</strong></td>
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<td><strong>Total, Primary Capability Modernization</strong></td>
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**Secondary Capability Modernization**

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<td><strong>Secondary Capability Modernization</strong></td>
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<td><strong>18-D-690, Lithium Processing Facility, Y-12</strong></td>
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<td><strong>06-D-141, Uranium Processing Facility, Y-12</strong></td>
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**Tritium and Domestic Uranium Enrichment**

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<td><strong>Total, Production Modernization</strong></td>
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**Stockpile research, technology, and engineering**

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<th>Assessment Science</th>
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<td><strong>Assessment Science</strong></td>
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<td><strong>14-D-640, Ulta Complex Enhancements Project, NNSS</strong></td>
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<td><strong>Engineering and integrated assessments</strong></td>
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<td><strong>Inertial confinement fusion</strong></td>
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<td><strong>Advanced simulation and computing</strong></td>
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<tr>
<td><strong>Weapon technology and manufacturing maturation</strong></td>
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### Defense Nuclear Security

**Stockpile Research, Technology, and Engineering**
- FY 2023 Request: $2,894,658
- Senate Authorized: $2,944,658

**Infrastructure and Operations**
- **Operating**
  - Operations of facilities: $1,038,000
  - Program increase: $1,046,000
- **Recapitalization**
  - Infrastructure and Safety: $561,663

**Secure Transportation Asset**
- Operations and equipment: $214,367
- Program direction: $130,070

**Total, Defense Nuclear Security**
- $2,441,663

**Nonproliferation and Arms Control**
- Nonproliferation construction: $720,245
- Total, Nonproliferation construction: $720,245

**Legacy Contractor Pensions**
- $55,708

**Information Technology and Cybersecurity**
- Nuclear smuggling detection and deterrence: $178,095
- Radiological security: $244,827
- International nuclear security: $81,155
- Material disposition: $256,025
- Nuclear material removal: $41,600
- Conversion (formerly HEU Reactor Conversion): $153,260
- Nuclear material removal: $41,600
- Material disposition: $256,025
- **Total, Related Programs**
  - $450,885

**Defense Nuclear Nonproliferation R&D**
- Proliferation detection: $287,283
- Nonproliferation stewardship program: $109,343
- Nuclear detonation detection: $279,205
- **Total, Defense Nuclear Nonproliferation R&D**
  - $720,245

**Construction**
- 17-D-710, West end protected area reduction project, Y-12: $3,928
- **Subtotal, Construction**
  - $11,928

**Mission Enabling Construction**
- 18-D-150 Surplus Plutonium Disposition Project, SRS: $71,764
- **Total, Mission enabling construction**
  - $189,300

**Total, Infrastructure and Operations**
- $2,630,963

**Secure Transportation Asset**
- Operations and equipment: $214,367
- Program direction: $130,070
- **Total, Secure Transportation Asset**
  - $344,437

**Legacy Contractor Pensions**
- $55,708

**Information Technology and Cybersecurity**
- Nuclear smuggling detection and deterrence: $178,095
- Radiological security: $244,827
- International nuclear security: $81,155
- Material disposition: $256,025
- Nuclear material removal: $41,600
- Conversion (formerly HEU Reactor Conversion): $153,260
- Nuclear material removal: $41,600
- Material disposition: $256,025
- **Total, Related Programs**
  - $450,885

**Defense Nuclear Nonproliferation R&D**
- Proliferation detection: $287,283
- Nonproliferation stewardship program: $109,343
- Nuclear detonation detection: $279,205
- **Total, Defense Nuclear Nonproliferation R&D**
  - $720,245

**Construction**
- 17-D-710, West end protected area reduction project, Y-12: $3,928
- **Subtotal, Construction**
  - $11,928

**Mission Enabling Construction**
- 18-D-150 Surplus Plutonium Disposition Project, SRS: $71,764
- **Total, Mission enabling construction**
  - $189,300

**Total, Infrastructure and Operations**
- $2,630,963
<table>
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<th>Program</th>
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<td><strong>Adjustments</strong></td>
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<td>Columbia-Class reactor systems development</td>
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<td>S8G Prototype refueling</td>
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<td>Closure sites administration</td>
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<td><strong>Richland</strong></td>
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<td>River corridor and other cleanup operations</td>
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<td>Rad liquid tank waste stabilization and disposal</td>
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<td>01–D–16E, Pretreatment Facility</td>
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<td>22–D–402 Calvine Construction</td>
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<td><strong>Total, Idaho National Laboratory</strong></td>
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<td><strong>NNSA sites and Nevada off-sites</strong></td>
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<tr>
<td>OR Nuclear Facility D&amp;D</td>
<td>$334,221</td>
<td>$339,221</td>
</tr>
</tbody>
</table>
### SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

#### (In Thousands of Dollars)

<table>
<thead>
<tr>
<th>Program</th>
<th>FY 2023 Request</th>
<th>Senate Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Safeguards and Security</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Program direction—Defense Environmental Cleanup</td>
<td>317,002</td>
<td>317,002</td>
</tr>
<tr>
<td>Program support—Defense Environmental Cleanup</td>
<td>103,239</td>
<td>103,239</td>
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<tr>
<td>Safeguards and Security—Defense Environmental Cleanup</td>
<td>309,573</td>
<td>309,573</td>
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<tr>
<td>Technology development and deployment</td>
<td>25,000</td>
<td>25,000</td>
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<tr>
<td>Federal contribution to the Uranium Enrichment D&amp;D Fund</td>
<td>417,000</td>
<td>0</td>
</tr>
<tr>
<td>Program reduction</td>
<td>(–417,000)</td>
<td></td>
</tr>
<tr>
<td><strong>Subtotal, Defense Environmental Cleanup</strong></td>
<td>6,914,532</td>
<td>6,532,532</td>
</tr>
<tr>
<td><strong>TOTAL, Defense Environmental Cleanup</strong></td>
<td>6,914,532</td>
<td>6,532,532</td>
</tr>
</tbody>
</table>

#### Other Defense Activities

| Environment, health, safety and security | |
| Environment, health, safety and security mission support | 197,854 | 197,854 |
| **Total, Environment, health, safety and security** | 215,539 | 215,539 |

#### Office of Enterprise Assessments

| Enterprise assessments | |
| Program direction | 57,941 | 57,941 |
| **Total, Office of Enterprise Assessments** | 85,427 | 85,427 |

#### Specialized security activities

| | |
| | 306,067 | 306,067 |

#### Legacy Management

| Legacy Management Activities—Defense | |
| Program Direction | 21,983 | 21,983 |
| **Total, Legacy Management** | 196,146 | 196,146 |

#### Defense-related administrative support

| | |
| | 170,695 | 170,695 |

#### Office of hearings and appeals

| | |
| | 4,477 | 4,477 |

#### Subtotal, Other defense activities

| | |
| | 978,351 | 978,351 |

#### Total, Other Defense Activities

| | |
| | 978,351 | 978,351 |
SEC. 5301. PROCUREMENT AUTHORITY FOR CERTAIN AMPHIBIOUS SHIP-BUILDING PROGRAMS.

(a) CONTRACT AUTHORITY.—

(1) PROCUREMENT AUTHORIZED.—The Secretary of the Navy may enter into one or more contracts for the procurement of up to five covered ships.

(2) PROCUREMENT IN CONJUNCTION WITH EXISTING CONTRACTS.—The ships authorized to be procured under paragraph (1) may be procured as additions to existing contracts covering such programs.

(b) CERTIFICATION REQUIRED.—A contract may not be entered into under subsection (a) unless the Secretary of the Navy certifies to the congressional defense committees, in writing, not later than 30 days before entry into the contract, each of the following:

(1) The use of such a contract is consistent with the Commandant of the Marine Corps’s projected force structure requirements for amphibious ships.

(2) The use of such a contract will result in significant savings compared to the total anticipated costs of carrying out the program through annual contracts.

(3) In certifying cost savings, the Secretary shall include a written explanation—

(A) the estimated end cost and appropriated funds by fiscal year, by hull, without the authority provided in subsection (a);

(B) the estimated end cost and appropriated funds by fiscal year, by hull, with the authority provided in subsection (a);

(C) the estimated cost savings or increase by fiscal year, by hull, with the authority provided in subsection (a);

(D) discretionary actions that will accomplish such cost savings or avoidance; and

(E) the contractual actions that will ensure the estimated cost savings are realized.

(4) There is a reasonable expectation that throughout the contemplated contract period the Secretary of the Navy will request funding for the contract at the level required to avoid contract cancellation.

(5) There is a stable design for the property to be acquired and the technical risks associated with such property are not excessive.

(6) The use of such a contract will not result in an overall increase in the lead time for complex geometries and exotic materials needed for future Air Force assets.

(7) During the fiscal year in which such a contract is to be awarded, sufficient funds will be provided for the procurement of up to five covered ships.

(8) The Secretary of the Navy certifies to the congressional defense committees that—

(A) the estimated end cost and appropriated funds by fiscal year, by hull, without the authority provided in subsection (a) are realistic;

(B) the estimated end cost and appropriated funds by fiscal year, by hull, with the authority provided in subsection (a) are realistic;

(C) the estimated cost savings or increase by fiscal year, by hull, with the authority provided in subsection (a) are realistic;

(D) the use of such a contract is consistent with the Commandant of the Marine Corps’s projected force structure requirements for amphibious ships;

(E) the contractual actions that will accomplish such cost savings or avoidance; and

(F) the contractual actions that will ensure the estimated cost savings are realized.

(9) The Secretary certifies that each installation will require a weapons generation facility to be constructed at the installation.

(b) CREDENTIALS REQUIRED.—A contract may not be entered into under subsection (a) unless the Secretary of the Navy certifies to the congressional defense committees, in writing, not later than 30 days before entry into the contract, each of the following:

(1) The use of such a contract is consistent with the Commandant of the Marine Corps’s projected force structure requirements for amphibious ships.

(2) The use of such a contract will result in significant savings compared to the total anticipated costs of carrying out the program through annual contracts.

(3) In certifying cost savings, the Secretary shall include a written explanation—

(A) the estimated end cost and appropriated funds by fiscal year, by hull, without the authority provided in subsection (a);

(B) the estimated end cost and appropriated funds by fiscal year, by hull, with the authority provided in subsection (a);

(C) the estimated cost savings or increase by fiscal year, by hull, with the authority provided in subsection (a);

(D) discretionary actions that will accomplish such cost savings or avoidance; and

(E) the contractual actions that will ensure the estimated cost savings are realized.

(4) There is a reasonable expectation that throughout the contemplated contract period the Secretary of the Navy will request funding for the contract at the level required to avoid contract cancellation.

(5) There is a stable design for the property to be acquired and the technical risks associated with such property are not excessive.

(6) The use of such a contract will not result in an overall increase in the lead time for complex geometries and exotic materials needed for future Air Force assets.

(7) During the fiscal year in which such a contract is to be awarded, sufficient funds will be provided for the procurement of up to five covered ships.

(8) The Secretary of the Navy certifies to the congressional defense committees that—

(A) the estimated end cost and appropriated funds by fiscal year, by hull, without the authority provided in subsection (a) are realistic;

(B) the estimated end cost and appropriated funds by fiscal year, by hull, with the authority provided in subsection (a) are realistic;

(C) the estimated cost savings or increase by fiscal year, by hull, with the authority provided in subsection (a) are realistic;

(D) the use of such a contract is consistent with the Commandant of the Marine Corps’s projected force structure requirements for amphibious ships;

(E) the contractual actions that will accomplish such cost savings or avoidance; and

(F) the contractual actions that will ensure the estimated cost savings are realized.

(9) The Secretary certifies that each installation will require a weapons generation facility to be constructed at the installation.

(c) CREDENTIALS REQUIRED.—A contract may be entered into under subsection (a) unless the Secretary of the Navy certifies to the congressional defense committees, in writing, not later than 30 days before entry into the contract, each of the following:

(1) The use of such a contract is consistent with the Commandant of the Marine Corps’s projected force structure requirements for amphibious ships.

(2) The use of such a contract will result in significant savings compared to the total anticipated costs of carrying out the program through annual contracts.

(3) In certifying cost savings, the Secretary shall include a written explanation—

(A) the estimated end cost and appropriated funds by fiscal year, by hull, without the authority provided in subsection (a);

(B) the estimated end cost and appropriated funds by fiscal year, by hull, with the authority provided in subsection (a);

(C) the estimated cost savings or increase by fiscal year, by hull, with the authority provided in subsection (a);

(D) discretionary actions that will accomplish such cost savings or avoidance; and

(E) the contractual actions that will ensure the estimated cost savings are realized.

(4) There is a reasonable expectation that throughout the contemplated contract period the Secretary of the Navy will request funding for the contract at the level required to avoid contract cancellation.

(5) There is a stable design for the property to be acquired and the technical risks associated with such property are not excessive.

(6) The use of such a contract will not result in an overall increase in the lead time for complex geometries and exotic materials needed for future Air Force assets.

(7) During the fiscal year in which such a contract is to be awarded, sufficient funds will be provided for the procurement of up to five covered ships.

(8) The Secretary of the Navy certifies to the congressional defense committees that—

(A) the estimated end cost and appropriated funds by fiscal year, by hull, without the authority provided in subsection (a) are realistic;

(B) the estimated end cost and appropriated funds by fiscal year, by hull, with the authority provided in subsection (a) are realistic;

(C) the estimated cost savings or increase by fiscal year, by hull, with the authority provided in subsection (a) are realistic;

(D) the use of such a contract is consistent with the Commandant of the Marine Corps’s projected force structure requirements for amphibious ships;

(E) the contractual actions that will accomplish such cost savings or avoidance; and

(F) the contractual actions that will ensure the estimated cost savings are realized.

(9) The Secretary certifies that each installation will require a weapons generation facility to be constructed at the installation.

SEC. 5302. REPORT ON FORMER INDIAN BOARDING SCHOOLS OR INSTITUTIONS UNDER THE JURISDICTION OR CONTROL OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report that provides—

(1) an accounting of all schools or institutions described in subsection (b) that—

(A) were located on land that was under the jurisdiction or control of the Department of Defense at the time of the operation of the school or institution; or

(B) were located on land that is under the jurisdiction or control of the Department of Defense at the time of the operation of the school or institution; or

(C) were located on land that was under the jurisdiction or control of the Department of Defense at the time of the operation of the school or institution; or

(2) an accounting of all schools or institutions described in subsection (b) and the actions taken by the Department in connection with those schools or institutions, including—

(A) complete accounting of the number of students who died while attending a school or institution described in subsection (b); and

(B) the identification of marked and unmarked burial grounds; and

(C) the repatriation of remains of Native students who died while attending a school or institution described in subsection (b); and

(3) the findings and recommendations of the Secretary with respect to the matters addressed under paragraphs (1) and (2).

(b) SCHOOLS OR INSTITUTIONS DESCRIBED.—The schools or institutions described in this subsection are schools or institutions that housed or administered Federal programs to assimilate American Indian, Alaska Native, or Hawaiian children that—

(1) provided on-site housing or overnight lodging;

(2) were described in records as providing formal academic or vocational training and instruction;

(3) were described in records as receiving Federal Government funds or other support; and

(4) were operational before 1969.

(c) CONSULTATION AND ENGAGEMENT.—In carrying out this section, the Secretary of Defense shall consult with Indian Tribes and Native Hawaiian organizations.

(d) BRIEFING.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall brief the appropriate committees of Congress on the report required under subsection (a).

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

(1) The Committee on Armed Services of the Senate; and

(2) The Committee on Armed Services and the Subcommittee for Indigenous Peoples of the United States of the Committee on Natural Resources of the House of Representa-
TITLE LV—MILITARY PERSONNEL POLICY

SEC. 5501. ADVICE AND CONSENT REQUIREMENT FOR WAIVERS OF MANDATORY RETIREMENT FOR SUPERINTENDENTS OF MILITARY SERVICE ACADEMIES.

(a) UNITED STATES MILITARY ACADEMY.—Section 7321(b) of title 10, United States Code, is amended by adding at the end the following: "In the event a waiver under this subsection is granted, the subsequent nomination and appointment of such officer having served as Superintendent of the Academy to a further assignment in lieu of retirement shall be subject to the advice and consent of the Senate.

(b) UNITED STATES NAVAL ACADEMY.—Section 8571(b) of title 10, United States Code, is amended by adding at the end the following: "In the event a waiver under this subsection is granted, the subsequent nomination and appointment of such officer having served as Superintendent of the Academy to a further assignment in lieu of retirement shall be subject to the advice and consent of the Senate.

(c) UNITED STATES AIR FORCE ACADEMY.—Section 9321(b) of title 10, United States Code, is amended by adding at the end the following: "In the event a waiver under this subsection is granted, the subsequent nomination and appointment of such officer having served as Superintendent of the Academy to a further assignment in lieu of retirement shall be subject to the advice and consent of the Senate.

SEC. 5502. STUDY ON IMPROVEMENT OF ACCESS TO VOTING FOR MEMBERS OF THE ARMED FORCES OVERSEAS.

(a) STUDY REQUIRED.—The Director of the Federal Voting Assistance Program of the Department of Defense shall conduct a study on means of improving access to voting for members of the Armed Forces overseas.

(b) REPORT.—Not later than September 30, 2024, the Director shall submit to Congress a report on the results of the study conducted under subsection (a). The report shall include the following:

(1) The results of a survey, undertaken for purposes of the study, of Voting Assistance Officers and members of the Armed Forces overseas on means of improving access to voting for such members, including through the establishment of unit-level assistance mechanisms or permanent voting assistance offices.

(2) An estimate of the costs and requirements in connection with an expansion of the number of Voting Assistance Offices in order to fully meet the needs of members of the Armed Forces overseas for access to voting.

(3) A description and assessment of various actions to be undertaken under the Federal Voting Assistance Program in order to increase the capabilities of the Voting Assistance Officers.

SEC. 5503. RECOGNITION OF MILITARY OLYMPIC COMPETITION.

(a) WEAR OF OLYMPIC MEDALS.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall direct each department and agency of the Government to issue its respective uniform and insignia policies and, where applicable, add references to Olympic and Paralympic medals.

(b) REPORT ON THE ESTABLISHMENT OF RIBBON.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall report on the feasibility and cost of establishing a service ribbon to be awarded to members of the Armed Forces who have competed in an Olympic or Paralympic athlete on Team USA to designate that competition. The ribbon considered by the Secretary shall be called the "Olympic Competition Ribbon":

(2) incorporate the colors of the Olympic rings;

(3) not have an accompanying medal;

(4) have authorized appurtenances to be affixed to the ribbon by the Secretary; and

(5) be awarded retroactively to any eligible member of the Armed Forces.

SEC. 5501. REIMBURSEMENT FOR TRANSPORTATION OF PETS FOR MEMBERS MAKING A PERMANENT CHANGE OF STATION.

(a) STUDY REQUIRED.—The Secretary of Defense shall study means of improving access to pet transportation for members of the Armed Forces by integrating the military points program, the military personnel program, and the military care program, as well as the military benefits program, to provide a comprehensive program that may include, but not be limited to, the following:

(1) STUDY ON IMPROVEMENT OF ACCESS TO VOTING FOR MEMBERS OF THE ARMED FORCES OVERSEAS.

(a) STUDY REQUIRED.—The Director of the Federal Voting Assistance Program of the Department of Defense shall conduct a study on means of improving access to voting for members of the Armed Forces overseas.

(b) REPORT.—Not later than September 30, 2024, the Director shall submit to Congress a report on the results of the study conducted under subsection (a). The report shall include the following:

(1) The results of a survey, undertaken for purposes of the study, of Voting Assistance Officers and members of the Armed Forces overseas on means of improving access to voting for such members, including through the establishment of unit-level assistance mechanisms or permanent voting assistance offices.

(2) An estimate of the costs and requirements in connection with an expansion of the number of Voting Assistance Offices in order to fully meet the needs of members of the Armed Forces overseas for access to voting.

(3) A description and assessment of various actions to be undertaken under the Federal Voting Assistance Program in order to increase the capabilities of the Voting Assistance Officers.

(b) REPORT ON THE ESTABLISHMENT OF RIBBON.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall report on the feasibility and cost of establishing a service ribbon to be awarded to members of the Armed Forces who have competed in an Olympic or Paralympic athlete on Team USA to designate that competition. The ribbon considered by the Secretary shall be called the "Olympic Competition Ribbon":

(2) incorporate the colors of the Olympic rings;

(3) not have an accompanying medal;

(4) have authorized appurtenances to be affixed to the ribbon by the Secretary; and

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(1) STUDY ON IMPROVEMENT OF ACCESS TO VOTING FOR MEMBERS OF THE ARMED FORCES OVERSEAS.

(a) STUDY REQUIRED.—The Director of the Federal Voting Assistance Program of the Department of Defense shall conduct a study on means of improving access to voting for members of the Armed Forces overseas.

(b) REPORT.—Not later than September 30, 2024, the Director shall submit to Congress a report on the results of the study conducted under subsection (a). The report shall include the following:

(1) The results of a survey, undertaken for purposes of the study, of Voting Assistance Officers and members of the Armed Forces overseas on means of improving access to voting for such members, including through the establishment of unit-level assistance mechanisms or permanent voting assistance offices.

(2) An estimate of the costs and requirements in connection with an expansion of the number of Voting Assistance Offices in order to fully meet the needs of members of the Armed Forces overseas for access to voting.

(3) A description and assessment of various actions to be undertaken under the Federal Voting Assistance Program in order to increase the capabilities of the Voting Assistance Officers.

(b) REPORT ON THE ESTABLISHMENT OF RIBBON.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall report on the feasibility and cost of establishing a service ribbon to be awarded to members of the Armed Forces who have competed in an Olympic or Paralympic athlete on Team USA to designate that competition. The ribbon considered by the Secretary shall be called the "Olympic Competition Ribbon":

(2) incorporate the colors of the Olympic rings;

(3) not have an accompanying medal;

(4) have authorized appurtenances to be affixed to the ribbon by the Secretary; and

(5) be awarded retroactively to any eligible member of the Armed Forces.
and in such amounts as specifically provided in advance in appropriations Acts for the purposes detailed in this section, be used to modify the terms and conditions of a contract or option without consideration if the Secretary determines that doing so will provide an economic price adjustment consistent with sections 16.203-1 and 16.203-2 of the Federal Acquisition Regulation during the relevant period of performance for that contract or option and as specified in section 16.203-3 of the Federal Acquisition Regulation.

(b) GUIDANCE.—Not later than 30 days after the date of the enactment of this Act providing appropriations pursuant to this section, the Secretary of Defense for Acquisition, and Sustainment shall issue guidance implementing the authority under this section.

Title E—Other Matters

SEC. 5871. PROHIBITION ON CERTAIN SEMICONDUCTOR PRODUCTS AND SERVICES.

(a) IN GENERAL.—Section 899 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 41 U.S.C. 3901 note prec.) is amended—

(1) the implementation of the amendments made by subsection (a), including any challenges in the implementation; and
(2) the effectiveness and utility of the waiver authority under subsection (d) of such section 899.

Subtitle F—American Security Drone Act of 2022

SEC. 5881. SHORT TITLE.

This subtitle may be cited as the “American Security Drone Act of 2022”.

SEC. 5882. DEFINITIONS.

In this subtitle:

(1) COVERED FOREIGN ENTITY.—The term “covered foreign entity” means an entity included on a list developed and maintained by the Federal Acquisition Security Council.

(2) COVERED SEMICONDUCTOR PRODUCT OR SERVICE.—The term “covered semiconductor product or service” means any of the following:

(A) A product that incorporates a semiconductor product designed or produced by, or any service provided by, Semiconductor Manufacturing International Corporation (SMIC), ChangXin Memory Technologies (CXMT), or Yangtze Memory Technologies (SMIC), ChangXin Memory Technologies (CXMT), or Yangtze Memory Technologies Corporation (CXMTC), or an affiliate, or successor of such entities.

(B) Semiconductor products or services produced or provided by an entity that the Secretary of Homeland Security, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country.”.

(3) COVERED SEMICONDUCTOR OR SEMICONDUCTOR PRODUCTS AND SERVICES.—The term “covered semiconductor product or service” means any of the following:

(A) A product that incorporates a semiconductor product designed or produced by, or any service provided by, Semiconductor Manufacturing International Corporation (SMIC), ChangXin Memory Technologies (CXMT), or Yangtze Memory Technologies Corporation (CXMTC), or an affiliate, or successor of such entities.

(B) Semiconductor products or services produced or provided by an entity that the Secretary of Homeland Security, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country.

(c) EFFECTIVE DATE AND APPLICABILITY.

The amendments made by subsection (a) shall take effect three years after the date of the enactment of this Act.

(d) OFFICE OF MANAGEMENT AND BUDGET AND REPORT REQUIREMENTS.—Not later than 90 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall—

(2) in consultation with the Committee on Homeland Security and Government Affairs of the Senate; and
(3) in consultation with the Committee on Oversight and Government Reform of the House of Representatives, not later than 60 days after enactment of this Act, the Administrator of the Federal Acquisition Service, and the Secretary of the Air Force, shall develop and update a list of covered foreign entities.

(e) COVERED UNMANNED AIRCRAFT SYSTEMS.—The term “covered unmanned aircraft system” means any unmanned aircraft system—

(1) that is two years after the date of the enactment of this Act, no Federal department or agency may operate a covered unmanned aircraft system manufactured or assembled by a covered foreign entity.

(f) EXEMPTION.—The Secretary of Homeland Security, in coordination with the Secretaries of the Departments of Defense, Homeland Security, and the Attorney General, is exempt from the restrictions under subsection (a) if the Secretary determines that the proceeding or procurement is required in the national interest of the United States and—

(1) is for the sole purposes of research, evaluation, training, testing, or analysis for electronic warfare, information warfare operations, cybersecurity, or development of an unmanned aircraft system or counter-unmanned aircraft system technology; or
(2) is an unmanned aircraft system that, as procured or as modified after procurement by the Defense Department, is no longer transfer to, or download data from, a covered foreign entity and otherwise poses no national security cybersecurity risks as determined by the Secretary of Homeland Security.

(g) DEPARTMENT OF TRANSPORTATION AND FEDERAL AVIATION ADMINISTRATION EXEMPTION.—The Secretary of Transportation is exempt from the restrictions under subsection (a) if the Secretary determines that the proceeding or procurement is required in the national interest of the United States and—

(1) is for the sole purposes of research, evaluation, training, testing, or analysis for electronic warfare, information warfare operations, cybersecurity, or development of an unmanned aircraft system or counter-unmanned aircraft system technology;
(2) is for the sole purposes of conducting counterterrorism or counterintelligence activities, protective missions, or Federal criminal or national security investigations, including forensic examinations, or for electronic warfare, information warfare operations, cybersecurity, or development of an unmanned aircraft system or counter-unmanned aircraft system technology;

(3) is an unmanned aircraft system that, as procured or as modified after procurement but before operational use, can no longer transfer to, or download data from, a covered foreign entity and otherwise poses no national security cybersecurity risks as determined by the exempting official.

(c) TRANSPORTATION AND FEDERAL AVIATION ADMINISTRATION EXEMPTION.—The Secretary of Transportation is exempt from the restriction under subsection (a) if any operation or procurement is deemed to support the safe, secure, or efficient operation of the National Airspace System or maintenance of public safety, as determined by the Secretary or the Secretary’s designee.

(d) NATIONAL TRANSPORTATION SAFETY BOARD EXEMPTION.—The National Transportation Safety Board, in consultation with the Secretary of Homeland Security, is exempt from the restriction under subsection (a) if the procurement necessary for the sole purpose of conducting safety investigations.

(e) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION EXEMPTION.—The Administrator of the National Oceanic and Atmospheric Administration (NOAA), in consultation with the Secretary of Homeland Security, is exempt from the restriction under subsection (a) if the procurement is necessary for NOAA’s science or management objectives.

(f) WAIVER.—The head of an executive agency may waive the prohibition under subsection (a) on a case-by-case basis:

(1) if the procurement necessary for the purpose of meeting NOAA’s science or management objectives;

(2) upon notification to—

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

(B) the Committee on Oversight and Reform in the House of Representatives; and

(C) other appropriate congressional committees of jurisdiction.

(g) REGULATIONS AND GUIDANCE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security, in consultation with the Attorney General shall prescribe regulations or guidance to implement this section.

SEC. 5885. PROHIBITION ON USE OF FEDERAL FUNDS OR PURCHASES AND OPERATIONS OF COVERED UNMANNED AIRCRAFT SYSTEMS FROM COVERED FOREIGN ENTITIES.

(a) In General.—Beginning on the date that is two years after the date of the enactment of this Act, except as provided in subsection (b), no Federal funds awarded through grants, cooperative agreements, or otherwise made available may be used—

(1) to purchase a covered unmanned aircraft system that is manufactured or assembled by a covered foreign entity; or

(2) in connection with the operation of such a covered unmanned aircraft system:

(b) EXEMPTION.—The Secretary of Homeland Security, the Secretary of Defense, the Director of National Intelligence, and the Attorney General are exempt from the restriction under subsection (a) if the procurement is required in the national interest of the United States, or if the procurement is necessary for the purpose of research, evaluation, training, testing, or analysis for electronic warfare, information warfare operations, cybersecurity, or development of an unmanned aircraft system or counter-unmanned aircraft system technology;

(c) DEPARTMENT OF TRANSPORTATION AND FEDERAL AVIATION ADMINISTRATION EXEMPTION.—The Secretary of Transportation is exempt from the restriction under subsection (a) if any operation or procurement is deemed to support the safe, secure, or efficient operation of the National Airspace System or maintenance of public safety, as determined by the Secretary or the Secretary’s designee.

(d) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION EXEMPTION.—The Administrator of the National Oceanic and Atmospheric Administration (NOAA), in consultation with the Secretary of Homeland Security, is exempt from the restriction under subsection (a) if the procurement is necessary for the purpose of meeting NOAA’s science or management objectives.

(e) WAIVER.—The head of an executive agency may waive the prohibition under subsection (a) on a case-by-case basis:

(1) with the approval of the Director of the Office of Management and Budget, after the date of the enactment of this Act, regardless of the original procurement cost, or the purpose of procurement due to the special monitoring and accounting measures necessary to track the items’ capabilities.

(2) with the approval of the Director of National Intelligence, and the Department of Justice, and in consultation with the National Institute of Standards and Technology, to address the risks associated with processing, storing, and transmitting Federal information in an unmanned aircraft system;

(f) PURCHASE COVERED UNMANNED AIRCRAFT SYSTEMS FROM COVERED FOREIGN ENTITIES.

(1) In General.—Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Management and Budget, in coordination with the Department of Homeland Security, Department of Transportation, the Department of Justice, and other Departments as determined by the Director of the Office of Management and Budget, and in consultation with the National Institute of Standards and Technology, shall establish a government-wide policy for the procurement of an unmanned aircraft system—

(1) for non-Department of Defense and non-intelligence community operations; and

(2) in connection with grants and cooperative agreements entered into with non-Federal entities.

(g) INFORMATION SECURITY.—The policy developed under subsection (f) shall include the following specifications, which to the extent practicable, shall be based on industry standards and technical guidance from the National Institute of Standards and Technology, to address the risks associated with processing, storing, and transmitting Federal information in an unmanned aircraft system:

(1) Protections to ensure controlled access to an unmanned aircraft system.

(2) Protecting software, firmware, and hardware by ensuring that all unmanned aircraft system are properly managed, including by ensuring an unmanned aircraft system can be updated using a secure, controlled, and configurable mechanism.

(3) Cryptographically securing sensitive collected, stored, and transmitted data, including proper handling of privacy data and other controlled unclassified information.

(4) Appropriate safeguards necessary to protect sensitive information, including due diligence and after use of an unmanned aircraft system.

(5) Appropriate data security to ensure that data is not transmitted to or stored in non-approved locations.

(6) The ability to opt out of the uploading, downloading, or transmitting of data that is
not required by law or regulation and an ability to choose with whom and where information is shared when it is required.

(c) REQUIREMENT.—The policy developed under subsection (a) shall reflect an appropriate risk-based approach to information security related to use of an unmanned aircraft system.

(d) REVISION OF ACQUISITION REGULATIONS.—Not later than 180 days after the date on which the policy required under subsection (a) is issued—

(1) the Federal Acquisition Regulatory Council shall revise the Federal Acquisition Regulation, as necessary, to implement the policy;

(2) any Federal department or agency or other Federal entity not subject to, or not subject solely to, the Federal Acquisition Regulation, may apply policy, guidance, or regulations, as necessary, to implement the policy;

(e) EXEMPTION.—In developing the policy required under subsection (a), the Director of the Office of Management and Budget shall—

(1) incorporate policies to implement the exemptions contained in this subtitle; and

(2) incorporate an exemption to the policy in the case of a head of the procuring department or agency determining, in writing, that no provision of law, procurement, or acquisition process, or any applicable policy, guidance, or regulations, as necessary, to implement the policy.

(f) EFFECTIVE DATE.—The policy required under subsection (a) shall reflect an appropriate policy, guidance, or regulations, as necessary, to implement the policy.

SEC. 5890. STATE, LOCAL, AND TERRITORIAL LAW ENFORCEMENT AND EMERGENCY SERVICE EXEMPTION.

(a) RULE OF CONSTRUCTION.—Nothing in this subtitle shall prevent a State, local, or territorial law enforcement or emergency service agency from procuring or operating a covered unmanned aircraft system purchased with non-Federal dollars.

(b) CONTINUITY OF ARRANGEMENTS.—The Federal Government may continue entering into contracts, grants, and cooperative agreements or other Federal funding instruments with State, local, or territorial law enforcement or emergency service agencies from procuring or operating a covered unmanned aircraft system purchased with non-Federal dollars.

(c) DUTIES.—The Office of Strategic Capital shall—

(1) report required.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall provide to the appropriate congressional committees a report on the supply chain for covered unmanned aircraft systems, including a discussion of current and projected future demand for unmanned aircraft system components.

(2) ELEMENTS.—The report under paragraph (1) shall include the following:

(A) a description of the current and future global and domestic market for covered unmanned aircraft systems that are not widely commercially available except from a covered Federal system;

(B) a description of the sustainability, availability, cost, and quality of secure sources of covered unmanned aircraft systems domestically or from sources in allied and partner countries;

(C) the plan of the Secretary of Defense to address any gaps or deficiencies identified in subparagraph (b), including through the award of funds available under the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.) and partnerships with the National Aeronautics and Space Administration and other interested persons;

(D) such other information as the Under Secretary of Defense for Acquisition and Sustainment determines to be appropriate.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section the term "appropriate congressional committees" means—

(A) the Committees on Armed Services of the Senate and the House of Representatives;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Armed Services of the House of Representatives;

(C) the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives;

(D) the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 5892. EXCEPTIONS.

(a) EXCEPTION FOR WILDFIRE MANAGEMENT OPERATIONS AND SEARCH AND RESCUE OPERATIONS.—The appropriate Federal agencies, in consultation with the Secretary of Homeland Security, are exempt from the procurement, operation, and purchase restrictions under sections 5883, 5884, and 5885 to the extent the procurement, operation, or purchase is necessary for the purpose of supporting the full range of wildfire management operations or search and rescue operations.

(b) EXCEPTION FOR INTELLIGENCE ACTIVITIES.—The elements of the intelligence community, in consultation with the Director of National Intelligence, are exempt from the procurement, operation, and purchase restrictions under sections 5883, 5884, and 5885 to the extent the procurement, operation, or purchase is necessary for the purpose of supporting intelligence activities.

(c) EXCEPTION FOR LAW ENFORCEMENT OR EMERGENCY SERVICE AGENCY.—Tribal law enforcement or Tribal emergency service agencies, in consultation with the Secretary of Homeland Security, are exempt from the procurement, operation, and purchase restrictions under sections 5883, 5884, and 5885 to the extent the procurement, operation, or purchase is necessary for the purpose of supporting the full range of law enforcement operations or search and rescue operations on Indian lands.

SEC. 5893. SUNSET.

Sections 5883, 5884, and 5885 shall cease to have effect on the date that is five years after the date of the enactment of this Act.
“(1) INTEREST RATE.—

“(2) IN GENERAL.—Except as provided by subclause (II), the interest rate on a loan provided under subparagraph (A) shall be less than that on marketable United States Treasury securities of a similar maturity to the maturity of the loan on the date of execution of the loan agreement.

“(II) CAPITAL RESERVE SUBSIDY AMOUNT.—The Director may waive the requirement under subclause (I) with respect to an investment if the investment is determined by the Secretary of Defense to be in the national security of the United States.

“(1) FINAL MATURE DATE.—The final maturity date of a loan provided under subparagraph (A) shall be not later than 35 years after the date of substantial completion of the investment for which the loan was provided.

“(2) AMOUNT OF CAPITAL ASSISTANCE.—The Director shall provide to an eligible investment a portion of the capital contribution (as a limited partner or otherwise) made by the eligible entity in accordance with terms and conditions as the Director may determine.

“(3) EQUITY INVESTMENTS.—(A) IN GENERAL.—The Director may, as a minority investor, support an eligible investment with financial or technical assistance for the eligible investment as directed by the Director.

“(B) SALES AND LIQUIDATION OF POSITION.—The Director shall prescribe such regulations as are necessary to carry out this subsection.

“(C) USE OF UNITED STATES DOLLAR.—All financial transactions conducted under this paragraph (A) shall be in United States dollars, unless the Director approves of the use of another currency.

“(D) USE OF UNITED STATES DOLLAR.—All financial transactions conducted under this paragraph (A) shall be subject to the requirements of the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

“(E) PAYOUT OF FUNDS.—The Capital Account shall consist of:

“(F) investment returns on such investments; and

“(G) any amounts received pursuant to paragraph (6).

“(H) any amounts appropriated pursuant to the authorization of appropriations under paragraph (8).

“(I) FEES.—The Director may charge fees for the provision of capital assistance under this subsection to cover the costs to the Office of providing capital assistance.

“(J) DEFINITIONS.—In this section:

“(1) CORPORATE CAPITAL ACCOUNT.—There is established in the Treasury of the United States a fund to be known as the ‘Capital Account’ (in this subsection referred to as the ‘Capital Account’) to carry out the purposes of the Office.

“(2) FUNDING.—The Capital Account shall consist of—

“(A) fees charged and collected pursuant to paragraph (3);

“(B) any amounts received pursuant to paragraph (6);

“(C) investments and returns on such investments pursuant to paragraph (7);

“(D) amounts appropriated pursuant to the authorization of appropriations under paragraph (8);

“(E) payments received in connection with settlements of all insurance and reinsurance claims of the Office; and

“(F) all other collections and receipts of the Office, including as a limited partner or other investor in investment funds, upon such terms and conditions as the Director may determine.

“(3) INSURANCE AND REINSURANCE.—The Director shall ensure that, in the event of an insured or reinsured event, the Office’s insurance portfolio is more than 100 percent reserved.

“(4) USE OF FUNDS.—(A) IN GENERAL.—Subject to appropriations Acts, the Director is authorized to pay, from amounts in the Capital Account—

“(A) fees charged and collected pursuant to paragraph (3);

“(B) any amounts appropriated pursuant to the authorization of appropriations Acts; and

“(C) dividends to the Treasury under paragraph (6).

“(B) IN GENERAL.—All capital assistance provided by the Office shall constitute obligations of the United States, and the full faith and credit of the United States is hereby pledged for the full payment and performance of such obligations.

“(C) AUTHORITY TO BORROW.—The Director is authorized to borrow from the Treasury such sums as may be necessary to fulfill such obligations of the United States and any such borrowing shall be at a rate determined by the Secretary of the Treasury, taking into consideration the current average market yields on outstanding marketable obligations of the United States of comparable maturities, for a period jointly determined by the Director and the Secretary of Defense, and subject to such terms and conditions as the Secretary may require.

“(D) DIVIDENDS.—The Director, in consultation with the Director of the Office of Management and Budget, shall annually assess a dividend payment to the Treasury if the Office’s insurance portfolio is more than 100 percent reserved.

“(E) INVESTMENT AUTHORITY.—(1) IN GENERAL.—The Director may request the Secretary of the Treasury to invest such portion of the Capital Account as is not, in the Director’s judgment, required to maintain the current needs of the Capital Account.

“(2) FORM OF INVESTMENTS.—Investments described in subparagraph (A) shall be made through the Office of Insurance and Reinsurance Assistance, and shall be available to carry out its purposes.

“(A) IN GENERAL.—Fees may be charged and collected for the provision of capital assistance in amounts to be determined by the Secretary of Defense, taking into consideration current market yields on outstanding marketable obligations of the United States of comparable maturities.

“(B) AUTHORIZATION OF APPROPRIATIONS.—(A) IN GENERAL.—There are authorized to be appropriated to the Capital Account—

“(B) IN GENERAL.—There are authorized to be appropriated to the Capital Account—

“(1) for fiscal year 2023, $30,000,000; and

“(2) for fiscal year 2024, $30,000,000; and

“(3) for fiscal year 2025, $40,000,000; and

“(4) for fiscal year 2026 and each fiscal year thereafter, $50,000,000.

“(C) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to the authorization of appropriations under subparagraph (A) shall remain available until expended.

“(D) COLLECTIONS SUBJECT TO APPROPRIATIONS ACTS.—Interest earnings made pursuant to paragraph (6), earnings collected related to equity investments, and other amounts (excluding fees related to insurance or reinsurance) collected, may not be collected for any fiscal year except to the extent provided in advance in appropriations Acts.

“(E) REGULATIONS.—The Secretary of Defense shall prescribe such regulations as are necessary to carry out this section.

“(F) ANNUAL REPORT.—Not later than December 31 of each year, the Secretary of Defense shall submit to the congressional defense committees an annual report describing the activities of the Office in the preceding fiscal year and the goals of the Office for the next fiscal year.

“(1) CAPITAL ASSISTANCE.—The term ‘capital assistance’ means loans, loan guarantees, and any other assistance (including insurance or reinsurance) provided by the Office to an eligible entity.

“(2) ELIGIBLE ENTITY.—The term ‘eligible entity’ means—

“(A) an individual;

“(B) a corporation; and

“(C) a partnership, including a public-private partnership.

“(A) a joint venture;

“(B) a trust;
"(F) a State, including a political subdivision or any other instrumentality of a State;
"(G) a Tribal government or consortium of Tribal governments;
"(H) any governmental entity or public agency in the United States, including (i) a special purpose district or public authority, including a port authority; or
"(I) any entity identified as a multi-jurisdictional grouping of public entities.
"(3) ELIGIBLE INVESTMENT.—The term ‘eligible investment’ means an investment that facilitates the efforts of the Office—
"(A) to identify, accelerate, and sustain the establishment, research, development, construction, procurement, leasing, consolidation, modernization, overhaul, or disposal of tangible and intangible assets vital to national security; or
"(B) to protect vital tangible and intangible assets from theft, acquisition, and destruction, alteration, improvement, or repair of the establishment, research, development, construction, procurement, leasing, consolidation, modernization, overhaul, or disposal of tangible and intangible assets vital to national security;
"(4) INVESTMENT-GRADE RATING.—The term ‘investment-grade rating’ means a rating of BBB minus, Baa3, bbB minus, BB (low), or higher assigned by a rating agency to investment grade obligations;
"(5) OBLIGOR.—The term ‘obligor’ means a party that is primarily liable for payment of the principal of or interest on a loan.
"(6) RATING AGENCY.—The term ‘rating agency’ means a credit rating agency registered with the Securities and Exchange Commission as a nationally recognized statistical rating organization (as that term is defined in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a))).
"(7) SUBSIDY AMOUNT.—The term ‘subsidy amount’ means the amount of budget authority sufficient to cover the estimated long-term cost to the Federal Government of a loan.
"(A) calculated on a net present value basis; and
"(B) excluding administrative costs and any incidental effects on governmental receipts or outlays in accordance with the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).
"(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 4 of such title is amended by adding at the end the following new item:
"148. Office of Strategic Capital.

TITLE LX—GENERAL PROVISIONS

Subtitle C—Naval Vessels

SEC. 6011. BATTLE FORCE SHIP EMPLOYMENT, MAINTENANCE, AND MANNING BASELINE PLANS.

(a) IN GENERAL.—Chapter 863 of title 10, United States Code, is amended by adding at the end the following new section:

"8696. Battle force ship employment, maintenance, and Manning baseline plans.

"(a) in general.—Not later than 45 days after the delivery of the first ship in a new class of battle force ships, the Secretary of the Navy shall submit to the congressional defense committees a report on the employment, maintenance, and Manning baseline plans for the class, including a description of the following:
"(1) The sustainment and maintenance plans for the class that encompass the number of years the class is expected to be in service, including—
"(A) the allocation of maintenance tasks among depot, intermediate, depot, or other activities;
"(B) the planned duration and interval of maintenance for all depot-level maintenance available for personnel assigned to the ship at the time of delivery, including the nature, objectives, duration, and location of the training.
"(C) the planned duration and interval of drydock maintenance periods.
"(2) Any contractually required integrated logistics support deliverables for the ship, including technical manuals, and an identification of—
"(A) the deliverables provided to the Government on or before the delivery date; and
"(B) the deliverables not provided to the Government on or before the delivery date and the estimated completion dates of those deliverables will be provided to the Government.
"(3) The planned maintenance system for the ship, including—
"(A) the elements of the system, including maintenance requirement cards, completed on or before the delivery date;
"(B) the elements of the system not completed on or before the delivery date and the expected completion date of those elements; and
"(C) the plans to complete planned maintenance from the delivery date until all elements of the system have been completed.
"(4) The coordinated shipboard allowance list for the class, including—
"(A) the items on the list onboard on or before the delivery date; and
"(B) the items on the list not onboard on or before the delivery date and the expected arrival date of those items.
"(5) The ship manpower document for the class, including—
"(A) the number of officers by grade and designator and
"(B) the number of enlisted personnel by rate and rating.
"(6) The personnel billets authorized for the ship for the fiscal year in which the ship is delivered and each of the four fiscal years thereafter, including—
"(A) the number of officers by grade and designator;
"(B) the number of enlisted personnel by rate and rating;
"(7) The personnel impact, including—
"(A) the number of officers by grade and designator;
"(B) the number of enlisted personnel by rate and rating;
"(8) Personnel assigned to the ship on the delivery date, including—
"(A) the number of officers by grade and designator; and
"(B) the number of enlisted personnel by rate and rating.
"(9) For each critical system, including the electrical, propulsion, and combat system of the ship, a list of the ship, including—
"(A) the elements of the system, including maintenance requirement cards, completed on or before the delivery date and the expected completion date of those elements; and
"(B) the elements of the system not completed on or before the delivery date and the expected completion date of those elements; and
"(C) the plans to complete planned maintenance from the delivery date until all elements of the system have been completed.
"(10) The notional employment schedule of the ship for each month of the fiscal year in which the ship is delivered and each of the four fiscal years thereafter, including—
"(A) the number of officers by grade and designator;
"(B) the number of enlisted personnel by rate and rating;
"(11) Personnel assigned to the ship on the delivery date, including—
"(A) the number of officers by grade and designator; and
"(B) the number of enlisted personnel by rate and rating.
"(12) The contractor-provided training available for personnel assigned to the ship at the time of delivery, including the nature, objectives, duration, and location of the training.
"(13) The rationale.
"(14) The duration.
"(15) The operational impact.
"(16) The budgetary impact, including—
"(A) the in year in which the change is made;
"(B) over the five years thereafter; and
"(C) over the expected service life of the relevant class of battle force ships.
"(17) The personnel impact, including—
"(A) in the year in which the change is made;
"(B) over the five years thereafter; and
"(C) over the expected service life of the relevant class of battle force ships.

(b) NOTIFICATION REQUIRED.—Not less than 30 days before implementing a significant change to the baseline plans described in subsection (a) or any subsequent significant change to the baseline plans, the Secretary of the Navy shall submit to the congressional defense committees written notification of the change, including for each such change the following:
"(1) an explanation of the change;
"(2) The desired outcome.
"(3) The rationale.
"(4) The duration.
"(5) The operational impact.
"(6) The budgetary impact, including—
"(A) in the year in which the change is made;
"(B) over the five years thereafter; and
"(C) over the expected service life of the relevant class of battle force ships.
"(7) The personnel impact, including—
"(A) in the year in which the change is made;
"(B) over the five years thereafter; and
"(C) over the expected service life of the relevant class of battle force ships.
"(8) The sustainment and maintenance impact, including—
"(A) in the year in which the change is made;
"(B) over the five years thereafter; and
"(C) over the expected service life of the relevant class of battle force ships.

Subtitle F—Studies and Reports

SEC. 6021. REPORT ON LAND HELD BY ENTITIES CONNECTED TO THE PEOPLE’S REPUBLIC OF CHINA NEAR MILITARY INSTALLATIONS IN THE UNITED STATES.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report describing land held by covered entities within 25 miles of a military installation or military airspace in the United States—
"(1) as of the date of the report; and
"(2) as of the date that is 5 years before such date of enactment.
"(b) COORDINATION WITH OTHER AGENCIES.—In preparing the report required by subsection (a), the Secretary may coordinate with the heads of other Federal agencies to ensure the completeness and accuracy of the information used to prepare the report.
SEC. 6032. FINANCIAL ASSISTANCE FOR CONSTRUCTION OF TEST BEDS AND SPECIALIZED FACILITIES.

Section 34 of the National Institute of Standards and Technology Act (15 U.S.C. 278c) is amended—

(1) by redesignating subsections (g) through (m), respectively, as subsections (h) through (n), respectively;

(2) by inserting after paragraph (n) the following new subparagraph:

"(o) AUTHORITY TO AWARD FINANCIAL ASSISTANCE FOR CONSTRUCTION OF TEST BEDS AND SPECIALIZED FACILITIES.--"

SEC. 6031. DEFINITION OF LAND USE REVENUE.

(1) In General.—The term "land use revenue" means the revenue derived—

"(A) from the sale of land use rights to the United States,

"(B) from such other sources as the Secretary determines appropriate.

(2) Limitation.—Land use revenue under this section shall be available only for the purposes described in subsection (c).

(3) Authorization.—The Secretary may use land use revenue under this section only with the approval of the Under Secretary for Acquisition and Sustainment.

(4) Report.—The Secretary shall submit an annual report to Congress describing the activities carried out under this section.

SEC. 6033. HOMELAND PROCUREMENT REFORM.

(1) In General.—Title VII of the Homeland Security Act of 2002 (6 U.S.C. 391 et seq.) is amended by adding at the end the following:

"(kk) REQUIREMENTS.—The Secretary shall ensure that any procurement of a covered item for a homeland security component meets the following criteria:

"(I) The maximum extent possible, not less than one-third of funds obligated in a specific fiscal year for the procurement of covered items shall be covered items that are manufactured or supplied in the United States by entities that qualify as small business concerns, as such term is described under section 3 of the Small Business Act (15 U.S.C. 632).

"(II) Covered items may only be supplied pursuant to subparagraph (A) to the extent that United States entities that qualify as small business concerns—

"(i) are unable to manufacture covered items in the United States; and

"(ii) meet the criteria identified in subparagraph (B).

"(B) Each contractor with respect to the procurement of such a covered item, including the end-item manufacturer of such a covered item—

"(i) is an entity registered with the System for Award Management (successor system) administered by the General Services Administration; and

"(ii) is in compliance with ISO 9001:2015 of the International Organization for Standardization (or successor standard) or a standard determined appropriate by the Secretary to ensure the quality of products and adherence to applicable statutory and regulatory requirements.

(2) Authorization.—The Secretary may use the authority under this section only—

"(A) in the procurement of items against which Federal funds not less than one-third of funds obligated in a specific fiscal year for the procurement of covered items shall be covered items that are manufactured or supplied in the United States by entities that qualify as small business concerns, as such term is described under section 3 of the Small Business Act (15 U.S.C. 632).

"(C) Each supplier of such a covered item with an insignia (as such any patch, badge, emblem) and each supplier of such an insignia, if such covered item with such insignia or such insignia, as the case may be, is not produced, applied, or assembled in the United States, shall—

"(i) store such covered item with such insignia or such insignia in a locked area;

"(ii) report any pilferage or theft of such covered item with such insignia or such insignia occurring at any stage before delivery of such covered item with such insignia or such insignia; and

"(iii) destroy any such defective or unusable covered item with insignia or insignia in a manner established by the Secretary, and maintain records, for three years after the date of the law of such record of such destruction that include the date of such destruction, a description of the covered item with insignia or insignia destroyed, the quantity of such covered item with insignia or insignia destroyed, and the method of destruction.

SEC. 6034. ANTI-DODGER ACT.

(1) In General.—The term "anti-dodger" means—

"(A) a person who is a registered broker-dealer, as defined in section 3(a) of the Securities Act of 1933 (15 U.S.C. 77c(a)) and engaged in the business of effecting transactions in securities for others, who, for the purpose of avoiding the payment of commissions, arranges for a securities transaction to be executed in a manner that provides a sales charge rebate or other compensation to the registered broker-dealer.

"(B) a person who is a registered investment adviser, as defined in section 203(a) of the Investment Advisers Act of 1940 (15 U.S.C. 80b-3(a)), and engages in the business of effecting transactions in securities for others, who, for the purpose of avoiding the payment of commissions, arranges for a securities transaction to be executed in a manner that provides a sales charge rebate or other compensation to the registered investment adviser.

(2) AUTHORITY.—The Secretary shall—

"(A) conduct investigations of violations of this section;

"(B) impose civil penalties on persons who violate this section;

"(C) require persons who violate this section to pay disgorgement of profits and any interest thereon related to such violations;

Sec. 6035. REPORT ON IMPACT OF GLOBAL CRITICAL MINERAL AND METAL RESOURCES ON UNITED STATES MILITARY EQUIPMENT SUPPLY CHAINS.

(a) In General.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report—

"(1) the impact of the current and future supply of global critical mineral and metal resources on United States military equipment supply chains;

"(2) the feasibility of public-private partnerships to foster supply chain resilience through strategic investments under this section; and

"(3) a description of planned investments by the Department to ensure the resiliency and security of the United States military supply chains requiring critical minerals and metals;

(b) REQUIREMENTS.—The report required by subsection (a) shall include—

"(1) an assessment of the efforts of the People’s Republic of China and the Russian Federation to acquire global reserves of critical minerals and metals, including reserves of lithium, tungsten, tantalum, cobalt, and molybdenum;

"(2) a description of the efforts of the Department of Defense to procure critical minerals and metals;

"(3) an assessment of the feasibility of loan guarantees provided by the Department to private United States entities that invest in strategic investments in development and mining projects, production technologies, and refining facilities relating to securing supply chains of critical minerals and metal resources; and

"(4) an assessment of the feasibility of loan guarantees provided by the Department to private United States entities that invest in strategic investments in development and mining projects, production technologies, and refining facilities relating to securing supply chains of critical minerals and metal resources.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form and include a classified annex.

Sec. 6036. CROSSCUT REPORT ON ARCTIC RESEARCH PROGRAMS.

(a) In General.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Director of the Office of Management and Budget shall submit a detailed report to Congress regarding all existing Federal programs relating to Arctic research, including—

"(1) the goals of each such program;

"(2) the anticipated funding levels for each such program for each of the 5 following fiscal years; and

"(3) the total funding appropriated for the current fiscal year for each such program.

(b) DISTRIBUTION.—Not later than 30 days after submitting the report to Congress pursuant to paragraph (a), the Director of the Office of Management and Budget shall submit a copy of the report to the National Science Foundation, the United States Arctic Research Commission, and the Office of Science and Technology Policy.

Subtitle G—Other Matters

SEC. 6031. DEFINITION OF LAND USE REVENUE.

(1) In General.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report—

"(1) the goals of each such program;

"(2) the anticipated funding levels for each such program for each of the 5 following fiscal years; and

"(3) the total funding appropriated for the current fiscal year for such programs.
(A) I N GENERAL.—In the case of a national emergency declared by the President under the National Emergency Act (50 U.S.C. 1601 et seq.) or a major disaster declared by the President under section 412 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170), the Secretary may waive a requirement in subparagraph (A), clause (ii), of paragraph (1) if the Secretary determines there is an insufficient supply of a covered item that meets the requirement.

(ii) identification of the covered item for which the Secretary intends to issue the waiver; and

(iii) a description of the demand for the covered item and corresponding lack of supply that is unable to meet the criteria described in subparagraph (B) or (C) of paragraph (1).

(c) PRICING.—The Secretary shall ensure that covered items are purchased at a fair and reasonable price, consistent with the procedures and guidelines specified in the Federal Acquisition Regulation.

(d) REPORT.—Not later than 1 year after the date of enactment of this section and annually thereafter, the Secretary shall provide to the Committee on Homeland Security, the Committee on Oversight and Reform, and the Committee on Appropriations of the House of Representatives notice of such determination, which shall include:

(i) identification of the national emergency or major disaster declared by the President;

(ii) identification of the covered item for which the Secretary determines there is an insufficient supply of a covered item that meets the requirement; and

(iii) a description of the demand for the covered item and corresponding lack of supply that is unable to meet the criteria described in subparagraph (B) or (C) of paragraph (1).

(e) EFFECTIVE DATE.—This section applies with respect to a contract entered into by the Department or any frontline operational component on or after the date that is 30 days after the date of enactment of this section.

(b) STUDY.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary of Homeland Security shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security, the Committee on Oversight and Reform, and the Committee on Appropriations of the House of Representatives a study of the adequacy of uniform allowances for what, if any, improvements could be made to the current uniform allowances and what, if any, impacts current allowances have on employee morale and retention;

(2) REQUIREMENTS.—The study conducted under paragraph (1) shall include:


(B) An assessment of the capacity of the Department of Homeland Security to procure the following items from domestic sources:

(i) Personal protective equipment and other items necessary to respond to a pandemic such as that caused by COVID–19.

(ii) Helmets that provide ballistic protection and other head protection and components.

(iii) Rain gear, cold weather gear, and other environmental and flame resistant clothing.

(C) O N GENERAL.—An online marketplace shall:

(i) periodically, but not less than annually, notify any high-volume third party seller on such online marketplace’s platform of the requirement to keep any information collected under subparagraph (A) current; and

(ii) require any high-volume third party seller on such online marketplace’s platform to, not later than 10 days after receiving the notice under clause (i), electronically certify that:

(1) the seller has provided any changes to such information to the online marketplace, if any such changes have occurred; or

(2) there have been no changes to such seller’s information.

(C) SUSPENSION.—In the event that a high-volume third party seller does not provide the information or certification required under this paragraph, the online marketplace shall, after providing the seller with written or electronic notice and an opportunity to provide such information or certification not later than 10 days after the issuance of such notice, suspend any future sales activity of such seller until such seller provides such information or certification.

(2) VERIFICATION.—

(A) I N GENERAL.—An online marketplace shall:

(i) verify the information collected under paragraph (1)(A) not later than 10 days after such collection; and

(ii) verify any change to such information not later than 10 days after the seller providing notification of such change by a high-volume third party seller under paragraph (1)(B).

(B) PRESUMPTION OF VERIFICATION.—In the case of a high-volume third party seller that has not provided a copy of a validly issued tax document, any information contained in such document shall be presumed to be verified as of the date of issuance of such document.

(3) DATA USE LIMITATION.—Data collected solely to comply with the requirements of this section may not be used for any other purpose unless required to do so by law.

(4) DATA SECURITY REQUIREMENT.—An online marketplace shall implement and maintain reasonable security procedures and practices, including administrative, physical, and technical safeguards that are appropriate to the nature of the data and the purposes for which the data will be used, to protect the data collected to comply with the requirements of this section from unauthorized use, disclosure, access, destruction, or modification.

SEC. 6034. COLLECTION, VERIFICATION, AND DISCLOSURE OF INFORMATION BY ONLINE MARKETPLACES TO INFORM CONSUMERS.

(a) COLLECTION AND VERIFICATION OF INFORMATION.—

(1) COLLECTION.—

(A) I N GENERAL.—An online marketplace shall require any high-volume third party seller on such online marketplace’s platform to provide the following information not later than 10 days after qualifying as a high-volume third party seller on the platform, the following information to the online marketplace:

(i) bank account.

(B) I N GENERAL.—A bank account number, or, if such seller does not have a bank account, the name of the payee for payments issued by the online marketplace to such seller.

(II) PROVISION OF INFORMATION.—The bank account or payee information required under subparagraph (I) may be provided by the seller in the following ways:

(aa) To the online marketplace.

(bb) To a payment processor or other third party contracted by the online marketplace to maintain such information, provided that the online marketplace ensures that it can obtain such information within 3 business days from such payment processor or other third party.

(II) CONTACT INFORMATION.—Contact information for such seller as follows:

(A) With respect to a high-volume third party seller that is an individual, the individual’s name.

(B) I N GENERAL.—An online marketplace shall:

(i) require any high-volume third party seller with an aggregate gross of $20,000 or more in annual gross revenues on such online marketplace, and that uses such online
marketplace’s platform, to provide the information described in subparagraph (B) to the online marketplace; and

(ii) disclose to consumers the information described in subparagraph (B) in a clear and conspicuous manner—

(I) on the product listing page (including via hyperlink); or

(II) in any other confirmation message or other document or communication made to the consumer after the purchase is finalized and in the consumer’s account transaction history.

(B) INFORMATION DESCRIBED.—The information described in this subparagraph is the following:

(i) Subject to paragraph (2), the identity of the high-volume third party seller, including—

(I) the full name of the seller, which may include the seller name or seller’s company name, or the name by which the seller or company operates on the online marketplace;

(II) the physical address of the seller; and

(III) contact information for the seller, to allow for the direct, unhindered communication with high-volume third party sellers by users of the online marketplace, including—

(aa) a current working phone number;

(bb) a current working email address; or

(cc) other means of direct electronic messaging (which may be provided to such seller by the online marketplace), provided that the requirements of this item shall not prevent an online marketplace from monitoring communications between high-volume third party sellers and users of the online marketplace for fraud, abuse, or spam.

(ii) Whether the high-volume third party seller used a different seller to supply the consumer product to the consumer upon purchase, and, upon the request of an authenticated purchaser, the information described in clause (i) relating to any such seller that supplied the consumer product to the purchaser, if such seller is different than the high-volume third party seller listed on the product listing prior to purchase.

(2) EXCEPTION.—

(A) IN GENERAL.—Subject to subparagraph (B), upon the request of a high-volume third party seller, an online marketplace may provide for partial disclosure of the identity information required under paragraph (1)(B)(i) in the following situations:

(i) If such seller certifies to the online marketplace that the seller does not have a business address and only has a residential street address, or has a combined business and residential address, the online marketplace may—

(I) disclose only the country and, if applicable, the State in which such seller resides; and

(II) inform consumers that there is no business address available for the seller and that consumer inquiries should be submitted to the seller personally, by phone, or other means of electronic messaging provided to such seller by the online marketplace.

(ii) If such seller certifies to the online marketplace that the seller does not have a phone number other than a personal phone number, the online marketplace shall inform consumers that there is no phone number available for the seller and that consumer inquiries should be submitted to the seller’s email address or other means of electronic messaging provided to such seller by the online marketplace.

(B) LIMITATION ON EXCEPTION.—If an online marketplace becomes aware that a high-volume third party seller has made a false representation to the online marketplace in a clear and conspicuous manner of a partial disclosure under subparagraph (A) or that a high-volume third party seller who has requested and received a provision for a partial disclosure under subparagraph (A) has not provided responsive answers within a reasonable time frame to consumer inquiries submitted to the seller by phone, email, or other means of electronic messaging provided to such seller by the online marketplace, the online marketplace shall, after providing the seller with a reasonable opportunity to respond not later than 10 days after the issuance of such notice, suspend any future sales activity of such seller unless such seller consents to the disclosure of the identity information required under paragraph (1)(B)(i).

(3) REPORTING MECHANISM.—An online marketplace shall disclose to consumers in a clear and conspicuous manner on the product listing of any high-volume third party seller a reporting mechanism that allows for electronic and telephonic reporting of suspicious marketplace activity to the online marketplace.

(4) COMPLIANCE.—If a high-volume third party seller does not comply with the requirements to provide and disclose information under this subsection, the online marketplace shall, after providing the seller with a written electronic notice and an opportunity to provide or disclose such information not later than 10 days after the issuance of such notice, suspend any future sales activity of such seller until the seller complies with such requirements.

(c) ENFORCEMENT BY THE FEDERAL TRADE COMMISSION.—

(1) UNFAIR AND DECEPTIVE ACTS OR PRACTICES.—A violation of subsection (a) or (b) by an online marketplace shall be treated as a violation of a rule defining an unfair or deceptive act or practice prescribed under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(2) POWERS OF THE COMMISSION.—

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

(B) PRIVILEGES AND IMMUNITIES.—Any person that violates subsection (a) or (b) shall be subject to the penalties, and entitled to the privileges and immunities, provided in the Federal Trade Commission Act (15 U.S.C. 41 et seq.).

(3) REMEDIES.—The Commission may promulgate regulations under section 553 of title 5, United States Code, with respect to the collection, verification, or disclosure of information under this section, provided that such regulations do not preclude the privilege to receive, collect, verify, and disclose such information.

(4) AUTHORITY RESERVED.—Nothing in this section shall be construed to limit the authority of the Commission under any other provision of law.

(d) ENFORCEMENT BY STATE ATTORNEYS GENERAL.—

(1) IN GENERAL.—If the attorney general of a State has reason to believe that any online marketplace has violated or is violating this section or a regulation promulgated under this section that affects one or more residents of that State, the attorney general of that State is authorized to bring a civil action in any appropriate district court of the United States, to—

(A) enjoin further such violation by the defendant;

(B) enforce compliance with this section or such regulation; and

(C) obtain such civil penalties in the amount provided for under subsection (c);

(d) obtain other remedies permitted under State law; and

(e) obtain damages, restitution, or other compensation on behalf of residents of the State.

(2) NOTICE.—The attorney general of a State shall provide prior written notice of any action under this paragraph (1) to the Commission and provide the Commission with a copy of any complaint filed or served in case in any action in which such prior notice is not feasible, in which case the attorney general shall serve such notice immediately upon instituting such action.

(3) INTERVENTION BY THE COMMISSION.—

Upon receiving notice under paragraph (2), the Commission shall have the right—

(A) to intervene in the action;

(B) upon so intervening, to be heard on all matters arising therein; and

(C) to file petitions for appeal.

(4) LIMITATION ON STATUTORY REMEDIES WHILE FEDERAL ACTION IS PENDING.—If the Commission has instituted a civil action for violation of this section or a regulation promulgated under this section in the name of the United States, any State, or any State attorney general, may not bring a separate action under paragraph (1) during the pendency of that action against the same person that violated such section or regulation.

(5) RELIEF OF CONTESTING PARTIES.—A party of bringing a civil action under paragraph (1), nothing in this section shall be construed to prevent the chief law enforcement officer or official or agency of a State, from exercising the powers conferred on such chief law enforcement officer or official or agency of a State, by the laws of the State to conduct investigations, administer oaths or affirmations, or compel the attendance of witnesses or the production of documentary and other evidence.

(6) ACTIONS BY OTHER STATE OFFICIALS.—

(A) IN GENERAL.—In addition to civil actions brought by attorneys general under paragraph (1), any other State who is authorized by the State to do so, except for any private person on behalf of the State attorney general, may bring a civil action under paragraph (1), subject to the same requirements and limitations that apply under this subsection to civil actions brought by attorneys general.

(B) PREVAILING PARTY.—Nothing in this subsection may be construed to prohibit an authorized official of a State from initiating or continuing any proceeding in a court of the United States or any court of a State or Territory of the United States, or the District of Columbia, or any court of a territory of the United States, to—

(e) SEEK RECOVERY.—If any provision of this section, or the application thereof to any person or circumstance, is held invalid, the remainder of this section and the application of such provision to other persons not similarly situated shall not be affected by the invalidation.

(f) DEFINITIONS.—In this section:

(1) COMMISSION.—The term ‘Commission’ means the Federal Trade Commission.

(2) CONSUMER PRODUCT.—The term ‘consumer product’ has the meaning given such term in section 101 of the Magnuson-Moss Warranty Federal Trade Improvement Act (15 U.S.C. 2301) and section 7001 of title 16, Code of Federal Regulations.
SEC. 6035. LOW POWER TV STATIONS.

(a) Definitions.—In this section—

(1) the term ‘‘Commission’’ means the Federal Communications Commission;

(2) the term ‘‘Designated Market Area’’ means—

(A) a Designated Market Area determined by Nielsen Media Research or any successor entity; or

(B) a Designated Market Area under a system of low power TV stations operated in a Designated Market Area determined by the Commission, for which payment was processed by the online marketplace, either directly or through its payment processor.

(b) Clarification.—For purposes of calculating the number of discrete sales or transactions for purposes of computing any gross revenue under subparagraph (A), an online marketplace shall only be required to count sales or transactions of a third party seller, not misappropriated, and not to any state or political subdivision of a State, or to any Indian tribe.

(c) Third Party Seller.—(A) In general.—The term ‘‘third party seller’’ does not include, with respect to an online marketplace, any seller, independent of the online marketplace, who sells, offers to sell, or contracts to sell a consumer product in the United States through such online marketplace's platform.

(d) Exclusions.—The term ‘‘third party seller’’ does not include, with respect to an online marketplace—

(i) a seller who operates the online marketplace's platform; or

(ii) a business entity that—

(I) of such section 336(f)(2) shall be construed to be the 90-day period preceding the date on which that rule takes effect, a rule, requirement, or standard that conflicts with the requirements described in section 73.6001 of title 47, Code of Federal Regulations, or any successor regulation.

(e) Rule of Construction.—Nothing in this section may be construed to affect the determination of the Commission relating to the implementation of the transition, relocation, or reimbursement of entities as a result of the systems of competitive bidding conducted pursuant to title VI of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1901 et seq.), and the amendments made by that title, that are collectively commonly referred to as the ‘‘Television Broadcast Incentive Auction’’.

SEC. 6036. POST-EMPLOYMENT RESTRICTIONS ON SENATE-CONFIRMED OFFICIALS AT THE DEPARTMENT OF STATE.

(a) Sense of Congress.—It is the sense of Congress that—

(1) Congress and the executive branch have recognized the importance of preventing and mitigating the potential for interference following government service, including with respect to senior United States officials working on behalf of foreign governments.

(2) Congress and the executive branch should jointly evaluate the status and scope of post-employment restrictions.

(b) Restrictions.—Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2551a) is amended by adding at the end the following—

(2) this section may be construed to affect the determination of the transition, relocation, or reimbursement of entities as a result of the systems of competitive bidding conducted pursuant to title VI of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1901 et seq.), and the amendments made by that title, that are collectively commonly referred to as the ‘‘Television Broadcast Incentive Auction’’.

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(3) HIGH-VOLUME THIRD PARTY SELLER.—

(A) In general.—The term ‘‘high-volume third party seller’’ means a participant on an online marketplace's platform who is a third party seller for any continuous 12-month period during the previous 24 months, has entered into 200 or more discrete sales or transactions of new or unused consumer products and has realized total of $5,000 or more in gross revenues.

(B) Clarification.—For purposes of calculating the number of discrete sales or transactions for purposes of computing any gross revenue under subparagraph (A), an online marketplace shall only be required to count sales or transactions of a third party seller, not misappropriated, and not to any state or political subdivision of a State, or to any Indian tribe.

(C) Third Party Seller.—(A) In general.—The term ‘‘third party seller’’ does not include, with respect to an online marketplace, any seller, independent of the online marketplace, who sells, offers to sell, or contracts to sell a consumer product in the United States through such online marketplace's platform.

(D) Exclusions.—The term ‘‘third party seller’’ does not include, with respect to an online marketplace—

(i) a seller who operates the online marketplace's platform; or

(ii) a business entity that—

(I) of such section 336(f)(2) shall be construed to be the 90-day period preceding the date on which that rule takes effect, a rule, requirement, or standard that conflicts with the requirements described in section 73.6001 of title 47, Code of Federal Regulations, or any successor regulation.

(e) Rule of Construction.—Nothing in this section may be construed to affect the determination of the Commission relating to the implementation of the transition, relocation, or reimbursement of entities as a result of the systems of competitive bidding conducted pursuant to title VI of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1901 et seq.), and the amendments made by that title, that are collectively commonly referred to as the ‘‘Television Broadcast Incentive Auction’’.

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(B) Clarification.—For purposes of calculating the number of discrete sales or transactions for purposes of computing any gross revenue under subparagraph (A), an online marketplace shall only be required to count sales or transactions of a third party seller, not misappropriated, and not to any state or political subdivision of a State, or to any Indian tribe.
(i) the People’s Republic of China;  
(ii) the Russian Federation;  
(iii) the Islamic Republic of Iran;  
(iv) the Democratic People’s Republic of Korea;  
(v) the Republic of Cuba;  
(vi) the Syrian Arab Republic.  

(4) PENALTIES AND INJECTIONS.—Any violation of subsections in paragraphs (1) or (2) shall be subject to the penalties and injunctions provided for under section 216 of title 18, United States Code.  

(5) notes this subsection:  
(A) foreign government entity.—The term ‘foreign government entity’ includes—  
(i) any person employed by—  
(1) any department, agency, or other entity of a foreign government at the national, regional, or local level;  
(2) any governing party or coalition of a foreign government at the national, regional, or local level; or  
(iii) any entity majority-owned or majority-controlled by a foreign government at the national, regional, or local level; and  
(ii) in the case of a country described in paragraph (3)(B), any company, economic project, organization, exchange program, or nongovernmental organization that is more than 33 percent owned or controlled by the government of such country.  
(B) Notice of prohibition.—The term ‘representation’ does not include representa- 
tion by an attorney, who is duly licensed and authorized to provide legal advice in a United States jurisdiction, of a person or entity in a legal capacity or for the purposes of rendering legal advice.  

(6) NOTICE OF RESTRICTIONS.—Any person subject to the prohibitions of this subsection shall be provided notice of these restrictions by the Department of State upon appointment by the President, and subsequently upon inclusion of service with the Department of State.  

(7) EFFECTIVE DATE.—The restrictions under this subsection shall apply only to per- 
rson who are appointed by the President to the positions referenced in this subsection on or after 120 days after the date of the enact- 
ment of this subsection.  

(8) SUNSET.—The enhanced restrictions under paragraph (3) shall expire on the date that is 7 years after the date of the enact- 
ment of this subsection.  


Section 2(b) of the Tropical Forest and Coral Reef Conservation Act of 1998 (22 U.S.C. 2431d(d)) is amended by adding at the end the following new paragraphs:  

(9) $20,000,000 for fiscal year 2023.  
(10) $20,000,000 for fiscal year 2024.  
(11) $20,000,000 for fiscal year 2025.  
(12) $20,000,000 for fiscal year 2026.  
(13) $20,000,000 for fiscal year 2027.  

SEC. 6038. INCENTIVES FOR STATES TO CREATE SEXUAL ASSAULT SURVIVORS’ BILL OF RIGHTS.  

(a) DEFINITION OF COVERED FORMULA GRANT.—In this section, the term ‘covered formula grant’ means a grant under part F of title V of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 1067q) to a State in accordance with this section if the State has in ef- fect a law that provides for sexual assault survivors the rights, at a minimum, under sections 951 and 959 of United States Code.  

(b) GRANT INCREASE.—The Attorney Gen- 
eral shall increase the amount of the covered formula grant provided to a State in accord- 
ance with this section if the State has in ef- fect a law that provides for sexual assault survivors the rights, at a minimum, under sections 951 and 959 of United States Code.  

(c) APPLICATION.—A State seeking an in- crease to a covered formula grant under this section shall submit an application to the Attorney General at such time, in such man- ner, and containing such information as the Attorney General may reasonably require, including information about the law de- scribed in subsection (b).  

(d) PERIOD OF INCREASE.—The Attorney General may not provide an increase in the amount of a covered formula grant pro- vided to a State under this section more than 4 times.  

AUTHORIZATION OF APPLICATION.—There are authorized to be appropriated $20,000,000 for each of fiscal years 2023 through 2027 to carry out this section.  

SEC. 6039. INTERAGENCY STRATEGY TO DISRUPT AND DESTROY NARCOTICS PRODUCTION AND TRAFFICKING AND AFFILIATED NETWORKS LINKED TO THE REGIME OF BASHAR AL-ASSAD IN SYRIA.  

(a) SENSE OF CONGRESS.—It is the sense of Congress that—  
(1) the Captagon trade linked to the regime of Bashar al-Assad in Syria is a transnational security threat; and  
(2) the United States should develop and implement an interagency strategy to deny, degrade, and dismantle Assad-linked narcot- 
coces production and trafficking networks.  
(b) DESCRIPTION.—In this section, the term ‘appropriate congressional committees’ means—  
(1) the Committee on Armed Services of the Senate;  
(2) the Committee on Appropriations of the Senate;  
(3) the Committee on the Judiciary of the Senate;  
(4) the Committee on Foreign Relations of the Senate;  
(5) the Committee on Banking, Housing, and Urban Affairs of the Senate;  
(6) the Select Committee on Intelligence of the Senate;  
(7) the Committee on Armed Services of the House of Representatives;  
(8) the Committee on Appropriations of the House of Representatives;  
(9) the Committee on the Judiciary of the House of Representatives;  
(10) the Committee on Foreign Affairs of the House of Representatives;  
(11) the Commercial Services of the House of Representatives; and  
(12) the Permanent Select Committee on Intelligence of the House of Representatives.  
(c) STRATEGY REQUIRED.—(1) In general.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, the Secretary of the Treasury, the Administrator of the Drug Enforcement Administration, the Director of National Intelligence, the Director of the Of- 
fice of National Drug Control Policy, and the heads of other appropriate Federal agencies, shall provide a written strategy (with a clas- 
sified annex, if necessary), to the appropriate congressional committees, including—  
(i) an assessment of current United States support for the narcotics infrastructure of the Assad re- 

gime, particularly through diplomatic and intelligence support to law enforcement inves- 
tigations; and  
(ii) building counter-narcotics capacity to partner countries through assistance and training to law enforcement services in countries that are receiving or transiting large quantities of Captagon;  

(B) the identification of the countries that are receiving or transiting large ship- 
ments of Captagon;  
(ii) an assessment of the counter-narcotics capacity of such countries to interdict or disrupt the smuggling of Captagon; and  
(iii) an assessment of current United States assistance and training programs to build the counter-narcotics capacity of the Assad regime.  

The Secretary of Defense, in consultation with the Secretary of State, shall provide an annual report to the appropriate congressional com- 
mittees on the results of any activities conducted under the aforementioned pilot program, including—  
(1) the results of outreach efforts;  
(2) the success of expanding NSIN pro- 
grams to historically Black colleges and universities and minority serving institutions;  
(3) the potential barriers to expansion; and  
(4) recommendations for how the Depart- 
ment of Defense can support such institu- 
tions to successfully participate in Depart- 
ment of Defense commercialization, innova- 
tion, and entrepreneurial activities of the Department of Defense.  

(d) BRIEFING.—Not later than one year after the initiation of any pilot activities under subsection (b), the Secretary of De- 

(2) the Committee on Foreign Relations of the Senate; 
(3) the Select Committee on Intelligence of the Senate; 
(4) the Committee on Appropriations of the House of Representatives; 
(5) the Committee on the Judiciary of the House of Representatives; 
(6) the Committee on Foreign Affairs of the House of Representatives; 
(7) the Commercial Services of the House of Representatives; and 
(8) the Permanent Select Committee on Intelligence of the House of Representatives. 

(c) STRATEGY REQUIRED.—(1) In general.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, the Secretary of the Treasury, the Administrator of the Drug Enforcement Administration, the Director of National Intelligence, the Director of the Office of National Drug Control Policy, and the heads of other appropriate Federal agencies, shall provide a written strategy (with a classified annex, if necessary), to the appropriate congressional committees, including— 
(i) an assessment of current United States support for the narcotics infrastructure of the Assad regime, particularly through diplomatic and intelligence support to law enforcement investigations; and 
(ii) building counter-narcotics capacity to partner countries through assistance and training to law enforcement services in countries that are receiving or transiting large quantities of Captagon; 

(B) the identification of the countries that are receiving or transiting large shipments of Captagon; 
(ii) an assessment of the counter-narcotics capacity of such countries to interdict or disrupt the smuggling of Captagon; and 
(iii) an assessment of current United States assistance and training programs to build the counter-narcotics capacity of the Assad regime. 

The Secretary of Defense, in consultation with the Secretary of State, shall provide an annual report to the appropriate congressional committees on the results of any activities conducted under the aforementioned pilot program, including— 
(1) the results of outreach efforts; 
(2) the success of expanding NSIN programs to historically Black colleges and universities and minority serving institutions; 
(3) the potential barriers to expansion; and 
(4) recommendations for how the Department of Defense can support such institutions to successfully participate in Department of Defense commercialization, innovation, and entrepreneurial programs. 

SEC. 6039B. MODIFICATION OF AUTHORITY OF SECRETARY OF DEFENSE TO TRANSFER EXCESS AIRCRAFT TO OTHER DEPARTMENTS OF THE FEDERAL GOVERNMENT AND AUTHORITY TO TRANSFER EXCESS AIRCRAFT TO STATES. 

Section 1091 of the National Defense Au- 
thorization Act for Fiscal Year 2015 (Public Law 112-239; 10 U.S.C. 2576 note) is amended— 

(1) in the section heading, by inserting “AND TO STATES” after “FEDERAL GOVERN- 
MENT” and “AND TO STATES”;  
(2) in subsection (a), in the first sentence, by striking “and the Secretary of Homeland Security for use by the Forest Service and the Department of Defense” and inserting “for use by the Forest Service, to the Secretary of Homeland Security for use by the
the United States Coast Guard, and to the Governor of a State"; (3) in subsection (b)—
(A) in paragraph (1), by striking "or the United States Coast Guard as a suitable platform to carry out wildfire suppression, search and rescue, or emergency operations pertaining to wildfires"; and (B) by adding at the end the following new paragraph:
"(5) in the case of aircraft to be transferred to the Governor of a State, acceptable for use by the State, as determined by the Governor"; (4) by striking subsection (c); (5) in subsection (d)—
(A) in paragraph (1)—
(i) by striking "up to seven"; and
(ii) by inserting "the Governor of a State or"; and
(B) by amending paragraph (2) to read as follows:
"(2) EXPIRATION OF RIGHT OF REFUSAL.—A right of refusal afforded the Secretary of Agriculture or the Secretary of Homeland Security under paragraph (1) with regards to an aircraft shall expire upon official notice of such aircraft being transferred to the Secretary of Defense that such Secretary declines such aircraft:"; (6) in subsection (e)—
(A) in the matter preceding paragraph (1), by inserting "or to the Governor of a State" after "the Secretary of Agriculture"; (B) in paragraph (1), by striking "wildfire suppression, search and rescue, or emergency operations pertaining to wildfires"; and (C) in paragraph (2)—
(i) by inserting "search and rescue, emergency operations pertaining to wildfires," after "efforts"; and
(ii) by inserting under "Governor of the State, as the case may be," after "Secretary of Agriculture"; (7) in subsection (f), by striking "or the Secretary of Homeland Security," and inserting "the Secretary of Homeland Security, or the Governor of a State"; (8) in subsection (g), by striking "and the Secretary of Homeland Security," and inserting "the Secretary of Homeland Security, or the Governor of the State to which such aircraft is transferred"; and (9) by adding at the end the following new subsection:
"(h) REPORTING.—Not later than December 1, 2023, and annually thereafter, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on aircraft transferred during the fiscal year preceding the date of such report, to—
(1) the Secretary of Agriculture, the Secretary of Homeland Security, or the Governor of a State under this section;
(2) the chief executive officer of a State under section 112 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81, 125 Stat. 1319); or
(3) the Secretary of the Air Force or the Secretary of Agriculture under section 1098 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 881); and
(10) by redesignating subsections (d) through (h) as subsections (c) through (g), respectively.
SEC. 6038C. HBCU RISE.
(a) DEFINITIONS.—In this section:
(1) the term "eligible institution" means a historically Black college or university or other minority-serving institution that is classified as a high research activity status institution under section 262 of the National Defense Education Act of 1965 (20 U.S.C. 1061); (2) the term "high research activity status" means R2 status, as classified by the Carnegie Classification of Institutions of Higher Education.
(3) the term "historically Black college or university" has the meaning given the term "part I institution" in section 112 of the Higher Education Act of 1965 (20 U.S.C. 1007(a)); (4) the term "other minority-serving institutions" means an institution of higher education specified in paragraphs (2) through (7) of section 317(a) of the Higher Education Act of 1965 (20 U.S.C. 1070(a)).
(b) PROGRAM.—The term "Secretary" means the Secretary of Defense.
(c) PROGRAM COMPONENTS.—
(A) ELEMENTS.—The Secretary may consider aspects of the program that address—
(i) faculty professional development;
(ii) stipends for undergraduate and graduate students and post-doctoral scholars; and
(iii) laboratory equipment and instrumentation; (iv) recruitment and retention of faculty and graduate students; and
(v) communication and dissemination of products produced as part of the program.
(d) CONSTRUCTION, MODERNIZATION, REHABILITATION, OR RETROFITTING OF FACILITIES.—In addition to the activities necessary to build capacity in achieving very high research activity status indicators,
(e) FUNDING.—The Secretary—
(A) shall conduct the program under this section, and the House of Representatives providing an update on the program, including—
(1) activities carried out under the program; (2) an analysis of the growth in very high research activity status indicators of eligible institutions that participated in the program under this section; (3) emerging research areas of interest to the Department of Defense conducted by eligible institutions that participated in the program under this section; (4) termination of the program; and (5) the duration of the program.
(f) EVALUATION.—Not later than 180 days after the date on which the Secretary establishes the program under this section, the Secretary shall prepare and submit a report to the Committees on Armed Services of the Senate and the House of Representatives providing an update on the program, including—
(1) an analysis of the growth in very high research activity status indicators of eligible institutions that participated in the program under this section; (2) an evaluation of the effectiveness of the program in increasing the research capabilities of historically Black colleges and universities and other minority-serving institutions toward achieving very high research activity status classification during the program, including measurable milestones such as growth in very high research activity status indicators and other relevant factors; (3) how such institutions will sustain the increased level of research activity and the capability to achieve very high research activity status classification during the program, including the program under this section; (4) an evaluation of the maintenance of very high research status by eligible institutions that participated in the program under this section; (5) an evaluation of the effectiveness of the program in increasing the diversity of study and conducting high quality research in unique areas; and
(6) Recommendations with respect to additional activities and investments necessary to elevate the research status of historically Black colleges and universities and other minority-serving institutions.
(g) EVALUATION.—Not later than 180 days after the date on which the Secretary provides an update on the program, including—
(1) activities carried out under the program; (2) an analysis of the growth in very high research activity status indicators of eligible institutions that participated in the program under this section; (3) emerging research areas of interest to the Department of Defense conducted by eligible institutions that participated in the program under this section; (4) termination of the program; and (5) the duration of the program.
(h) REPORTING.—Not later than December 1, 2023, and annually thereafter, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on aircraft transferred during the fiscal year preceding the date of such report, to—
(1) the Secretary of Agriculture, the Secretary of Homeland Security, or the Governor of a State under this section;
(2) the chief executive officer of a State under section 112 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81, 125 Stat. 1319); or
(3) the Secretary of the Air Force or the Secretary of Agriculture under section 1098 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 881); and
(10) by redesignating subsections (d) through (h) as subsections (c) through (g), respectively.
SEC. 6038C. HBCU RISE.
(7) Recommendations on whether the program established under this section should be renewed or expanded.

SEC. 5039D. OFFICE OF CIVIL RIGHTS AND INCLUSION.

(a) SHORT TITLE.—This section may be cited as the ‘‘Achieving Fairness in Disaster Response, Recovery, and Resilience Act of 2022’’.

(b) ESTABLISHMENT OF OFFICE.—Section 513 of the Homeland Security Act of 2002 (6 U.S.C. 321b) is amended to read as follows:

‘‘SEC. 513. OFFICE OF CIVIL RIGHTS AND INCLUSION.

‘‘(a) DEFINITIONS.—In this section—

‘‘(1) the term ‘appropriate committees of Congress’ means—

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

‘‘(B) the Committee on Transportation and Infrastructure, the Committee on Oversight and Reform, and the Committee on Homeland Security of the House of Representatives;

‘‘(2) the term ‘Director’ means the Director of the Office of Civil Rights and Inclusion; and

‘‘(3) the term ‘disaster assistance’ means assistance provided under chapters 50 to 57 of title 42 (relating to emergency assistance, as described in subsection (d), the Administrator shall—

(A) improve underserved community access to disaster assistance before and after a disaster; and

(B) reviewing preparedness, response, and recovery programs and activities of the Agency to ensure the elimination of underserved communities in the delivery of such programs and activities; and

(C) carrying out such other responsibilities of the Office as the Director determines to be appropriate as the result of an enacted the Achieving Fairness in Disaster Response, Recovery, and Resilience Act of 2022, as determined appropriate by the Administrator;

‘‘(b) REQUIREMENT.—The measures developed under subparagraph (A) shall—

(i) evaluate community outreach activities, language services, workforce competence, historical assistance for grants and loans provided to individuals and State, local, and tribal governments in emergency preparedness, evictions, and disaster relief, the effects of disaster declaration thresholds on underserved communities, the percentage of contracts awarded to underserved businesses, historical barriers to equitable assistance across race and class during and after disasters, and other areas, as determined by the Director; and

(ii) identify the communities implicated in the evaluations conducted under clause (i).

‘‘(C) coordinate with the Office of Civil Rights and Civil Liberties of the Department of Justice; and

‘‘(D) consulting with stakeholders that represent the interests of individuals with disabilities; and

‘‘(E) working to ensure that video programs of Federal public service announcements, and other materials relating to emergency preparedness and other types of disasters; and

‘‘(F) the Office of Civil Rights and Civil Liberties of the Department of Justice; and

‘‘(G) the Hispanic (including persons of Mexican, Puerto Rican, Cuban, and Central or South American origin) community;

‘‘(H) the Pacific Islander community;

‘‘(I) the Middle Eastern and North African community; and

‘‘(J) any other historically disadvantaged community, as determined by the Director.

‘‘(b) OFFICE OF CIVIL RIGHTS AND INCLUSION.—

‘‘(1) IN GENERAL.—The Office of Equal Rights and the Office of Civil Rights and Inclusion shall be renewed or expanded.

‘‘(2) REVIEWING.—The measures developed under subparagraph (A) shall—

(i) evaluate community outreach activities, language services, workforce competence, historical assistance for grants and loans provided to individuals and State, local, and tribal governments in emergency preparedness, evictions, and disaster relief, the effects of disaster declaration thresholds on underserved communities, the percentage of contracts awarded to underserved businesses, historical barriers to equitable assistance across race and class during and after disasters, and other areas, as determined by the Director; and

(ii) identify the communities implicated in the evaluations conducted under clause (i).

‘‘(1) IN GENERAL.—The Office of Equal Rights shall—

(i) improve underserved community access to disaster assistance;

(ii) ensure the quality of disaster assistance received by underserved communities;

(iii) eliminate underserved community disparities in the delivery of disaster assistance; and

(iv) carry out such other responsibilities of the Office of Equal Rights as in effect on the day before the date of enactment of the Achieving Fairness in Disaster Response, Recovery, and Resilience Act of 2022, as determined appropriate by the Administrator.

‘‘(2) improve the quality of disaster assistance received by underserved communities;

‘‘(3) eliminate underserved community disparities in the delivery of disaster assistance; and

‘‘(4) carry out such other responsibilities of the Office of Equal Rights as in effect on the day before the date of enactment of the Achieving Fairness in Disaster Response, Recovery, and Resilience Act of 2022, as determined appropriate by the Administrator.

‘‘(c) REPORTS.—

‘‘(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Achieving Fairness in Disaster Response, Recovery, and Resilience Act of 2022, and biennially thereafter, the Administrator shall submit to the
appropriate committees of Congress a report describing the activities carried out under this section during the period for which the report is being prepared.

“(2) Each yearly report submitted under paragraph (1) shall include—

“(A) a narrative on activities conducted by the Office;

“(B) the results of the measures developed to evaluate the effectiveness of activities aimed at reducing preparedness, response, and recovery disparities; and

“(C) the number and type of allegations of unequal disaster assistance investigated by the Director or referred to other appropriate offices.

“(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

“(c) TECHNICAL AND CONFORMING AMENDMENTS.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2133) is amended by striking the item relating to section 513 (6 U.S.C. 321b) and inserting the following:

“Sec. 513. Office of Civil Rights and Inclusion.”

“(d) COVID-19 Response.—

“(1) IN GENERAL.—During the period of time for which there is a major disaster or emergency, the President under section 401 or 501, respectively, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170, 5191) declared with respect to the District of Columbia, the Director of the Office of Civil Rights and Inclusion shall regularly consult with State, local, territorial, and Tribal government officials and communities the Office of Civil Rights and Inclusion identifies as disproportionately impacted by COVID-19.

“(2) Report to the congressional committees.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to any consultation conducted under paragraph (1).

SEC. 6039E. IMPROVED APPLICATION OF EMPLOYMENT AND REEMPLOYMENT RIGHTS OF ALL MEMBERS OF UNIFORMED SERVICES.

(a) IN GENERAL.—Paragraph (5) of section 4309 of title 38, United States Code, is amended to read as follows:

“(5) in the term ‘federal executive agency’—

“(A) except as provided in subparagraph (B), includes—

“(i) the United States Postal Service;

“(ii) the Postal Regulatory Commission;

“(iii) any nonappropriated fund instrumentality of the United States;

“(iv) any Executive agency (as defined in section 105 of title 5); and

“(v) any military department (as defined in section 102 of title 5) with respect to the civilian employees of that department; and

“(B) does not include—

“(i) an agency referred to in section 2302(a)(2)(C)(ii) of title 5;

“(ii) the National Oceanic and Atmospheric Administration, with respect to members of the commissioned officer corps of the National Oceanic and Atmospheric Administration;

“(iii) the Public Health Service with respect to members of the Commissioned Corps of the Public Health Service serving on active duty, active duty for training, or inactive duty training;

“(B) technical correction.—Paragraph (16) of such section is amended by striking “commissioned officer corps of the Public Health Service” and inserting “Commissioned Corps of the Public Health Service.”

SEC. 6039F. WEATHERIZATION ASSISTANCE PROGRAM.

(a) WEATHERIZATION READINESS FUND.—

Section 414 of the Energy Conservation and Production Act (42 U.S.C. 6864) is amended by adding at the end the following:

“(d) WEATHERIZATION READINESS FUND.—

“(1) IN GENERAL.—The Secretary shall estab-

lish a program known as the ‘Weatheriza-

tion Readiness Fund’, from which the Sec-

retary shall distribute funds to States re-

ceiving financial assistance under this part, in accordance with this section.

“(2) USE OF FUNDS.—

“(A) IN GENERAL.—A State receiving funds under paragraph (1) shall use the funds for re-

pairing, and maintaining, dwelling units described in subparagraph (B) that will remediate the applicable structural defects or hazards of the dwelling unit so that weatherization measures may be installed.

“(B) DWELLING UNIT.—A dwelling unit re-

ferred to in subparagraph (A) is a dwelling unit occupied by a low-income person that, on inspection pursuant to the program under this part, was found to have significant de-

fects or hazards that prevented the installa-

tion of weatherization measures under the program.

“(3) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appro-

riated under section 422, there is authorized to be appropriated under this subsection $30,000,000 for each of fiscal years 2023 through 2027.

“(d) E FFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of the Honoring our PACT Act of 2022 (Public Law 117–168).
SEC. 6043. DEFINITIONS.

In this subtitle:

(1) AT-RISK INDIVIDUAL.—The term ‘‘at-risk individual’’ means—

(A) a Federal judge;

(B) a senior, recalled, or retired Federal judge;

(C) any individual who is the spouse, parent, sibling, or child of an individual described in subparagraph (A) or (B);

(D) any individual to whom an individual described in subparagraph (A) or (B) stands in loco parentis; or

(E) any other individual living in the household of an individual described in subparagraph (A) or (B).

(2) COVERED INFORMATION.—The term ‘‘covered information’’—

(A) means—

(i) a home address, including primary residence or secondary residences;

(ii) a home or personal mobile telephone number;

(iii) a personal email address;

(iv) a social security number or driver’s license number;

(v) a bank account or credit or debit card information;

(vi) a license plate number or other unique identifiers of a vehicle owned, leased, or regularly used by an at-risk individual;

(vii) the information regarding the employment location of an at-risk individual, including the name or address of the employer, employment schedules, or routes taken to or from the employer by an at-risk individual;

(B) does not include information regarding employment with a Government agency.

(3) DATA BROKER.—

(A) IN GENERAL.—The term ‘‘data broker’’ means a commercial entity engaged in collecting, assembling, or maintaining personal information concerning an individual who is not a customer, client, or an employee of that entity in order to sell the information or otherwise profit from providing third-party access to the information.

(B) EXCLUSION.—The term ‘‘data broker’’ does not include a commercial entity engaged in the following activities:

(i) Engaging in reporting, news-gathering, speaking, or other activities intended to inform the public on matters of public interest or concern;

(ii) Providing 411 directory assistance or directory information services, including...
name, address, and telephone number, on half of or as a function of a telecommu-
nications carrier.

(3) Using personal information internally, provided to individuals under com-
mon ownership or affiliated by corporate
control, or selling or providing data for a
transaction or service requested by or on
behalf of the individual, in other cases
when personal information is being transferred.

(iv) Providing publicly available informa-
tion via real-time or near-real-time alert
services for the individual, or

(v) A consumer reporting agency subject to
the Fair Credit Reporting Act (15 U.S.C. 1681 et
seq.)

(vi) A financial institution to subject to
the Gramm-Leach-Bliley Act (Public Law
106-102) and regulations implementing that
title.

(viia) A covered entity for purposes of the
privacy regulations promulgated under
section 26(c) of the Health Insurance Port-
ability and Accountability Act of 1996 (42

(viib) The collection and sale or licensing
of covered information incidental to con-
ducting the activities described in clauses (i)
through (vii).

(4) FEDERAL JURISDICTION.—The term "Federal jur-
isdiction" means—

(A) a justice of the United States or a
judge of the United States, as those terms are
defined in section 451 of title 28, United
States Code;

(B) a bankruptcy judge appointed under
section 152 of title 28, United States Code;

(C) a United States magistrate judge ap-
pointed under section 631 of title 28, United
States Code;

(D) a judge confirmed by the United States
Senate and empowered by statute in any
criminal or civil action, or possession to
perform the duties of a Federal judge;

(E) a judge of the United States Court of
Appeals for Veterans Claims appointed under section
171 of title 28, United States Code;

(F) a judge of the United States Court of
Appeals for Veterans Claims appointed under section
215 of title 38, United States Code;

(G) a judge of the United States Court of
Appeals for the Armed Forces appointed under section
942 of title 10, United States Code;

(H) a judge of the United States Tax Court
appointed under section 7443 of the Internal Revenue
Code of 1986; and

(I) a special trial judge of the United
States Tax Court appointed under section

(5) GOVERNMENT AGENCY.—The term "Gov-
ernment agency" means—

(A) an Executive agency, as defined in sec-
tion 105 of title 5, United States Code; and

(B) any agency in the judicial branch or
legislative branch.

(6) IMMEDIATE FAMILY MEMBER.—The term
"immediate family member" means—

(A) any individual who is the spouse, par-
ent, sibling, or child of an at-risk individual;

(B) any individual to whom an at-risk indi-
vidual stands in loco parentis; or

(C) any other individual living in the
household of an at-risk individual.

(7) TRANSFER.—The term "transfer" means to
sell, license, trade, or exchange for consid-
eration the covered information of an at-risk
individual or immediate family member.

SEC. 6044. PROTECTING COVERED INFORMATION
IN PUBLIC RECORDS.

(a) GOVERNMENT AGENCIES.—

(1) IN GENERAL.—Each at-risk individual may—

(A) file written notice of the status of the
individual as an at-risk individual, for them-
selves or their immediate family members, with
each Government agency that includes infor-
mation necessary to ensure compliance with
this section, as determined by the Adminis-
tration Office of the United States Courts; and

(B) request that each Government agency
destroy, remove, conceal, or mark personal
information of the at-risk individual and that
of their immediate family members.

(2) NO PUBLIC POSTING.—Government agen-
cies may not publicly post or display pub-
licly available content that includes covered
information "of an at-risk individual or im-
mediate family member. Government agen-
cies may not publicly post or display pub-
licly available content of the at-risk individual
and that of their immediate family members.

(3) EXCEPTIONS.—Nothing in this section
shall apply to the courts, the Comptroller Gen-
eral of the United States, any other Federal,
State, or local governmental unit, or to
any association or entity receiving covered
information out of multiple databases
required or authorized by this section to
protect judges' covered information, including
through—

(A) the creation of programs to redact or
remove judges' covered information, upon
the request of an at-risk individual, from
public records in State agencies, including
hiring a third party to redact or remove
judges' covered information from public
records;

(B) the expansion of existing programs
that the State may have enacted in an effort
to protect judges' covered information;

(C) the development or improvement of
protocols, procedures, and policies to prevent
the release of judges' covered information;

(D) the defraying of costs of modifying or
improving existing databases and registries
to ensure that judges' covered information is
correcfully released; or

(E) the development of confidential out
systems that will enable at-risk individuals
to make a single request to keep judges' cov-
ered information out of multiple databases or
registries.

(3) REPORT.—

(A) IN GENERAL.—Not later than 1 year
after the date of enactment of this Act, and
biennially thereafter, the Comptroller Gen-
eral of the United States, shall submit to the
Committee on the Judiciary of the Senate
and the Committee on the Judiciary of the
House of Representatives an annual report
that includes—

(i) a detailed amount spent by States and
governments on protecting judges' covered
information;

(ii) where the judges' covered information
was found; and

(iii) the collection of any new types of per-
sontal data found to be used to identify
judges who have received threats, including
prior home addresses, employers, and insti-
tutional affiliations such as nonprofit
boards.

(B) STATES AND LOCAL GOVERNMENTS.—

States and local governments that receive
funds under this subsection shall submit to
the Comptroller General of the United States
a report on data described in clauses (i) and
(ii) of subparagraph (A) to be included in the
report required under that subsection.

(D) DATA BROKERS AND OTHER BUSI-
NESS.
SEC. 6045. VULNERABILITY MANAGEMENT CAPABILITY.

(a) AUTHORIZATION.—

(1) VULNERABILITY MANAGEMENT CAPABILITY.—The United States Marshals Service is authorized to perform all necessary functions consistent with the provisions of this subtitle and to support existing threat management capabilities within the United States Marshals Service and other relevant Federal law enforcement and security agencies for Federal judges described in subparagraphs (A), (B), (C), (D), and (E) of section 6043(4), including—

(A) monitoring the protection of at-risk individuals and judicial assets;

(B) managing the monitoring of websites for covered information of at-risk individuals and immediate family members and remove or limit the publication of such information;

(C) receiving, reviewing, and analyzing complaints by at-risk individuals of threats, whether direct or indirect, and report such threats to law enforcement partners;

(D) providing training described in section 6045.

(2) VULNERABILITY MANAGEMENT FOR CERTAIN ARTICLE I COURTS.—The functions and support authorized in paragraph (1) shall be authorized as follows:

(A) The chief judge of the United States Court of Appeals for the Armed Forces is authorized to perform such functions and support for the Federal judges described in section 6045(4)(F).

(B) The United States Court of Appeals for the Armed Forces is authorized to perform such functions and support for the Federal judges described in section 6045(4)(F).

(C) The United States Tax Court is authorized as follows:

(1) reassigning personnel to State and major urban area fusion and intelligence centers and in the Antarctic, including—

(i) removing within 72 hours the covered information from the internet and ensure that the information is not made available on any website or subsidiary website controlled by that person, business, or association; and

(ii) ensure that the covered information of the at-risk individual or immediate family member is not made available on any website or subsidiary website controlled by that person, business, or association.

(B) TRANSFER.—

(i) IN GENERAL.—After receiving a written request under paragraph (1)(B), the person, business, or association shall—

(A) remove within 72 hours the covered information from the internet and ensure that the information is not made available on any website or subsidiary website controlled by that person, business, or association; and

(B) TRANSFER.—

(ii) TRANSFER.—If the at-risk individual voluntarily publishes on the internet after the date of enactment of this Act; or

(iii) TRANSFER.—If the at-risk individual voluntarily publishes on the internet after the date of enactment of this Act; or

(b) INFORMATION SHARING.—If any of the activities of the United States Marshals Service uncover information related to threats to individuals other than Federal judges, the United States Marshals Service and the United States Marshals Service shall, to the maximum extent practicable, share such information with the appropriate Federal, State, and local law enforcement agencies.

(c) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the United States Marshals Service shall, to the maximum extent practicable, share such information with the appropriate Federal, State, and local law enforcement agencies.

(2) INFORMATION SHARING.—If any of the activities of the United States Marshals Service uncover information related to threats to individuals other than Federal judges, the United States Marshals Service shall, to the maximum extent practicable, share such information with the appropriate Federal, State, and local law enforcement agencies.

(3) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the United States Marshals Service and the United States Marshals Service shall, to the maximum extent practicable, share such information with the appropriate Federal, State, and local law enforcement agencies.

(2) INFORMATION SHARING.—If any of the activities of the United States Marshals Service uncover information related to threats to individuals other than Federal judges, the United States Marshals Service shall, to the maximum extent practicable, share such information with the appropriate Federal, State, and local law enforcement agencies.

(d) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the United States Marshals Service shall, to the maximum extent practicable, share such information with the appropriate Federal, State, and local law enforcement agencies.

(2) INFORMATION SHARING.—If any of the activities of the United States Marshals Service uncover information related to threats to individuals other than Federal judges, the United States Marshals Service shall, to the maximum extent practicable, share such information with the appropriate Federal, State, and local law enforcement agencies.

(3) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the United States Marshals Service shall, to the maximum extent practicable, share such information with the appropriate Federal, State, and local law enforcement agencies.

(2) INFORMATION SHARING.—If any of the activities of the United States Marshals Service uncover information related to threats to individuals other than Federal judges, the United States Marshals Service shall, to the maximum extent practicable, share such information with the appropriate Federal, State, and local law enforcement agencies.
SEC. 6048. SEVERABILITY. If any provision of this subtitle, an amendment made by this subtitle, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this subtitle and the amendments made by this subtitle, and the application of the remaining provisions of this subtitle and amendments to any person or circumstance shall not be affected.

SEC. 6049. EFFECTIVE DATE. (a) In General.—Except as provided in subsections (c) and (d) of this section, this subtitle shall take effect on the date of enactment of this Act.

(b) EXCEPTION.—Subsections (c)(1), (d), and (e) of section 6044 shall take effect on the date that is 120 days after the date of enactment of this Act.

Subtitle I—21st Century Assistive Technology Act

SEC. 6051. SHORT TITLE. This subtitle may be cited as the ‘‘21st Century Assistive Technology Act’’.

SEC. 6052. REAUTHORIZATION. The Assistive Technology Act of 1998 (29 U.S.C. 3001 et seq.) is amended to read as follows:

‘‘SEC. 1. SHORT TITLE; TABLE OF CONTENTS. ‘‘(a) SHORT TITLE.—This Act may be cited as the ‘Assistive Technology Act of 1998.’

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

‘‘Sec. 1. Short title; table of contents.

‘‘Sec. 2. Purposes.

‘‘Sec. 3. Definitions.

‘‘Sec. 4. Grants for State assistive technology programs.

‘‘Sec. 5. Grants for protection and advocacy services related to assistive technology.

‘‘Sec. 6. Technical assistance and data collection.

‘‘Sec. 7. Projects of national significance.

‘‘Sec. 8. Administrative provisions.

‘‘Sec. 9. Authorization of appropriations: reservations and distribution of funds.

‘‘(A) affective and advocacy activities’’.

‘‘(B) increase the ability of individuals with disabilities, including a functional evaluation of an individual with a disability in the selection, acquisition, or use of an assistive technology device.

‘‘(C) a service consisting of selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, replacing, or donating assistive technology devices;

‘‘(D) coordination and use of necessary therapies, interventions, or services with assistive technology devices; and

‘‘(E) increase and promote coordination among the Federal Government, State and local agencies, among local agencies, and between State and local agencies and private entities (such as managed care providers), that are involved in carrying out activities under this Act;
“(ii) responds to the needs of individuals with disabilities in a timely and appropriate manner; and

“(iii) facilitates the full and meaningful participation of individuals with disabilities (including individuals from underrepresented populations and rural populations) and their family members, guardians, advocates, and authorized representatives in—

“(1) decisions relating to the provision of assistive technology devices and assistive technology services to such individuals; and

“(II) from 50 percent of the portion, allot to each State an equal amount; and

“(A) BASE YEAR.—Except as provided in subsection (b), make the allotments described in clause (i) to each outlying area an amount of such funds made available for a fiscal year that is not less than $450,000 under clause (i) and this subsection; and

“(C) APPROPRIATION HIGHER THAN BASE YEAR AMOUNT.—For a fiscal year for which the amount of funds made available to carry out this section is greater than the base year amount under subparagraph (A) and no greater than $40,000,000, the Secretary shall—

“(I) make the allotments described in subparagraph (A);

“(II) from a portion of the remainder of the funds after the Secretary makes the allotments described in clause (i), the Secretary shall—

“(1) to maximize the ability of individuals with disabilities across the human lifespan and across the wide array of disabilities, and their family members, guardians, advocates, and authorized representatives, to obtain assistive technology services to such individuals; and

“(2) to increase access to assistive technology services.

“(D) APPROPRIATION HIGHER THAN THRESHOLD AMOUNT.—For a fiscal year for which the amount of funds made available to carry out this section is $40,000,000 or greater, the Secretary shall—

“(i) from 50 percent of the portion, allot to each State an equal amount; and

“(II) to allot to each State an amount that bears the same relationship to such 80 percent as the population of the State bears to the population of all States for the fiscal year.

“(4) A VAILABILITY OF FUNDS.—Amounts made available to carry out this section shall be available for the fiscal year following the fiscal year in which the funds were made available.
“(i) LEAD AGENCY AND IMPLEMENTING ENTITY.—

(A) LEAD AGENCY.—

(i) IN GENERAL.—The Governor of a State shall designate a public agency as a lead agency—

(II) to control and administer the funds made available through the grant awarded to the State agency for purposes of subsection (d); and

(iii) to submit the application described in subsection (d) on behalf of the State, to ensure conformance with Federal and State accounting procedures.

(ii) DUTIES.—The duties of the lead agency shall include—

(I) preparing the application described in subsection (d) and carrying out State activities described in that application, including making programmatic and resource allocation decisions necessary to implement the comprehensive statewide program of technology-related assistance;

(II) coordinating the activities of the comprehensive statewide program of technology-related assistance among public and private entities, including coordinating efforts related to entering into interagency agreements and maintaining and evaluating the program; and

(III) coordinating culturally competent efforts related to the active, timely, and meaningful participation by individuals with disabilities and their family members, guardians, advocates, or authorized representatives, and other appropriate individuals, with respect to activities carried out through the grant.

(B) IMPLEMENTING ENTITY.—The Governor may designate an agency, office, or other entity to carry out State activities under this section (referred to in this section as the ‘implementing entity’), if such implementing entity is different from the lead agency. The implementing entity shall carry out responsibilities under this Act through a subcontrct or another administrative agreement with the lead agency.

(C) CHANGE IN AGENCY OR ENTITY.—

(i) IN GENERAL.—On obtaining the approval of the Secretary.

(ii) the Governor may redesignate the lead agency of a State, if the Governor shows to the Secretary good cause why the agency designated as the lead agency should not serve as the lead agency

(ii) the Governor may redesignate the implementing entity of a State, if the Governor shows to the Secretary in accordance with subsection (d)(2)(B), good cause why the entity designated as the implementing entity should not serve as that entity.

(iii) Nothing in this paragraph shall be construed to require the Governor of a State to change the lead agency or implementing entity of the State to an agency other than the lead agency or implementing entity of such State as of the date of enactment of the Assistive Technology Act of 2004 (Public Law 108–364; 118 Stat. 1797).

(2) ADVISORY COUNCIL.—

(A) IN GENERAL.—There shall be established an advisory council to provide consumer-responsive, consumer-driven advice to the State for planning of, implementation of, and evaluation of the activities carried out through the grant, including setting the measurable goals described in subsection (d)(3)(C).

(B) COMPOSITION AND REPRESENTATION.—

(1) COMPOSITION.—The advisory council shall be comprised of—

(I) individuals with disabilities who use assistive technology, including older individuals, or the family members or guardians of the individual;

(II) a representative of the designated State agency, as defined in section 7 of the Rehabilitation Act of 1973 (29 U.S.C. 705) and the State agency for individuals who are blind (within the meaning of section 101 of that Act (29 U.S.C. 721)), if such agency is separate from the lead agency;


(IV) a representative of the State workforce development board established under section 101 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3111);

(V) a representative of an alternative financing program for assistive technology if—

(aa) there is an alternative financing program for assistive technology in the State;

(bb) such program is separate from the State assistive technology program supported under subsection (e)(2); and

(cc) the program described in item (aa) is operated by a nonprofit entity;

(VI) representatives of other State agencies, public agencies, or private organizations, as designated by the Governor, that serve individuals with disabilities and their family members, guardians, advocates, or authorized representatives, and other appropriate individuals, with respect to activities carried out through the grant;

(bb) The designated State agency for purposes of section 124 of the Developmental Disabilities Assistance and Bill of Rights of 2000 (22 U.S.C. 15024);

(cc) an agency designated under section 305(a)(1) of the Older Americans Act of 1965 (42 U.S.C. 3025(a)(1)) or an organization that receives assistance under such Act (42 U.S.C. 3001 et seq.);

(dd) an organization representing disabled veterans;

(ee) a University Center for Excellence in Developmental Disabilities Education, Research, and Service designated under section 151(a) of the Developmental Disabilities Assistance and Bill of Rights of 2000 (22 U.S.C. 1503);


(2) MAJORITY.—

(I) IN GENERAL.—Not less than 51 percent of the members of the advisory council shall be members appointed under clause (i)(1), a majority of whom shall be individuals with disabilities.

(II) REPRESENTATIVES OF AGENCIES.—Members appointed under subclauses (ii) through (VIII) of clause (i) shall not count toward the majority membership requirement established in subclause (I).

(III) REPRESENTATION.—The advisory council shall be geographically representative of the State and reflect the diversity of the State with respect to race, ethnicity, types of disabilities across the age span, and users of technologies that an individual with a disability may receive.

(IV) EXPENSES.—The members of the advisory council shall receive no compensation for their service on the advisory council, but they shall be reimbursed for reasonable and necessary expenses actually incurred in the performance of official duties for the advisory council.

(D) IMPACT ON EXISTING STATUTES, RULES, OR POLICIES.—Nothing in this paragraph shall be construed to affect the substance, rules, or official policies relating to advisory bodies for State assistive technology programs or require changes to governing bodies of individuals with disabilities or official policies relating to advisory bodies for State assistive technology programs.
in a manner consistent with the data submitted through the progress reports under subsection (f) and

(3) A description of any activities described in subsection (C) that the State will support with State or non-Federal funds.

(4) INVolVEMENT OF PUblic AND pRIVATe ENTITIES.—The application shall describe how the public and private entities involved in the development of the application will be involved in the implementation of the activities to be carried out through the grant.

(5) ASSURANCES.—The application shall include assurances that—

(A) in cases determined to be appropriate by the State, a description of the nature and extent of resources that will be committed by public and private collaborators to assist in accomplishing identified goals; and

(B) a description of the mechanisms established to coordinate the activities and collaboration between the implementing entity, if any, and the State.

(6) REQUIRED ACTIVITIES.—In carrying out activities under paragraph (1), the State shall carry out activities that enhance the knowledge, skills, and competencies of individuals from local settings described in such clause, which may include—

(i) general awareness training on the benefits of assistive technology and the Federal, State, and private funding sources available to assist targeted individuals, especially older individuals and transition-age youth with disabilities, and entities in acquiring assistive technology;

(ii) skills-development training in assessing the need for assistive technology devices and assistive technology services;

(iii) training to ensure the appropriate application and use of assistive technology devices, assistive technology services, and accessible information and communication technology for e-government functions; and

(iv) training in the importance of multiple approaches to assessment and implementation necessary to meet the individual needs of individuals with disabilities and older individuals; and

(V) technical training on integrating assistive technology into the development and implementation of service plans, including any education, health, discharge, Olmstead, and assistive technology services, including—

(A) DEVICE REUTILIZATION PROGRAMS.—The State shall directly, or in collaboration with public or private entities, carry out assistive technology device reutilization programs engaged in the provision of assistive technology devices, such as—

(i) a loan guarantee or insurance program;

(ii) a revolving loan fund; or

(iii) a revolving loan guarantee program.

(B) DEVICE LOAN PROGRAMS.—The State shall directly, or in collaboration with public or private entities, carry out assistive technology device loan programs that provide short-term loans of assistive technology devices to individuals, employers, public agencies, or others seeking to meet the needs of individuals and entities, including others seeking to comply with the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794 et seq.), and

(C) LOAN GUARANTEE PROGRAMS.—The State shall directly, or in collaboration with public or private entities, establish such programs as the Secretary may determine to increase the availability of funds made available through the grant program to carry out the purposes of this Act, including—

(i) a low-interest loan fund;

(ii) an interest buy-down program;

(iii) a revolving loan fund; and

(iv) a loan guarantee or insurance program.

(7) STATE LEADERSHIP ACTIVITIES.—The State shall (directly or through the provision of support to public or private entities) develop and disseminate training materials, conduct training sessions, provide technical assistance, and provide technical assistance, to assist—

(i) students with disabilities, within the meaning of the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), that receive transition services; and

(ii) adults who are individuals with disabilities maintaining or transitioning to community living.

(8) PUBLIC-AWARENESS ACTIVITIES.—In general.—The State shall conduct public-awareness activities designed to provide information to targeted individuals, including older individuals and transition-age youth with disabilities, and entities relating to the availability, benefits, appropriateness, and costs of assistive technology devices and assistive technology services, including—

(i) the development of procedures for providing direct communication between providers of assistive technology and targeted individuals and entities, which may include partnerships with entities in the Statewide and local workforce development systems established under the Workforce Innovation and Opportunity Act (20 U.S.C. 3101 et seq.), and

(ii) COMPREHENSIVE INFORMATION.—The State shall directly, or through referrals, provide to individuals, to the extent practicable, information about opportunities provided by State and local assistive technology vendors, providers, and repair services.
the development and dissemination to targeted individuals, including older individuals and transition-age youth with disabilities, and entities, of information about State efforts related to assistive technology; and

the distribution of materials to appropriate public and private agencies that provide direct or indirect costs. The system shall also deliver information on the benefits of assistive technology devices and assistive technology services with respect to enhancing the capacity of individuals with disabilities of all ages to perform activities of daily living.

The State shall coordinate activities described in paragraph (2) and this paragraph, among public and private entities that are responsible for policies, procedures, or funding for the provision of assistive technology devices and assistive technology services to individuals with disabilities, service providers, and other persons. The system shall deliver information on the benefits of assistive technology devices and assistive technology services with respect to enhancing the capacity of individuals with disabilities of all ages to perform activities of daily living.

The State shall coordinate activities described in paragraph (2) and this paragraph, among public and private entities that are responsible for policies, procedures, or funding for the provision of assistive technology devices and assistive technology services to individuals with disabilities, service providers, and other persons. The system shall deliver information on the benefits of assistive technology devices and assistive technology services with respect to enhancing the capacity of individuals with disabilities of all ages to perform activities of daily living.

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The State shall coordinate activities described in paragraph (2) and this paragraph, among public and private entities that are responsible for policies, procedures, or funding for the provision of assistive technology devices and assistive technology services to individuals with disabilities, service providers, and other persons. The system shall deliver information on the benefits of assistive technology devices and assistive technology services with respect to enhancing the capacity of individuals with disabilities of all ages to perform activities of daily living.

The State shall coordinate activities described in paragraph (2) and this paragraph, among public and private entities that are responsible for policies, procedures, or funding for the provision of assistive technology devices and assistive technology services to individuals with disabilities, service providers, and other persons. The system shall deliver information on the benefits of assistive technology devices and assistive technology services with respect to enhancing the capacity of individuals with disabilities of all ages to perform activities of daily living.

The State shall coordinate activities described in paragraph (2) and this paragraph, among public and private entities that are responsible for policies, procedures, or funding for the provision of assistive technology devices and assistive technology services to individuals with disabilities, service providers, and other persons. The system shall deliver information on the benefits of assistive technology devices and assistive technology services with respect to enhancing the capacity of individuals with disabilities of all ages to perform activities of daily living.

The State shall coordinate activities described in paragraph (2) and this paragraph, among public and private entities that are responsible for policies, procedures, or funding for the provision of assistive technology devices and assistive technology services to individuals with disabilities, service providers, and other persons. The system shall deliver information on the benefits of assistive technology devices and assistive technology services with respect to enhancing the capacity of individuals with disabilities of all ages to perform activities of daily living.

The State shall coordinate activities described in paragraph (2) and this paragraph, among public and private entities that are responsible for policies, procedures, or funding for the provision of assistive technology devices and assistive technology services to individuals with disabilities, service providers, and other persons. The system shall deliver information on the benefits of assistive technology devices and assistive technology services with respect to enhancing the capacity of individuals with disabilities of all ages to perform activities of daily living.

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The State shall coordinate activities described in paragraph (2) and this paragraph, among public and private entities that are responsible for policies, procedures, or funding for the provision of assistive technology devices and assistive technology services to individuals with disabilities, service providers, and other persons. The system shall deliver information on the benefits of assistive technology devices and assistive technology services with respect to enhancing the capacity of individuals with disabilities of all ages to perform activities of daily living.

The State shall coordinate activities described in paragraph (2) and this paragraph, among public and private entities that are responsible for policies, procedures, or funding for the provision of assistive technology devices and assistive technology services to individuals with disabilities, service providers, and other persons. The system shall deliver information on the benefits of assistive technology devices and assistive technology services with respect to enhancing the capacity of individuals with disabilities of all ages to perform activities of daily living.
amount of a grant to a protection and advocacy system under section (f)(2)(B), in order to—

(A) experience and expertise in administering all of the activities described in such subsection; and
(B) only be used to improve the awareness of individuals about the accessibility of assistive technology and assist such individuals in the acquisition, utilization, or maintenance of assistive technology devices or assistive technology services.

‘‘(e) REPORT TO SECRETARY.—An entity that receives a grant under this section shall annually prepare and submit to the Secretary a report that contains such information as the Secretary may require, including documentation of the progress of the entity in—

(1) conducting consumer-responsive activities, including activities that will lead to increased access for individuals with disabilities, to funding for assistive technology devices and assistive technology services;
(2) engaging in informal advocacy to assist in securing assistive technology devices and assistive technology services for individuals with disabilities;
(3) engaging in formal representation for individuals with disabilities to secure systems to protect and advocate for individuals with disabilities;
(4) implementing strategies to enhance the long-term abilities of individuals with disabilities and their family members, guardians, advocates, and authorized representatives to advocate the provision of assistive technology devices and assistive technology services to which the individuals with disabilities are entitled under law other than this Act;
(5) coordinating activities with protection and advocacy services funded through other assistance programs that impact the coordination and implementation of assistive technology devices and services; and
(6) developing and implementing strategies to improve the accessibility of assistive technology and assist such individuals in the acquisition, utilization, or maintenance of assistive technology devices or assistive technology services.

‘‘(f) REPORTS AND UPDATES TO STATE AGENCIES.—An entity that receives a grant under this section shall prepare and submit to the lead agency of the State designated under section 4(c)(1) the report described in subsection (e) and quarterly updates concerning the activities described in such subsection.

‘‘(g) COORDINATION.—On making a grant under this section to an entity in a State, the Secretary shall solicit and consider the opinions of the lead agency of the State with respect to efforts at coordination of activities, collaboration with such individuals in the acquisition, utilization, or maintenance of assistive technology devices and assistive technology services.

‘‘SEC. 6. TECHNICAL ASSISTANCE AND DATA COLLECTION.

‘‘(a) DEFINITIONS.—In this section:

‘‘(1) QUALIFIED DATA COLLECTION AND REPORTING ENTITY.—The term ‘qualified data collection and reporting entity’ means an entity with demonstrated experience in data collection and reporting as described in section 4(f)(2)(B), in order to—

(A) provide recipients of grants under this Act with training and technical assistance; and
(B) assist such recipients with data collection and data requirements.

‘‘(2) QUALIFIED PROTECTION AND ADVOCACY SYSTEM TECHNICAL ASSISTANCE PROVIDER.—The term ‘qualified protection and advocacy system technical assistance provider’ means an entity that has experience in—

(A) working with protection and advocacy systems established in accordance with section 15043 of title 20, Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15043); and
(B) providing technical assistance to protection and advocacy systems.

‘‘(3) QUALIFIED TRAINING AND TECHNICAL ASSISTANCE PROVIDER.—The term ‘qualified training and technical assistance provider’ means an entity with demonstrated expertise in assistive technology and that has (directly or through grant or contract) provided otherwise for payment of the grant amount.

‘‘(4) CARRYOVER: PROGRAM INCOME.—

‘‘(1) CARRYOVER.—Any amount paid to an eligible system under this section that remains unobligated at the end of such fiscal year shall remain available to such system for obligation during the subsequent fiscal year.

‘‘(2) PROGRAM INCOME.—Program income generated from any amount paid to an eligible system for a fiscal year shall—

(A) only be used to carry over the eligible system until expended and be considered an addition to the grant amount;
(B) only be used to improve the awareness of individuals about the accessibility of assistive technology and assist such individuals in the acquisition, utilization, or maintenance of assistive technology devices or assistive technology services.

‘‘(d) REPORT TO SECRETARY.—An entity that receives a grant under this section shall annually prepare and submit to the Secretary a report that contains such information as the Secretary may require, including documentation of the progress of the entity in—

(1) conducting consumer-responsive activities, including activities that will lead to increased access for individuals with disabilities, to funding for assistive technology devices and assistive technology services;
(2) engaging in informal advocacy to assist in securing assistive technology devices and assistive technology services for individuals with disabilities;
(3) engaging in formal representation for individuals with disabilities to secure systems to protect and advocate for individuals with disabilities;
(4) implementing strategies to enhance the long-term abilities of individuals with disabilities and their family members, guardians, advocates, and authorized representatives to advocate the provision of assistive technology devices and assistive technology services to which the individuals with disabilities are entitled under law other than this Act;
(5) coordinating activities with protection and advocacy services funded through other assistance programs that impact the coordination and implementation of assistive technology devices and services; and
(6) developing and implementing strategies to improve the accessibility of assistive technology and assist such individuals in the acquisition, utilization, or maintenance of assistive technology devices or assistive technology services.

‘‘(f) REPORTS AND UPDATES TO STATE AGENCIES.—An entity that receives a grant under this section shall prepare and submit to the lead agency of the State designated under section 4(c)(1) the report described in subsection (e) and quarterly updates concerning the activities described in such subsection.

‘‘(g) COORDINATION.—On making a grant under this section to an entity in a State, the Secretary shall solicit and consider the opinions of the lead agency of the State with respect to efforts at coordination of activities, collaboration with such individuals in the acquisition, utilization, or maintenance of assistive technology devices and assistive technology services.

‘‘(A) individuals with disabilities who use assistive technology and understand the barriers to the acquisition of such technology and assistive technology services;
(B) family members, guardians, advocates, and authorized representatives of such individuals;
(C) relevant employees from Federal departments and agencies, other than the Department of Health and Human Services;
(D) representatives of businesses; and
(E) vendors and public and private researchers and developers.

‘‘(d) AUTHORIZED ACTIVITIES.—

‘‘(1) USE OF FUNDS FOR ASSISTIVE TECHNOLOGY TRAINING AND TECHNICAL ASSISTANCE.—

‘‘(A) TRAINING AND TECHNICAL ASSISTANCE EFFORTS.—A qualified training and technical assistance provider or qualified protection and advocacy system technical assistance provider receiving a grant, contract, or cooperative agreement under subsection (b)(1) shall—

(1) support a training and technical assistance program for States or protection and advocacy systems receiving grants under section 4 or 5, respectively, that—
(A) 1 grant, contract, or cooperative agreement to a qualified protection and advocacy system technical assistance provider, to enable the eligible protection and advocacy system to carry out the activities described in subsection (d)(1) for protection and advocacy systems receiving grants under section 5.

‘‘(B) 1 grant, contract, or cooperative agreement to a qualified protection and advocacy system technical assistance provider, to enable the eligible protection and advocacy system to carry out the activities described in subsection (d)(2) for States receiving grants under section 4; and

‘‘(C) 1 grant, contract, or cooperative agreement to a qualified protection and advocacy system technical assistance provider, to enable the eligible protection and advocacy system to carry out the activities described in subsection (d)(3) for other recipients of grants under this Act, if such recipients are funded under this Act and public entities not funded under this Act, in such manner, and containing such information as the Secretary may require.

‘‘(2) INPUT.—In awarding grants, contracts, or cooperative agreements under this section and in reviewing the activities proposed under the applications described in paragraph (1), the Secretary shall consider the amount of the recipient’s activities under sections 4 and 5 and other individuals the Secretary determines to be appropriate, especially—

(A) individuals with disabilities who use assistive technology and understand the barriers to the acquisition of such technology and assistive technology services;
(B) family members, guardians, advocates, and authorized representatives of such individuals;
(C) relevant employees from Federal departments and agencies, other than the Department of Health and Human Services;
(D) representatives of businesses; and
(E) vendors and public and private researchers and developers.

‘‘(3) QUALIFIED TRAINING AND TECHNICAL ASSISTANCE PROVIDER.—The term ‘qualified training and technical assistance provider’ means an entity with demonstrated expertise in assistive technology and that has (directly or through grant or contract) provided otherwise for payment of the grant amount.

‘‘(4) CARRYOVER: PROGRAM INCOME.—

(A) CARRYOVER.—Any amount paid to an eligible system under this section that remains unobligated at the end of such fiscal year shall remain available to such system for obligation during the subsequent fiscal year.

(B) PROGRAM INCOME.—Program income generated from any amount paid to an eligible system for a fiscal year shall—

(A) only be used to carry over the eligible system until expended and be considered an addition to the grant amount;
(B) only be used to improve the awareness of individuals about the accessibility of assistive technology and assist such individuals in the acquisition, utilization, or maintenance of assistive technology devices or assistive technology services.

‘‘(e) REPORT TO SECRETARY.—An entity that receives a grant under this section shall annually prepare and submit to the Secretary a report that contains such information as the Secretary may require, including documentation of the progress of the entity in—

(1) conducting consumer-responsive activities, including activities that will lead to increased access for individuals with disabilities, to funding for assistive technology devices and assistive technology services;
(2) engaging in informal advocacy to assist in securing assistive technology devices and assistive technology services for individuals with disabilities;
(3) engaging in formal representation for individuals with disabilities to secure systems to protect and advocate for individuals with disabilities;
(4) implementing strategies to enhance the long-term abilities of individuals with disabilities and their family members, guardians, advocates, and authorized representatives to advocate the provi-
organizational structures, that facilitate, and overcome barriers to, funding for, and access to, assistive technology devices and assistive technology services;

"(II) making information on effective approaches to developing, implementing, evaluating, and sustaining activities described in section 4 or 5, as the case may be, and reviewing the findings of such approaches, to assistive technology devices and assistive technology services for individuals with disabilities; and

"(IV) requests for information on effective approaches to the development of computer-controlled systems that increase access to, funding for, and awareness of, assistive technology devices and assistive technology services; and

"(VI) other requests for training and technical assistance from entities funded under this Act;

"(a) annually providing a forum for exchanging information concerning, and promoting program and policy improvements in, required activities of the State assistive technology programs;

"(b) facilitating onsite and electronic information sharing using state-of-the-art Internet technologies such as real-time online bulletin boards, video conferencing, teleconferences, and web-based audio or video broadcasts, on emerging topics that affect State assistive technology programs;

"(c) providing technical assistance provider, including including a qualified training and technical assistance provider, a qualified data collection and reporting entity or a qualified protection and advocacy system technical assistance provider.

"(2) COLLABORATION.—The Administrator shall be responsible for the administration of this Act.

"(3) PREFERENCE.—For each grant award the Secretary may require.

"(4) MINIMUM FUNDING LEVEL REQUIRED.—The Secretary may only award grants, contracts, or cooperative agreements under this section if the amount made available under section 9 to carry out sections 4, 5, and 6 is equal to or greater than $49,000,000.

"SEC. 8. ADMINISTRATIVE PROVISIONS.

"(a) GENERAL ADMINISTRATION.—

"(1) IN GENERAL.—Notwithstanding any other provision of law, the Administrator for Community Living shall be responsible for the administration of this Act.

"(2) COLLABORATION.—The Administrator of the Department of Education, the Rehabilitation Services Administration, the Administration on Developmental Disabilities, the Administration for Community Living, the Administration on Independent Living, and the Administration on Aging shall be responsible for the administration of this Act.

"(3) ADMINISTRATION.—

"SEC. 9. PROJECTS AUTHORIZED.

"(1) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to a public or private nonprofit entity funded under section 9(c) to carry out this section for a fiscal year, the Secretary may award, on a competitive basis, grants, contracts, and cooperative agreements to public or private nonprofit entities to enable the entities to carry out projects of national significance.

"(2) PREFERENCE.—For each grant award under this section, the Secretary may give preference to a public or private nonprofit entity described in section 9(c) to carry out this section for a fiscal year.

"(3) MINIMUM FUNDING LEVEL REQUIRED.—The Secretary may only award grants, contracts, or cooperative agreements under this section if the amount made available under section 9 to carry out sections 4, 5, and 6 is equal to or greater than $49,000,000.
“(A) In General.—In administering this Act, the Administrator of the Administration for Community Living shall ensure that programs funded under this Act will address—

(1) the needs of individuals with all types of disabilities and across the lifespan; and

(2) the use of assistive technology in all potential programs, including employment, education, and community living, or for other reasons.

(B) Funding Limitations.—For each fiscal year, more than 5% of the total funding appropriated for this Act shall be used by the Administrator of the Administration for Community Living to support the administration of this Act.

(‘‘b’’ Review of Participating Entities.—

(1) In General.—The Secretary shall assess the performance of each entity that receives grants under this Act and make any adjustments necessary based on the applicable requirements of this Act and achieving measurable goals that are consistent with the requirements of the grant programs under which the entities received the grants.

(2) Provision of Information.—To assist the Secretary in carrying out the responsibilities of the Secretary under this section, the Secretary may require States to provide relevant information, including the information required under subsection (d).

(c) Corrective Action and Sanctions.—

(1) Corrective Action.—If the Secretary determines that an entity that receives a grant under this Act fails to substantially comply with the applicable requirements of this Act, or to make substantial progress toward achieving the measurable goals described in subsection (b)(1) with respect to the grant program, the Secretary shall assist the entity, through technical assistance funded under this Act, to develop a corrective action plan.

(2) Sanctions.—If the entity fails to develop and comply with a corrective action plan described in paragraph (1) during a fiscal year, the entity shall be subject to 1 of the following corrective actions selected by the Secretary:

(A) Partial or complete termination of funding under the grant program, until the entity develops and complies with such a plan.

(B) Ineligibility to participate in the grant program in the following year.

(C) Reduction in the amount of funding that may be used to pay indirect costs under subsection (f) for the following year.

(D) Required redesignation of the lead agency designated under section 4(c)(1) or an entity responsible for administering the grant program.

(E) Appraisals Procedures.—The Secretary shall establish procedures for appraisals that are determined to be in noncompliance with the applicable requirements of this Act, or have not made substantial progress toward achieving the measurable goals described in subsection (b)(1).

(4) Secretarial Action.—As part of the annual report required under subsection (d), the Secretary shall describe each such action taken under paragraph (1) or (2) and the outcomes of such action.

(5) Public Notification.—The Secretary shall notify the public, by notice on the Internet website of the Department of Health and Human Services, of each action taken by the Secretary under paragraph (1) or (2). As a part of the notification, the Secretary shall describe each such action taken under paragraph (1) or (2) and the outcomes of each such action.

(6) Final Report to Congress.—

(1) In General.—Not later than December 31 of each year, the Secretary shall prepare, and submit to the President and to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and Labor of the House of Representatives a report on the activities funded under this Act to improve the access of assistive technology devices and assistive technology services to individuals with disabilities.

(2) Contents.—Such report shall include—

(A) a compilation and summary of the information reported in reports submitted under section 4(f); and

(B) a summary of the State applications described in paragraph (4) of the Secretary’s analysis of the progress of the States in meeting the measurable goals established in State applications under section 4(d)(3)(C).

(7) Limit on Projects of National Significance.—In any fiscal year in which the amount made available under subsection (a) exceeds $49,000,000, the Secretary may reserve an amount which shall not exceed the lesser of the excess amount made available or $20,000,000, for section 7 before carrying out subsection (b).”.

SEC. 6053. EFFECTIVE DATE.

This subtitle, and the amendments made by this subtitle, shall take effect on the day which is 6 months after the date of enactment of this Act.

TITLE LXI—CIVILIAN PERSONNEL MATTERS

SEC. 6101. CIVILIAN CYBERSECURITY RESERVE PILOT PROJECT AT THE CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY.

(a) Definitions.—In this section:

(1) AGENCY.—The term ‘‘Agency’’ means the Cybersecurity and Infrastructure Security Agency.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘‘appropriate congressional committees’’ means—

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

(B) the Committee on Appropriations of the Senate.

(3) CIVILIAN CYBERSECURITY RESERVE.—The term ‘‘Civilian Cybersecurity Reserve’’ means the Civilian Cybersecurity Reserve at the Agency established under subsection (b).

(4) COMPETITIVE SERVICE.—The term ‘‘competitive service’’ has the meaning given in section 2102 of title 5, United States Code.

(b) PILOT PROJECT.—The term ‘‘pilot project’’ means the pilot project established by subsection (b).

(c) SIGNIFICANT INCIDENT.—The term ‘‘significant incident’’ means—

(A) an incident or a group of related incidents that results, or is likely to result, in demonstrable harm to the national security interests, foreign relations, or economy of the United States; or

(B) the public confidence, civil liberties, or public health and safety of the people of the United States; and

(d) DIRECTOR.—The term ‘‘Director’’ means the Director of the Agency.

(e) EXCEPTED SERVICE.—The term ‘‘excepted service’’ has the meaning given in section 2102 of title 5, United States Code.

(f) PILOT PROJECT.—The term ‘‘pilot project’’ means the pilot project established by subsection (b).

(1) IN GENERAL.—Not later than December 31 of each fiscal year, as determined under section 3532 of title 44, United States Code; or

(2) SANCTIONS.—If the Secretary fails to describe each such action taken under paragraph (1)—

(A) use 85.5 percent of such amounts to carry out section 5; and

(B) use 14.5 percent of such amounts to carry out section 5.

(3) RESERVATIONS AND DISTRIBUTION OF FUNDS.—

SEC. 6102. APPROPRIATIONS FOR THE FISCAL YEAR 2023.

(1) IN GENERAL.—There are authorized to be appropriated to carry out this Act—

(A) $50,000,000 for fiscal year 2023; and

(B) such sums as may be necessary for each of fiscal years 2024 through 2027.

(2) OF THE AMOUNTS REMAINING AFTER THE RESERVATION UNDER PARAGRAPH (1) —

(A) reserve an amount equal to 3 percent of such available funds to carry out section 6(b)(1) and section 6(b)(2); and

(B) of the amounts remaining after the reservation under paragraph (1) —

(A) use 85.5 percent of such amounts to carry out section 4; and

(B) use 14.5 percent of such amounts to carry out section 5.

(3) FORM OF THE REPORT.—Such report shall in—

(A) CONFERENCE REPORT.—In the case of a conference report on a joint resolution—

(B) MESSAGE FROM THE PRESIDENT.—In the case of a joint resolution—

(C) CONSTRUCTIVE.—Nothing in this section shall be construed to affect the enforcement authority of any Federal agency to reduce medical or human services, or any other assistance, or to alter eligibility for a benefit or service, under any other Federal law.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS; RESERVATIONS AND DISTRIBUTION OF FUNDS.

(a) In General.—There are authorized to be appropriated to carry out this Act—

(1) $50,000,000 for fiscal year 2023; and

(2) such sums as may be necessary for each of fiscal years 2024 through 2027.

(b) Reservations and Distribution of Funds.—Of the funds made available under subsection (a) to carry out this Act and subject to subsection (c), the Secretary shall—

(1) reserve an amount equal to 3 percent of such available funds to carry out subsection (b)(1) and subsection (b)(2); and

(2) of the amounts remaining after the reservation under paragraph (1) —

(A) use 85.5 percent of such amounts to carry out section 4; and

(B) use 14.5 percent of such amounts to carry out section 5.

(c) LIMIT FOR PROJECTS OF NATIONAL SIGNIFICANCE.—In any fiscal year for which the amount made available under subsection (a) exceeds $49,000,000 the Secretary may reserve an amount which shall not exceed the lesser of the excess amount made available or $20,000,000, for section 7 before carrying out subsection (b).”.

SEC. 6053. EFFECTIVE DATE.

This subtitle, and the amendments made by this subtitle, shall take effect on the day which is 6 months after the date of enactment of this Act.
(A) IN GENERAL.—The Director shall ensure that all members of the Civilian Cybersecurity Reserve undergo the appropriate personnel vetting and adjudication commenced with the director of the pilot project, including a determination of eligibility for access to classified information where a security clearance is necessary, according to applicable policy and authorities.

(5) ADDITIONAL EMPLOYEES.—Individuals appointed under paragraph (3) shall be in addition to any employees of the Agency who provide personnel vetting and adjudication services.

(6) EMPLOYMENT PROTECTIONS.—The Secretary of Labor shall prescribe such regulations as necessary to ensure the reemployment, reutilization of benefits, and non-discrimination in reemployment of individuals appointed under paragraph (3), provided that such individual shall include, at a minimum, those rights and obligations set forth under chapter 43 of title 38, United States Code.

(7) STATUS IN RESERVE.—During the period beginning on the date on which an individual is recruited by the Agency to serve in the Civilian Cybersecurity Reserve and ending on the date on which the individual is appointed under paragraph (3), and during any period in between any such appointments, the individual shall not be considered a Federal employee.

(8) ELIGIBILITY; APPLICATION AND SELECTION.—

(A) IN GENERAL.—The Director shall establish criteria for—

(i) individuals to be eligible for the Civilian Cybersecurity Reserve; and

(ii) the application and selection processes for the Civilian Cybersecurity Reserve.

(B) REQUIREMENTS FOR INDIVIDUALS.—The criteria established under subparagraph (A)(i) with respect to an individual shall include—

(i) previous employment;

(ii) by the executive branch;

(iii) cybersecurity expertise;

(iv) a Federal contractor within the executive branch; or

(v) by a State, local, Tribal, or territorial government;

(ii) 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

(iii) pilot project expertise.

(C) PRESCREENING.—The Director shall—

(i) conduct a prescreening of each individual under paragraph (3) for any topic or product that would create a conflict of interest; and

(ii) require each individual appointed under paragraph (3) to notify the Director if a potential conflict of interest arises during the appointment.

(D) AGREEMENT REQUIRED.—An individual may become a member of the Civilian Cybersecurity Reserve only if the individual enters into an agreement with the Director to become such a member, which shall set forth the rights and obligations of the individual and the Agency.

(E) EXCEPTION FOR CONTINUING MILITARY SERVICE COMMITMENTS.—A member of the Selected Reserve under section 30143 of title 10, United States Code, may not be a member of the Civilian Cybersecurity Reserve.

(F) PRIORITY.—In appointing individuals to the Civilian Cybersecurity Reserve, the Agency shall prioritize the appointment of individuals described in clause (i) or (ii) of subparagraph (B)(i) before considering individuals described in clause (iii) or (iv) of subparagraph (B)(i).

(G) PROHIBITION.—Any individual who is an employee of the executive branch may not be recruited to serve in the Civilian Cybersecurity Reserve.

(9) SECURITY CLEARANCES.—

(A) IN GENERAL.—The Agency shall be responsible for the cost of sponsoring the security clearance of the individual.

(B) COST OF SPONSORING CLEARANCES.—If a member of the Civilian Cybersecurity Reserve requires a security clearance in order to carry out the duties of that member, the Agency shall be responsible for the cost of sponsoring the security clearance of the member.

(10) STUDY AND IMPLEMENTATION PLAN.—

(A) STUDY.—Not later than 60 days after the date of the enactment of this Act, the Director shall prepare a study on the design and implementation of the pilot project, including—

(i) compensation and benefits for members of the Civilian Cybersecurity Reserve;

(ii) activities that members may undertake as part of their duties;

(iii) methods for identifying and recruiting members, including methods for identifying and recruiting qualified individuals;

(iv) resources, including additional funding, needed to carry out the pilot project;

(v) 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

(vi) processes and requirements for training and onboarding members.

(B) IMPLEMENTATION PLAN.—Not later than one year after beginning the study required under subparagraph (A), the Director shall—

(i) submit to the appropriate congressional committees an implementation plan for the pilot project; and

(ii) provide to the appropriate congressional committees a briefing on the implementation plan.

(C) PROHIBITION.—The Director may not take any action to begin implementation of the pilot project under this section if the Director does not fulfill the requirements under subparagraph (B).

(D) PROJECT GUIDELINES.—If the Director establishes the Civilian Cybersecurity Reserve not later than two years after the date of the enactment of this Act, the Director shall, in consultation with the Office of Personnel Management and the Office of Management and Budget, establish guidelines for the pilot project.

(E) IMPLEMENTATION.—Not later than one year after the date on which the pilot project begins, the Director shall—

(i) provide the appropriate congressional committees with information on the pilot project and the effectiveness of mitigation efforts to address any conflict of interest concerns; and

(ii) make an evaluation of the eligibility requirements for the pilot project.

(F) REPORT.—Not earlier than 180 days and not later than 90 days before the date on which the pilot project begins, the Director shall submit to the appropriate congressional committees a report and provide a briefing on recommendations relating to the pilot project, including recommendations for—

(i) 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; and

(ii) an evaluation of the eligibility requirements for the pilot project.

(G) PROHIBITION.—Any individual who is an employee of the executive branch may not be recruited to serve in the Civilian Cybersecurity Reserve.

(H) ETHICS.—If the Director determines that the previous appointment as a member of the Civilian Cybersecurity Reserve; and

(I) ethical requirements of the pilot project and the effectiveness of mitigation efforts to address any conflict of interest concerns; and

(J) an evaluation of the eligibility requirements for the pilot project.

(13) EVALUATION.—Not later than three years after the Civilian Cybersecurity Reserve is established under subsection (b), the Comptroller General of the United States shall—

(A) conduct a study evaluating the pilot project; and

(B) submit to Congress—

(i) a report on the results of the study; and

(ii) a recommendation with respect to whether the pilot project should be modified, extended in duration, or established as a permanent program.

(d) SUNSET.—The pilot project required under subsection (b) shall terminate on the date that is four years after the date on which the pilot project is established.

(e) 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 Agency.

TITLE LXII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Assistance and Training

SEC. 6291. SECURITY COOPERATION ACTIVITIES AT COUNTER-UAS TRAINING ACADEMY.

(a) SENSE OF CONGRESS.—Congress—

(1) supports the Department of Defense's decision to establish the Counter-UAS Training Academy at Fort Sill, Oklahoma (in this section referred to as the "C-UAS Academy");

(2) believes that the C-UAS Academy will play an important role in synchronizing training on counter-drone tactics across the military services;

(3) recognizes the important role of the C-UAS Academy in the military education and training of foreign partners on counter-unmanned aircraft systems operations; and

(4) encourages the Department of Defense to utilize the C-UAS Academy to expand such efforts.

(b) BRIEFING ON SECURITY COOPERATION EFFORTS.—Not later than 90 days 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 how the Department of Defense intends to bolster security cooperation activities with allies and partners at the C-UAS Academy, including an identification of potential mortal shortfalls in recruiting or gaps in authorities that could inhibit these security cooperation efforts.
SEC. 6202. UNITED STATES – ISRAEL ARTIFICIAL INTELLIGENCE CENTER.

(a) Short Title.—This section may be cited as "the United States–Israel Artificial Intelligence Center Act".

(b) Defined Term.—The term "foreign country of concern" means the People’s Republic of China, the Democratic People’s Republic of Korea, the Russian Federation, the Islamic Republic of Iran, and any other country that the Secretary of State determines to be a country of concern.

(c) Establishment of Center.—The Secretary of State, in consultation with the Secretary of Defense and the National Science Foundation, and the heads of other relevant Federal agencies, shall establish the United States–Israel Artificial Intelligence Center (referred to in this section as the "Center") in the United States.

(d) Purpose.—The purpose of the Center shall be to leverage the experience, knowledge, and expertise of institutions of higher education and private sector entities in the United States and the State of Israel (referred to in this section as "Israel") to develop more robust research and development cooperation in the areas of—

(1) machine learning;
(2) computer vision;
(3) object detection;
(4) speech recognition;
(5) natural language processing;
(6) computer audition; and
(7) computer vision; and
(8) model explainability and interpretability.

(e) Artificial Intelligence Principles.—In carrying out the purpose described in subsection (d), the Center shall adhere to the principles set forth in paragraph (1).

(f) International Partnerships.—

(1) In general.—The Secretary of State and the heads of other relevant Federal agencies, subject to the availability of appropriations, may enter into agreements supporting and enhancing dialogue and planning involving international partnerships between the Department of State or other agencies and the Government of Israel and its ministries, offices, and institutions.

(2) Federal share.—Not more than 50 percent of the costs of implementing the agreements entered into pursuant to paragraph (1) may be paid by the United States Government.

(g) Limitations.—The Center is prohibited from receiving any investment from or contracting with—

(1) any individual or entity with ties to any entity affiliated (officially or unofficially) with the Chinese Communist Party, the People’s Liberation Army, or the government of a foreign country of concern;
(2) any entity that is controlled or affiliated with the Chinese Communist Party or the People’s Republic of China, or in which the government of a foreign country of concern has ownership interest or
(3) any entity on the Entity List that is maintained by the Bureau of Industry and Security of the Department of Commerce and set forth in Supplement No. 4 to part 744 of title 15, Code of Federal Regulations.

(h) Counterintelligence Screening.—Not later than 180 days after the date of enactment of this Act, and not later than each December 31 thereafter, Director of National Intelligence, in collaboration with the Director of the National Counterintelligence and Security Center and the Director of the Federal Bureau of Investigation, shall—

(1) assess—

(2) whether the Center or its participating institutions pose a counterintelligence threat to the United States;

(3) what specific measures the Center has implemented to ensure that intellectual property developed with the assistance of the Center has sufficient protections in place to preclude misappropriation of United States intellectual property, research and development, and innovation efforts; and

(4) other threats from a foreign country of concern and cooperate in the areas of—

(1) the treatment and rehabilitation of severely injured U.S. military personnel or veterans that is of paramount importance to the United States and Ukraine as Ukraine continues to valiantly repulse an unprovoked invasion of its sovereignty by Russia; and

(2) the Senate applauds efforts by the Secretary of Defense to provide treatment in medical facilities of the United States Armed Forces through the Secretarial Designee Program; and

(3) the Senate encourages the Secretary to continue working with defense officials of Ukraine, and other governmental and private sources, to fund transportation, lodging, meals, caretakers, and any other nonmedical expenses necessary in connection with treatment for severely wounded Ukrainian soldiers.

(b) Briefing.—

(1) In General.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall assess, and provide a briefing to the Committees on Armed Services of the Senate and the House of Representatives regarding the appropriate role for the Extremity Trauma and Amputation Center of Excellence or the National Intrepid Center of Excellence of the Department of Defense in helping the Government of Ukraine to mitigate, treat, and rehabilitate traumatic extremity injuries and traumatic brain injuries sustained in Ukraine.

(2) Elements.—The briefing required by paragraph (1) shall include the following:

(A) An assessment of the extent to which the Extremity Trauma and Amputation Center of Excellence and the National Intrepid Center of Excellence of the Department of Defense can facilitate relevant scientific research and training in helping the Government of Ukraine to mitigate, treat, and rehabilitate traumatic extremity injuries and traumatic brain injuries sustained in Ukraine.

(B) An identification of specific activities such Centers could feasibly undertake to improve and enhance the efforts of the Government of Ukraine in the mitigation, treatment, and rehabilitation of traumatic extremity injuries and traumatic brain injuries.

(C) A determination whether there are other government agencies, institutions of higher education, or public or private entities, including international entities, with which such Centers could partner for the purpose of supporting the Government of Ukraine in such efforts.

SEC. 6231. BRIEFING ON SUPPORTING GOVERNMENT OF UKRAINE TO MITIGATE, TREAT, AND REHABILITATE TRAUMATIC EXTREMITY INJURIES AND TRAUMATIC BRAIN INJURIES OF UKRAINIAN SOLDIERS.

(a) Sense of the Senate.—It is the sense of the Senate that—

(1) the treatment and rehabilitation of severely injured members of the United States Armed Forces is of paramount importance to the United States and Ukraine as Ukraine continues to valiantly repulse an unprovoked invasion of its sovereignty by Russia;

(2) the Senate applauds efforts by the Secretary of Defense to provide treatment in medical facilities of the United States Armed Forces through the Secretarial Designee Program; and

(3) the Senate encourages the Secretary to continue working with defense officials of Ukraine, and other governmental and private sources, to fund transportation, lodging, meals, caretakers, and any other nonmedical expenses necessary in connection with treatment for severely wounded Ukrainian soldiers.

(b) Briefing.—

(1) In General.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall assess, and provide a briefing to the Committees on Armed Services of the Senate and the House of Representatives regarding the appropriate role for the Extremity Trauma and Amputation Center of Excellence or the National Intrepid Center of Excellence of the Department of Defense in helping the Government of Ukraine to mitigate, treat, and rehabilitate traumatic extremity injuries and traumatic brain injuries sustained in Ukraine.

(2) Elements.—The briefing required by paragraph (1) shall include the following:

(A) An assessment of the extent to which the Extremity Trauma and Amputation Center of Excellence and the National Intrepid Center of Excellence of the Department of Defense can facilitate relevant scientific research and training in helping the Government of Ukraine to mitigate, treat, and rehabilitate traumatic extremity injuries and traumatic brain injuries sustained in Ukraine.

(B) An identification of specific activities such Centers could feasibly undertake to improve and enhance the efforts of the Government of Ukraine in the mitigation, treatment, and rehabilitation of traumatic extremity injuries and traumatic brain injuries.

(C) A determination whether there are other government agencies, institutions of higher education, or public or private entities, including international entities, with which such Centers could partner for the purpose of supporting the Government of Ukraine in such efforts.

SEC. 6232. PROHIBITION AGAINST UNITED STATES RECOGNITION OF THE RUSSIAN FEDERATION’S CLAIM OF SOVEREIGNTY OVER ANY PORTION OF UKRAINE.

(a) Statement of Policy.—It is the policy of the United States to recognize that the Russian Federation’s claim of sovereignty over any portion of the internationally-recognized territory of Ukraine, including its airspace and its territorial waters.

(b) Prohibition.—In accordance with subsection (a), no Federal department or agency may recognize the Russian Federation’s claim of sovereignty over any portion of the internationally-recognized territory of Ukraine, including its airspace and its territorial waters.

SEC. 6233. TEMPORARY AUTHORIZATIONS RELATED TO UKRAINE AND OTHER MATTERS.

(a) Temporary Authorizations for Covered Agreements Related to Ukraine.—

(1) Covered Agreement Defined.—In this subsection, the term "covered agreement" includes a contract, subcontract, transaction, or modification of a contract, subcontract, or transaction awarded by the Department of Defense—

(A) to build the stocks of critical munitions of the Department;

(B) to provide materiel and related services to foreign allies and partners that have provided support to the Government of Ukraine; and

(C) to provide materiel and related services to the Government of Ukraine.

(2) Public Interest.—

(A) In General.—A covered agreement may be presumed to be in the public interest for purposes of meeting the requirements of subsection (a)(7) of section 3304 of title 10, United States Code.

(B) Procedures.—Notwithstanding the requirements of subsection (a)(7) of section 3304 of title 10, United States Code, with respect to a covered agreement—

(1) the Secretary of Defense may delegate the authority under that subsection to an officer or employee who—

(I) in the case of an officer or employee who is a member of the Armed Forces, is serving in a grade at or above brigadier general (non-commissioned officer) or admiral (lower half); and

(II) in the case of a civilian officer or employee, is serving in a position with a grade under the General Schedule (or any other schedule for civilian employees) that is comparable to or higher than the grade of brigadier general or rear admiral (lower half); and

(2) is not later than 7 days before using the procedures under section 3304 of title 10, United States Code, the Secretary, or a designee of the Secretary, shall submit to the congressional defense committees a written notification of the use of such procedures.

(C) Documentation.—Consistent with paragraph (4)(C) of section 3304 of title 10, United States Code, the documentation otherwise required by paragraph (1) of such subsection is not required in the case of a covered agreement permitted by subsection (a)(7) of such section.

(3) Procurement Authorities.—The special emergency procurement authorities provided under subsections (b) and (c) of section 3304 of title 10, United States Code, may be used by the Department of Defense for a covered agreement.

(4) Contract Financing.—The Secretary may waive the provisions of subsections (a) and (c) of section 3372 of title 10, United States Code, for a covered agreement.

(F) Technical Data, Information, and Calibration Cannon.—The requirements of section 7542 of title 10, United States Code, do
not apply to the transfer of technical data to an international partner for the production of large-caliber cannons produced for—

(A) the replacement of defense articles from outside the Department of Defense provided to the Government of Ukraine or to foreign countries that have provided support to Ukraine at the request of the United States;

(B) contracts awarded by the Department of Defense to provide materiel directly to the Government of Ukraine.

(6) Temporary exemption from certified cost and pricing data requirements.—

(A) In General.—The requirements under section 702 of title 10, United States Code, shall not apply to a covered agreement awarded on a Fixed Price Incentive Firm Target basis, where target price equals ceiling price, and the Government Underrun Share ratio is 100 percent with a cap for profit of 15 percent of target cost.

(B) Use of exemption.—The following shall apply to an exemption under subparagraph (A):

(i) Awarded profit dollars shall be fixed, but the contractor may ultimately realize a profit rate of higher than 15 percent in relation to the fixed price contract cost.

(ii) The prices negotiated by the Federal Government shall not exceed the most recent negotiated prices for the same items while using appropriate adjustments, including those for quantity differences or relevant, applicable economic indices.

(C) Application.—An exemption under subparagraph (A) shall apply to subcontracts under prime contracts that are exempt under this paragraph.

(7) Termination of temporary authorizations.—The provisions of this subsection shall terminate on September 30, 2024.

(b) Modification of Cooperative Logistic Support Agreements: NATO Countries.—Section 256A of title 10, United States Code, is amended—

(A) in the section heading, by striking ‘‘logistic support’’ and inserting ‘‘acquisition and logistics support’’;

(B) in subsection (a)—

(i) in the matter preceding paragraph (1), by striking ‘‘logistic support’’ and inserting ‘‘acquisition and logistics support’’;

(ii) by striking ‘‘supply and acquisition are achievable’’ and inserting ‘‘acquisition and logistics support’’;

(C) in subsection (b)—

(i) in the matter preceding paragraph (1), by striking ‘‘logistics support’’ and in...

SEC. 6234. Prohibition on availability of funds relating to Sovereignty of the Russian Federation over Sovereign Ukrainian Territory.

(a) In General.—Section 1234 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 174) is amended—

(1) in the section heading, by striking ‘‘CRIE’’ and inserting ‘‘SOVERN UKRAINIAN TERRITORY’’;

(2) in subsection (a), by striking ‘‘over Crimea’’ and inserting ‘‘over territory internationally recognized to be the sovereign territory of Ukraine, including Crimea and territory the Russian Federation claimed to have annexed in Kherson Oblast, Zaporizhzhia Oblast, Donetsk Oblast, and Luhansk Oblast’’.}

(b) Clerical Amendments.—The tables of sections in section 2(b) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 174) at the beginning of title XII of such Act (135 Stat. 1956) are amended, in the matter relating to section 1234, by striking ‘‘Crimea’’ and inserting ‘‘Sovereign Ukrainian Territory’’.

SEC. 6235. imposition of Sanctions with respect to the sale, Supply, or Transfer of Gold to or from Russia.

(a) Identification.—Not later than 90 days after the date of the enactment of this Act, and periodically as necessary thereafter, the President—

(1) shall submit to Congress a report identifying foreign persons that knowingly participated in a significant transaction—

(A) for the sale, supply, or transfer (including transportation) of gold, directly or indirectly, to or from the Russian Federation or the Government of the Russian Federation, including from reserves of the Central Bank of the Russian Federation held outside the Russian Federation;

(B) that otherwise involved gold in which the Government of the Russian Federation had any interest; and

(2) shall impose the sanctions described in subsection (b)(1) with respect to each such person; and

(3) may impose the sanctions described in subsection (b)(1) with respect to any such person that is an alien.

(b) Sanctions Described.—The sanctions described in this subsection are the following:

(1) Blocking of Property.—The exercise of all powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of a foreign person identified in the report required under paragraph (1) and paragraph (2) of this subsection, and interests in property in the United States, come or are or come within the possession or control of a United States person.

(2) Ineligibility for Visas, Admission, or Parole.—

(A) Visas, Admission, or Parole.—An alien described in subsection (a)(1) is—

(i) inadmissible to the United States;

(ii) ineligible to receive a visa or other documentation to enter the United States; and

(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1182 et seq.).

(B) Current visa holders—

(i) In General.—An alien described in subsection (a)(1) is subject to revocation of any

parole (1) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year is subject to the availability of appropriations for that purpose for such fiscal year.

parole (1) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year is subject to the availability of appropriations for that purpose for such fiscal year.
visa or other entry documentation regardless of when the visa or other entry documentation is or was issued.

(ii) IMMEDIATE EFFECT.—A revocation under clause (i) —
(1) take effect immediately; and
(2) automatically cancel any other valid visa or entry documentation that is in the alien’s possession.

(c) IMPLEMENTATION; PENALTIES.—

(1) IMPLEMENTATION.—The President may exercise the authority provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.

(2) Sanctions—The President may impose sanctions under this section with respect to any person for conducting or facilitating a transaction for the sale of agricultural commodities, food, medical supplies, or resources for humanitarian assistance.

(3) HUMANITARIAN EXEMPTION.—The President shall not impose sanctions under this section with respect to any person for conducting or facilitating a transaction for the sale of agricultural commodities, food, medical supplies, or resources for the provision of humanitarian assistance.

(4) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

(A) IN GENERAL.—The requirement or authority to impose sanctions under this section shall not include the authority or a requirement to impose sanctions on the importation of goods.

(B) GOOD DEFINED.—In this paragraph, the term ‘good’ means any article, natural or manufactured substance, material, supply, or resource manufactured with manufactured or test equipment, and excluding technical data.

(c) IMPLEMENTATION; PENALTIES.—

(e) DEFINITIONS.—In this section:


(2) The term ‘foreign person’ means an individual or entity that is not a United States person.

(3) The term ‘knowingly’, with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(4) The term ‘United States person’ means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States;

(B) an entity organized under the laws of the United States or any jurisdiction within the United States, including a foreign branch of such an entity; or

(C) any person in the United States.

Subtitle D—Matters Relating to the Indo-Pacific Region

SEC. 6241. REVIEW OF PORT AND PORT-RELATED INFRASTRUCTURE PURCHASES AND INVESTMENTS MADE BY THE GOVERNMENT OF THE REPUBLIC OF CHINA AND ENTITIES DIRECTED OR BACKED BY THE GOVERNMENT OF THE REPUBLIC OF CHINA.

(a) IN GENERAL.—The Secretary of State, in coordination with the Director of National Intelligence, the Secretary of Defense, and the head of any other agency the Secretary of Defense considers necessary, shall conduct a review of port and port-related infrastructure purchases and investments critical to the interests and national security of the United States made by—

(1) the Government of the People’s Republic of China;

(2) entities directed or backed by the Government of the People’s Republic of China; and

(3) entities with beneficial owners that include the Government of the People’s Republic of China or a private company controlled by the Government of the People’s Republic of China.

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

(1) A list of port and port-related infrastructure purchases and investments described in that subsection, prioritized in order of the purchases or investments that pose the greatest threat to United States economic, defense, and foreign policy interests.

(2) An analysis of the effects the consolidation of such purchases, or the assertion of control by the Government of the Republic of China or entities described in paragraph (2) or (3) of that subsection, would have on Department of State, Office of the Director of National Intelligence, and Department of Defense contingency plans.

(3) A description of the integration into ports of technologies developed and produced by the Government of the People’s Republic of China or its entities described in paragraphs (2) or (3) of subsection (a), and the data and cyber security risks posed by such integration.

(4) A description of past and planned efforts by the Secretary of State, the Director of National Intelligence, and the Secretary of Defense to address such purchases, investments, and consolidation of investments or assertion of control.

(c) COORDINATION WITH OTHER FEDERAL AGENCIES.—In conducting the review required by subsection (a), the Secretary of State and the Director of National Intelligence shall coordinate with the heads of any other Federal agency, as the Secretary of State considers appropriate.

(d) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of enactment of this Act, the Secretary of State shall submit to the appropriate committees of Congress a report on the results of the review under subsection (a).

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

(e) DEFINITIONS.—In this section:

(A) 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.

(B) An analysis of the effects the consolidation of such purchases, or the assertion of control by the Government of the People’s Republic of China or entities described in paragraph (2) or (3) of subsection (a), would have on Department of State, Office of the Director of National Intelligence, and Department of Defense contingency plans.

(3) A description of the integration into ports of technologies developed and produced by the Government of the People’s Republic of China or its entities described in paragraphs (2) or (3) of subsection (a), and the data and cyber security risks posed by such integration.

(4) A description of past and planned efforts by the Secretary of State, the Director of National Intelligence, and the Secretary of Defense to address such purchases, investments, and consolidation of investments or assertion of control.

(c) COORDINATION WITH OTHER FEDERAL AGENCIES.—In conducting the review required by subsection (a), the Secretary of State and the Director of National Intelligence shall coordinate with the heads of any other Federal agency, as the Secretary of State considers appropriate.

(d) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of enactment of this Act, the Secretary of State shall submit to the appropriate committees of Congress a report on the results of the review under subsection (a).

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

(e) DEFINITIONS.—In this section:

(A) 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;

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

(3) A description of the integration into ports of technologies developed and produced by the Government of the People’s Republic of China or its entities described in paragraphs (2) or (3) of subsection (a), and the data and cyber security risks posed by such integration.

(4) A description of past and planned efforts by the Secretary of State, the Director of National Intelligence, and the Secretary of Defense to address such purchases, investments, and consolidation of investments or assertion of control.

(c) COORDINATION WITH OTHER FEDERAL AGENCIES.—In conducting the review required by subsection (a), the Secretary of State and the Director of National Intelligence shall coordinate with the heads of any other Federal agency, as the Secretary of State considers appropriate.

(d) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of enactment of this Act, the Secretary of State shall submit to the appropriate committees of Congress a report on the results of the review under subsection (a).

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

(e) DEFINITIONS.—In this section:

(A) 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;

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

(3) A description of the integration into ports of technologies developed and produced by the Government of the People’s Republic of China or its entities described in paragraphs (2) or (3) of subsection (a), and the data and cyber security risks posed by such integration.

(4) A description of past and planned efforts by the Secretary of State, the Director of National Intelligence, and the Secretary of Defense to address such purchases, investments, and consolidation of investments or assertion of control.

(c) COORDINATION WITH OTHER FEDERAL AGENCIES.—In conducting the review required by subsection (a), the Secretary of State and the Director of National Intelligence shall coordinate with the heads of any other Federal agency, as the Secretary of State considers appropriate.

(d) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of enactment of this Act, the Secretary of State shall submit to the appropriate committees of Congress a report on the results of the review under subsection (a).

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

(e) DEFINITIONS.—In this section:

(A) 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;

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

(3) A description of the integration into ports of technologies developed and produced by the Government of the People’s Republic of China or its entities described in paragraphs (2) or (3) of subsection (a), and the data and cyber security risks posed by such integration.
(B) should have a direct line to the President and the Secretary of State to communicate regarding the unique and particular needs of Pacific partners.

(b) by inserting “to the Pacific Islands Forum.”—Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a) is amended—

(1) by redesignating subsection (h) as (i) by designating subsection (h) as (ii) by adding at the end the following:

(SPECIAL ENVY TO THE PACIFIC ISLANDS FORUM.—

“(1) APPOINTMENT.—The President shall appoint in accordance with advice and consent of the Senate, either the United States Ambassador to a country that is a member of the Pacific Islands Forum or another qualified individual to serve as Special Envoy to the Pacific Islands Forum (referred to in this section as the ‘Special Envoy’). If an Ambassador is appointed to serve as the Special Envoy pursuant this paragraph, he or she may not begin such service until after Senate confirmation to such position and shall serve concurrently as an Ambassador and as the Special Envoy without receiving additional compensation.

“(2) DUTIES.—The Special Envoy shall—

(A) represent the United States in its role as dialogue partner to the Pacific Islands Forum; and

(B) carry out other duties as the President or the Secretary of State may prescribe.”.

Subtitle F—Other Matters

SEC. 6271. ELIGIBILITY OF PORTUGUESE TRADERS AND INVESTORS FOR E-1 AND E-2 NONIMMIGRANT VISAS

(a) SHORT TITLES.—This Act may be cited as the “Advancing Mutual Interests and Growing Our Success Act” or the “AMIGOS Act.”

(b) NONIMMIGRANT TRADERS AND INVESTORS.—For purposes of clauses (1) and (1) of section 101(a)(15)(E) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(E)), Portugal shall be considered to be a foreign state described in such section if the Government of Portugal provides similar nonimmigrant status to nationals of the United States.

(c) MODIFICATION OF ELIGIBILITY CRITERIA FOR E-1 AND E-2 NONIMMIGRANT VISAS.—Section 101(a)(15)(E) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(E)) is amended—

(1) in the matter preceding clause (1)—

(A) in and is influenced by social, political, economic, and environmental contexts;”;

(SECT. 5.07. GLOBAL FOOD SECURITY

(a) Short Title.—The section may be cited as the “Global Food Security Reauthorization Act of 2022.”

(b) General Purposes.—Section 2 of the Global Food Security Act of 2016 (22 U.S.C. 9303) is amended by striking “Congress makes” and all that follows through “3. A comprehensive” and inserting “Congress finds that “comprehensive”.

(c) STATEMENT OF POLICY OBJECTIVES; SENSE OF CONGRESS.—Section 3(a) of such Act (22 U.S.C. 9303) is amended—

(1) in the matter preceding paragraph (1), by striking “programs, activities, and initiatives that consider agriculture and food systems in their totality and that—” and inserting “comprehensive, multi-sectoral programs, activities, and initiatives that consider agriculture and food systems in their totality and that—”;

(2) in paragraph (1), by striking “and economic freedom through the coordination” and inserting “, economic freedom, and security through the phasing, sequencing, and coordination”;

(3) by striking paragraphs (3) and (4) and inserting the following:

“(3) increase the productivity, incomes, and livelihoods of producers and artisanal fishing communities, especially women in these communities, by working across terrestrial and aquatic food systems and agricultural value chains, including—

(A) enhancing local capacity to manage agricultural resources and food systems effectively and expanding producer access to, and participation in, local, regional, and international markets; and

(B) increasing the availability and affordability of high quality nutritious and safe foods and clean water;

(C) creating high entrepreneurship opportunities and improving access to business development related to agriculture and food systems, including among youth populations, linked to local, regional, and international markets; and

(D) enabling partnerships to facilitate the development of and investment in new agricultural technologies that support more resilient and productive agricultural practices;”;

(4) by amending paragraph (6) to read as follows:

“(6) improve the nutritional status of women, adolescent girls, and children, with a focus on reducing child stunting and incidence of wasting, including through the promotion of highly nutritious foods, diet diversification, large-scale food fortification, and nutritional behaviors that improve maternal and child health and nutrition status, especially during the first 1,000 day window until a child reaches 2 years of age;”;

and

(5) in paragraph (7)—

(A) by striking “science and technology,” and inserting “combating fragility, resilience, science and technology, natural resource management;” and

(B) by inserting “, including deworming after “nutrition,”.

(d) DEFINITIONS.—Section 4 of the Global Food Security Act of 2016 (22 U.S.C. 9303) is amended—

(1) in paragraph (2), by inserting “, including the health and nutrition to food and nutrition security” before the period at the end; and

(2) by redesignating paragraphs (4) through (12) as paragraphs (5) through (13), respectively;

(3) by inserting after paragraph (3) the following:

“(4) FOOD SYSTEM.—The term ‘food system’ means the intact or whole unit made up of interrelated components of people, behaviors, policies, and material goods that interact to provide harvest and food security and agriculture-led economic growth, while reducing reliance upon emergency food and economic assistance;”;

and

(4) in paragraph (6), as redesignated, by amending subparagraph (H) to read as follows:

“(H) fishers;” after “food security”; and

“(5) in paragraph (7), as redesignated, by inserting “, including global food catastrophes,” after “food security”; and

“(c) by striking “first” and inserting “artisanal fishing communities;”.

(5) in paragraph (11), as redesignated, by amending subparagraphs (D) and (E) to read as follows:

“(D) is a marker of an environment different from the various needs that allow for a child’s healthy growth, including nutrition; and

“(E) is associated with long-term poor health, delayed motor development, impaired cognitive function, and decreased immunity;”.

(6) in paragraph (13), as redesignated, by striking “economic security and agriculture-led economic growth” and inserting “food security and agriculture-led economic growth”;

and

(7) by adding at the end the following:

“(14) WASTING.—The term ‘wasting’ means—

“(A) a life-threatening condition attributable to poor nutrient intake or disease that is characterized by a rapid deterioration in nutritional status over a short period of time; and

“(B) the case of children, is characterized by low weight for height and weakened immunity, increasing their risk of death due to greater frequency and severity of common infection, particularly when severe.”;

(e) COMPREHENSIVE GLOBAL FOOD SECURITY STRATEGY.—Section 5(a) of the Global Food Security Act of 2016 (22 U.S.C. 9304) is amended—

(1) in paragraph (4), by striking “country-owned agriculture, nutrition, and food security policy and investment plans” and inserting “partner-country led agriculture, nutrition, regulatory, food security, and water resources management policy and investment plans and governance systems”;

(2) by amending paragraph (5) to read as follows:

“(5) support the locally-led and inclusive development of agriculture and food systems, including by enhancing the extent to which small-scale farmers, especially women, have access to and control over the inputs, skills, resource management capacity, networking, bargaining power, financial market linkages, technology, and information needed to sustainably increase productivity and incomes, reduce poverty and malnutrition, and promote long-term economic prosperity;”;

(3) in paragraph (6)—

(A) by inserting “, adolescent girls,” after “women;” and

(B) by inserting “and preventing incidence of wasting” after “reducing child stunting;”;

(4) in paragraph (7), by inserting “poor water resource management and after “increasing food security;”;

and

(5) in paragraph (8)—

(A) by striking “the long term success of programs” and inserting “long-term investments;” and

(B) by inserting “, including agricultural research capacity,” after “institutions.”;
(6) in paragraph (9), by striking “integrate resilience and nutrition strategies into food security programs, such that chronically vulnerable populations are better able to and in scale with and complement relevant strategies to ensure that chronically vulnerable populations are better able to adapt,”

(7) by redesignating paragraph (17) as paragraph (22);

(8) by redesigning paragraphs (12) through (16) as paragraphs (14) through (18), respectively;

(9) by striking paragraphs (10) and (11) and inserting the following:

“(10) develop a commodity and producer resilience and adaptation strategies to disasters, emergencies, and other shocks and stresses to food and nutrition security, including conflicts, droughts, flooding, pests, and diseases, that adversely impact agricultural yield and livelihoods;

“(11) harness science, technology, and innovation, including the research and extension activities supported by the private sector, relevant Federal departments and agencies, Feed the Future Innovation Labs or any successor entities, and international and local researchers and innovators, recognizing that significant investments in research and technological advances will be necessary to reduce global poverty, hunger, and malnutrition;

“(12) use evidenced-based best practices, including scientific and forecasting data, and improve and coordinate monitoring, with, and among key partners and relevant Federal departments and agencies to identify, analyze, measure, and mitigate risks, and strengthen resilience capacities;”;

“(13) ensure scientific and forecasting data is accessible and usable by affected communities and facilitate communication and collaboration of stakeholders;”;

“(14) support the development and implementation of adaptation planning and implementation, including scenario planning and preparedness using seasonal forecasting and scientific and local knowledge;”;

“(15) in paragraph (15), as redesignated, by inserting “nongovernmental organizations, including” after “civil society;”;

“(16) in paragraph (16), as redesignated, by inserting “and coordination, as appropriate,” after “collaboration;”;

“(17) in paragraph (18), as redesignated, by striking “section 8(6);” and inserting “section 8(a)(4);”;

“(18) in paragraph (19), as redesignated, the following:

“(19) improve the efficiency and resilience of agricultural production, including management of crops, rangelands, pastures, livestock, fisheries, and aquacultures;

“(20) ensure investments in food and nutrition security consider and integrate best practices in the management and governance of natural resources and conservation, especially to secure populations living in or near biodiversity ecosystems;”;

“(21) be periodically updated in a manner that reflects learning and best practices;”;

“(f) periodic updates.—Section 5 of the Global Food Security Act of 2016 (22 U.S.C. 9305) is amended by subsection (e), which is further amended by adding at the end of

“(d) periodic updates.—Not less frequent than biennially through fiscal year 2030, the President, in consultation with the head of each relevant Federal department and agency, shall submit to the appropriate congressional committees updates to the Global Food Security Strategy required under subsection (a) and the agency-specific plans described in subsection (c).”;

(g) Authorization of Appropriations to Implement the Global Food Security Strategy.—Section 6(b) of such Act (22 U.S.C. 9305(b) is amended—

(1) by striking “$1,000,600,000 for each of fiscal years 2017 through 2023” and inserting “$1,200,600,000 for each of the fiscal years 2024 through 2028;”;

(2) by adding at the end the following:

“Amounts appropriated to authorized under this Act shall be used to carry out the Global Food Security Strategy and the Food for Peace Program. It shall be the policy of the United States to support efforts to coordinate research programs within the Global Food Security Strategy with key stakeholders;

“(12) in paragraph (16), as redesignated, by striking “and” at the end;

“(13) in paragraph (17), as redesignated—

“(A) by inserting “, including key challenges or mistakes,” after “lessons learned;”;

“(B) by striking the period at the end and inserting “; and”;

“(c) by adding at the end the following:

“(18) during the final year of each strategy required under section 5, complete country graduation reports to determine whether a country should remain a target country based on quantitative and qualitative analysis.”;

SEC. 6273. ENDING GLOBAL WILDLIFE POACHING AND TRAFFICKING.

(a) Short Title.—This section may be cited as the “End Wildlife Trafficking Reauthorization and Improvements Act of 2022.”

(b) Sense of Congress.—It is the sense of Congress that—

(1) the United States Government should continue to work with international partners, including nations, nongovernmental organizations, and the private sector, to identify long-standing and emerging areas of concern in wildlife poaching and trafficking related to global supply and demand; and

(2) the activities and required reporting of the Presidential Task Force on Wildlife Trafficking, established by Executive Order 13648 (78 Fed. Reg. 40621), and modified by sections 201 and 301 of the Eliminate, Neutralize, and Disrupt Wildlife Trafficking Act of 2016 (16 U.S.C. 7621 and 7631) should be reauthorized to minimize the disruption of the work of such Task Force.

(c) Definitions.—Section 2 of the Eliminate, Neutralize, and Disrupt Wildlife Trafficking Act of 2016 (16 U.S.C. 7601) is amended—

(1) in paragraph (3), by inserting “involving local communities” after “approach to conservation;”;

(2) by amending paragraph (4) to read as follows:

“(4) Country of Concern.—The term ‘country of concern’ means a foreign country that is a major consumer of wildlife trafficking products or their derivatives, a major transit point of wildlife trafficking products or their derivatives, or a major consumer of wildlife trafficking products, in which—

“(A) the government has actively engaged in, or knowingly profited from, the trafficking of protected species; or

“(B) the government facilitates such trafficking through conduct that may include a pattern of failure to sustain efforts to prevent and prosecute such trafficking;”;

(3) in paragraph (11), by striking “section 201 and inserting “section 301;”

(d) Framework for Interagency Response and Reporting.—

(1) Reauthorization of Report on Major Wildlife Trafficking Countries.—Section 3 of the Eliminate, Neutralize, and Disrupt Wildlife Trafficking Act of 2016 (16 U.S.C. 7621) is amended—

“(14) describe how agriculture research is prioritized within the Global Food Security Strategy to support agriculture-led growth and minimize the associated effects of food insecurity and efforts to coordinate research programs within the Global Food Security Strategy with key stakeholders;”;

(12) by redesigning, by striking “and” at the end;
(a) In subsection (a), by striking "annually thereafter" and inserting "biennially thereafter by June 1 of each year in which a report is required"; and

(b) In subsection (c) and inserting the following:

"(c) DESIGNATION.—A country may be designated as a country of concern under subsection (b) regardless of such country's status as a focus country.

(d) PROCEDURE FOR REMOVING COUNTRIES FROM LIST.—In the first report required under this section submitted after the date of the enactment of the Eliminate, Neutralize, and Disrupt Wildlife Trafficking Re-authorization and Improvements Act of 2022, the Secretary of State, in consultation with the Secretary of the Interior and the Secretary of Defense, shall publish in the Federal Register, a procedure for removing from the list in the biennial report any country of concern that no longer meets the definition of country of concern under section 2(4).

(e) SUNSET.—This section shall cease to have force or effect on September 30, 2028.

(2) PRESIDENTIAL TASK FORCE ON WILDLIFE TRAFFICKING RESPONSIBILITIES.—Section 301(a) of the Eliminate, Neutralize, and Disrupt Wildlife Trafficking Act of 2016 (16 U.S.C. 7631(a)) is amended—

(A) in paragraph (4), by striking "and" at the end;

(B) redesignating paragraph (5) as paragraph (9); and

(C) by inserting after paragraph (4) the following:

"(5) pursue programs and develop a strategy—

"(A) to expand the role of technology for anti-poaching and anti-trafficking efforts, in partnership with the private sector, foreign governments, academia, and non-governmental organizations (including technology companies and the transportation and logistics sectors); and

"(B) to enable local governments to develop and use such technologies;

"(6) consider programs and initiatives that address the expansion of the illegal wildlife trade to digital platforms, including the use of digital currency and payment platforms for transactions by collaborating with the private sector and non-governmental organizations, including social media, e-commerce, and search engine companies, as appropriate;

"(7) set benchmarks for measuring the effectiveness of such interventions; and

"(C) align indicators and develop metrics to track the expansion of the illegal wildlife trade.

(3) PRESIDENTIAL TASK FORCE ON WILDLIFE TRAFFICKING STRATEGIC REVIEW.—Section 301 of the Eliminate, Neutralize, and Disrupt Wildlife Trafficking Act of 2016 (16 U.S.C. 7631), as amended by amendment (2) of subsection (a), is further amended—

(A) in subsection (d)—

(1) by striking preceding paragraph (1), by striking "annually" and inserting "biennially";

(2) in paragraph (4), by striking "and" at the end and inserting "; and";

(3) in paragraph (5), by striking the period at the end and inserting "; and"; and

(4) by adding at the end the following:—

"(6) The indicators described by the Task Force, and recommended by the Government Accountability Office, to track and measure inputs, outputs, law enforcement outcomes, and the market for wildlife products for each focus country listed in the report, including baseline measures, as appropriate, and in each focus country to determine the effectiveness and appropriateness of such indicators to assess progress and whether additional or separate indicators for such focusing countries may be necessary for focus countries.

"(B) in subsection (e), by striking "5 years after" and all that follows and inserting "on September 30, 2028."

(4) SEC. 182a. CENTER FOR EXCELLENCE IN ENVIRONMENTAL SECURITY.

(a) IN GENERAL.—Chapter 7 of title 10, United States Code, is amended by inserting after section 182 the following new section:

"SEC. 182a. CENTER FOR EXCELLENCE IN ENVIRONMENTAL SECURITY.

"(a) Establishment.—The Secretary of Defense may operate a Center for Excellence in Environmental Security (in this section referred to as the ‘‘Center’’).

"(b) Missions.—The Center shall be used to provide and facilitate education, training, and research in civil-military operations, particularly operations that require international assistance and operations that require coordination between the Department of Defense and other agencies.

"(1) The Center shall be used to provide and facilitate education, training, and research on the following:

"(A) Management of the consequences of environmental insecurity with respect to—

"(i) access to water, food, and energy;

"(ii) related health matters; and

"(iii) matters relating to when, how, and why environmental or other stresses to human health, water, energy, and food will cascade to economic, social, political, or national security events.

"(B) Appropriate roles for the reserve components in response to environmental insecurity resulting from natural disasters.

"(C) Meeting requirements for information in connection with regional and global disasters, including the use of advanced communications technology as a virtual library.

"(2) The Center shall be used to provide for regional and global development of the Center.

"(C) The Center shall be granted access to the database of all Federal agencies to enable the development of global environmental indicators.

"(4) The Center shall perform such other missions as the Secretary of Defense may determine.

"(c) Joint Operations with Educational Institutions.—The Secretary of Defense may enter into an agreement with appropriate officials of an institution of higher education to provide for operation of the Center.

"(i) the Secretary shall provide for the institution to furnish necessary administrative services for the Center, including administration and allocation of funds so credited; and

"(ii) acceptance of donations.—

"(1) Except as provided in paragraph (2), the Secretary of Defense may accept, on behalf of the United States, any private donations to the Center. Such donations may be accepted from any agency of the Federal government, any State or local government, any foreign government, any foundation or other charitable organization (including any that is organized or operates under the laws of any foreign country or any other charitable organization (including any that is organized or operates under the laws of any foreign country or any other charitable organization), any foreign private source in the United States or a foreign country.

"(2) The Secretary may not accept a donation if—

"(A) the ability of the Department of Defense, any employee of the Department, or members of the armed forces, to carry out any responsibility or duty of the Department in the event of a national or international crisis, conflict, or disaster, including any that is organized or operates under the laws of any foreign country or any other charitable organization, any foreign private source in the United States or a foreign country.

"(B) the integrity of any program of the Department of Defense or any person involved in such a program.

"(3) The Secretary shall prescribe written guidance setting forth the criteria to be used in determining whether or not the acceptance of a foreign donation would have a re-
Ecuador, including its development of the ECU-911 video surveillance and facial recognition system, financing of the corruptly managed and environmentally deleterious Coca Codo Sinclair Dam, and support for illegal, unreported, and unregulated fishing practices around the Galápagos Islands, pose risks to democratic governance and biodiversity in the region.

(8) Ecuador, which is home to several of the Earth’s most biodiverse ecosystems, including the Galápagos Islands, the headwater of the Amazon river, the Condor mountain range, and the Yasuní Biosphere Reserve, has seen a reduction in its rainfall between 1990 and 2016, due in part to the incursion of criminal networks into protected areas.

(9) On March 24, 2021, the Senate unanimously approved Senate Resolution 22 (117th Congress), reaffirming the partnership between the United States and the Republic of Ecuador, and recognizing the restoration and advancement of economic relations, security, and development opportunities in both nations.

(10) On August 13, 2021, the United States and Ecuador celebrated the entry into force of the Trade and Environmental Council Agreement between the Government of the United States of America and the Government of the Republic of Ecuador Relating to Transparency, recognizing the steps Ecuador has taken to decrease unnecessary regulatory burden and create a more transparent and predictable legal framework for foreign direct investment in recent years.

SEC. 6281. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the United States should take additional steps to strengthen its bilateral partnership with Ecuador, including by developing robust trade and investment frameworks, enforcing law enforcement cooperation, renewing the activities of the United States Agency for International Development in Ecuador, and supporting Ecuador’s response to and recovery from the COVID-19 pandemic, as necessary and appropriate; and

(2) strengthening the United States-Ecuador partnership presents an opportunity to advance United States national security interests and work with other democratic partners to maintain a prosperous, politically stable, and democratic Western Hemisphere that is resilient to malign foreign influence.

SEC. 6284. FACILITATING ECONOMIC AND COMMERCIAL TIES.

The Secretary of State, in coordination with the Secretary of Commerce, the United States Trade Representative, the Secretary of the Treasury, and the heads of other relevant Federal departments and agencies, as appropriate, shall develop and implement a strategy to strengthen commercial and economic ties between the United States and Ecuador by—

(1) promoting cooperation and information sharing to encourage awareness of and increase trade and investment opportunities between the United States and Ecuador;

(2) supporting efforts by the Government of Ecuador to promote a more open, transparent, and competitive business environment, including by lowering trade barriers, implementing policies to reduce trading times, and improving efficiencies to expedite customs operations for importers and exporters of the United States, in all sectors, and at all entry ports in Ecuador;

(3) establishing frameworks or mechanisms to review the long term financial sustainability and implementation of commitments for investments in Ecuador in strategic sectors or services;

(4) establishing competitive and transparent infrastructure project selection and procurement processes in Ecuador that promote transparency, open competition, financial accountability, and robust adherence to global standards and norms;

(5) developing programs to help the Government of Ecuador improve efficiency and transparency in the administrative process, including through support for the Government of Ecuador’s ongoing efforts to digitize its customs process and accept electronic documents required for the import, export, and transit of goods under specific international standards, as well as related training to expedite customs, security, efficiency, and competitiveness;

(6) spurring digital transformation that would advance—

(A) the provision of digitized government services with the greatest potential to improve transparency, lower business costs, and expand citizens’ access to public services and public information;

(B) the provision of transparent and affordable access to the internet and digital infrastructure;

(C) best practices to mitigate the risks to digital infrastructure by doing business with communication networks and communications supply chains with equipment and services from entities or suppliers that are acceptable to pressure from governments or security services without reliable legal checks on governmental powers; and

(D) identifying, as appropriate, a role for the United States International Development Finance Corporation, the Millennium Challenge Corporation, the United States Agency for International Development, and the United States private sector in supporting efforts to increase private sector investment and strengthen economic prosperity.

SEC. 6285. PROMOTING INCLUSIVE ECONOMIC DEVELOPMENT.

The Administrator of the United States Agency for International Development, in coordination with the Secretary of State and the heads of other relevant Federal departments and agencies, as appropriate, shall develop and implement a strategy and related programs to support inclusive economic development across Ecuador’s national territory by—

(1) facilitating increased access to public and private financing, equity investments, grants, and market analysis for small and medium-sized enterprises;

(2) providing technical assistance to local governments to formulate and enact local development plans that invest in Indigenous and Afro-Ecuadorian communities;

(3) connecting rural agricultural networks, including Indigenous and Afro-Ecuadorian agricultural networks, to consumers in urban centers and export markets, including through support for the Government of Ecuador’s ongoing efforts to strengthen capacity to enforce laws against human smuggling and trafficking, illicit mining, illegal logging, illegal, unreported, and unregulated fishing, among other illicit activities;

(4) providing technical assistance and material support (including, as appropriate, raders, vessels, and communications equipment) to vetted, specialized units of Ecuador’s national police and the armed services to disrupt, degrade, and dismantle organizations involved in illicit narcotics trafficking, transnational criminal activities, including mining, unregistered, and unreported fishing, among other illicit activities;

(5) providing technical assistance in support of their law enforcement activities;

(6) strengthening the regulatory framework of mining through collaboration with key Ecuadorian institutions, such as the Interior Ministry’s Special Commission for the Control of Illegal Mining and the National Police’s Investigative Unit on Mining Crimes, and providing technical assistance in support of their law enforcement activities;

(7) providing technical assistance to judges, prosecutors, and ombudsmen to increase capacity to address human smuggling and trafficking, illicit mining, illegal logging, illegal, unregistered, and unreported (IUU) fishing, and other illicit economic activities;

(8) providing support to the Government of Ecuador to prevent illegal, unreported, and unregulated fishing, including through expanding detection and response capabilities, and the use of advanced vessel tracking technology;

(9) supporting multilateral efforts to stem illegal and smuggled, unregulated, and IUU fishing with neighboring countries in South America and within the South Pacific Regional Fisheries Management Organisation;

(10) assisting the Government of Ecuador’s efforts to protect defenders of internationally recognized human rights, including through the work of the Office of the Ombudsman of Ecuador, and by encouraging the inclusion of Indigenous communities in anti-corruption mechanisms, as appropriate, to counter corruption and recover assets derived from corruption, including through strengthening independent inspectors general to track and reduce corruption;

(11) providing technical assistance and support to specialized units within the Attorney General’s office to combat corruption and to promote and protect internationally recognized human rights in implementing the Transparency and Anti-Corruption Unit, the Anti-Money Laundering Unit, the Task Force to Combat Corruption in Central America, and the Environmental Crimes Unit;

(12) strengthening bilateral assistance and complementary support through multilateral anti-corruption mechanisms, as necessary and appropriate, to support counter corruption and recover assets derived from corruption, including through strengthening independent inspectors general to track and reduce corruption;

(13) improving the technical capacity of prosecutors and financial institutions in Ecuador to combat corruption by—

(A) providing technical assistance and support to specialized units within the Attorney General’s office to combat corruption and to promote and protect internationally recognized human rights in implementing the Transparency and Anti-Corruption Unit, the Anti-Money Laundering Unit, the Task Force to Combat Corruption in Central America, and the Environmental Crimes Unit;

(B) providing technical assistance and material support (including, as appropriate, raders, vessels, and communications equipment) to vetted, specialized units of Ecuador’s national police and the armed services to disrupt, degrade, and dismantle organizations involved in illicit narcotics trafficking, transnational criminal activities, including mining, unregistered, and unreported fishing, among other illicit activities;

(C) best practices to mitigate the risks to digital infrastructure by doing business with communication networks and communications supply chains with equipment and services from entities or suppliers that are acceptable to pressure from governments or security services without reliable legal checks on governmental powers; and

(D) identifying, as appropriate, a role for the United States International Development Finance Corporation, the Millennium Challenge Corporation, the United States Agency for International Development, and the United States private sector in supporting efforts to increase private sector investment and strengthen economic prosperity.
enhancing the institutional capacity and technical capabilities of defense and security institutions of Ecuador to conduct national or regional security missions, including enhancing diplomatic and multilateral cooperation, foreign military financing, international military education, and training programs, consistent with applicable Ecuadorian laws and regulations.

(13) enhancing port management and maritime security partnerships to disrupt, degrade, and dismantle transnational criminal networks, including by enhancing port management and the legitimate flow of people, goods, and services; and

(14) strengthening cybersecurity cooperation—
(A) to effectively respond to cybersecurity threats, including state-sponsored threats;
(B) to share best practices to combat such threats; and
(C) to help develop and implement information architectures that respect individual privacy rights and reduce the risk that data collected through such systems will be exploited by malign state and non-state actors; and

(15) to strengthen resilience against cyberattacks, misinformation, and propaganda; and

(E) to strengthen the resilience of critical infrastructure.

SEC. 6297. STRENGTHENING DEMOCRATIC GOVERNANCE.

(a) STRENGTHENING DEMOCRATIC GOVERNANCE.—The Secretary of State, in coordination with the Administrator of the United States Agency for International Development, should develop and implement initiatives to strengthen democratic governance in Ecuador by supporting—
(1) measures to improve the capacity of national and subnational government institutions to govern through transparent, inclusive, and accountable processes;
(2) efforts that measurably enhance the capacity of political actors and parties to strengthen democratic institutions and the rule of law; and
(3) initiatives to strengthen democratic governance, including combating political, administrative, and judicial corruption and improving transparency of the administration of public budgets; and

(b) the efforts of civil society organizations and independent media—
(C) conduct oversight of the Government of Ecuador and the National Assembly of Ecuador;

(b) promote initiatives that strengthen democratic governance, including combating political, administrative, and judicial corruption and improving transparency of the administration of public budgets; and

(C) conduct oversight of the Government of Ecuador and the National Assembly of Ecuador;

(b) promote initiatives that strengthen democratic governance, including combating political, administrative, and judicial corruption and improving transparency of the administration of public budgets; and

(C) conduct oversight of the Government of Ecuador and the National Assembly of Ecuador;

(b) promote initiatives that strengthen democratic governance, including combating political, administrative, and judicial corruption and improving transparency of the administration of public budgets; and

(C) conduct oversight of the Government of Ecuador and the National Assembly of Ecuador;

(b) promote initiatives that strengthen democratic governance, including combating political, administrative, and judicial corruption and improving transparency of the administration of public budgets; and

(C) conduct oversight of the Government of Ecuador and the National Assembly of Ecuador; (A) establishing regional preparedness, recovery, and emergency management centers to facilitate rapid response to survey and help maintain planning on regional disaster anticipated health resources; and (B) training disaster recovery officials on latest techniques and lessons learned from United States experiences.

SEC. 6299. NOT COUNTED IN ANNUAL TOTAL OF TRANSFERRED EXCESS DEFENSE ARTICLES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the United States should undertake efforts to cooperate with the Government of Ecuador to—
(1) ensure protections for the Galápagos Marine Reserve;
(2) deter illegal, unreported, and unregulated fishing; and
(3) increase interdiction of narcotics trafficking and other forms of illicit trafficking.

(b) REQUIREMENTS TO TRANSFER EXCESS COAST GUARD VESSELS TO THE GOVERNMENT OF ECUADOR.—The President shall conduct a joint assessment with the Government of Ecuador to ensure sufficient capacity exists to maintain Island class cutters. Upon completion of a favorable assessment, the President is authorized to transfer up to two ISLAND class cutters to the Government of Ecuador as excess defense articles pursuant to the authority of section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j).

(c) GENERAL.—Not counted in annual total of transferred excess defense articles—The value of a vessel transferred to another country on a grant basis pursuant to section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j) shall not be counted against the aggregate value of excess defense articles transferred in any fiscal year under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j).

(d) COSTS OF TRANSFERS.—Any expense incurred by the United States in connection with a transfer authorized by this section shall be charged to the recipient notwithstanding section 516(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j).

SEC. 6299A. FOSTERING CONSERVATION AND STEWARDSHIP.

SEC. 6298. CONSERVATION AND STEWARDSHIP.

The Administrator of the United States Agency for International Development, in coordination with the Secretary of State and the heads of other relevant Federal departments and agencies, shall develop and implement programs to strengthen the capacity of communities to monitor illicit activities;

(2) fostering mechanisms for cooperation on emergency preparedness and rapid recovery from natural disasters, including by—
(A) establishing regional preparedness, recovery, and emergency management centers to facilitate rapid response to survey and help maintain planning on regional disaster anticipated health resources; and (B) training disaster recovery officials on latest techniques and lessons learned from United States experiences.

SEC. 6299B. DEFINITIONS.

SEC. 6287. STRENGTHENING DEMOCRATIC GOVERNANCE.

(a) STRENGTHENING DEMOCRATIC GOVERNANCE.—The Secretary of State, in coordination with the heads of other relevant Federal departments and agencies as described in sections 6284, 6286, and 6288, shall—
(1) not later than 180 days after the date of the enactment of this Act, submit to the appropriate congressional committees a comprehensive strategy to address the requirements described in sections 6283, 6286, and 6287(a); and
(2) not later than 2 years and 4 years after submitting the comprehensive strategy under paragraph (1), submit to the appropriate congressional committees a report describing the implementation of the strategy.

(b) AUTHORITY TO TRANSFER EXCESS COAST GUARD VESSELS.

SEC. 6288. AUTHORIZATION TO TRANSFER EXCESS COAST GUARD VESSELS.

SEC. 6288A. REPORTING REQUIREMENTS.

SEC. 6289A. REPORTING REQUIREMENTS.

(a) SECRETARY OF STATE.—The Secretary of State, in coordination with the heads of other relevant Federal departments and agencies as described in sections 6284, 6286, and 6288, shall—

(A) SENSE OF CONGRESS.—It is the sense of Congress that the United States should undertake efforts to cooperate with the Government of Ecuador to—

(f) EXPIRATION OF AUTHORITY.—The authority to transfer a vessel under this section shall expire at the end of the 3-year period beginning on the date of the enactment of this Act.

SEC. 6289A. DEFINITIONS.

SEC. 6289A. DEFINITIONS.

SEC. 6289. AUTHORIZATION TO TRANSFER EXCESS DEFENSE ARTICLES.

SEC. 6289B. SUNSET.

This subtitle shall terminate on the date that is 5 years after the date of the enactment of this Act.

Subtitle H—International Pandemic Preparedness

SEC. 6291. SHORT TITLE.

This subtitle may be cited as the ‘International Pandemic Preparedness and COVID–19 Response Act of 2022’.

SEC. 6292. DEFINITIONS.

In this subtitle—

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means the Committee on Foreign Relations of the Senate; and

(A) the Committee on Foreign Relations of the Senate;
(B) the Committee on Appropriations of the Senate; (C) the Committee on Foreign Affairs of the House of Representatives; and (D) the Committee on Appropriations of the House of Representatives.

(2) GLOBAL HEALTH SECURITY AGENDA; IHR.—The terms “Global Health Security Agenda; IHR” mean the multilateral initiative launched in 2014, and renewed in 2018, that brings together countries, regions, international organizations, non-governmental organizations, and the private sector—

(A) to elevate global health security as a national-level priority;

(B) to share best practices; and

(C) to facilitate national capacity to comply with and adhere to—

(i) the International Health Regulations (2005);

(ii) the international standards and guidelines established by the World Organization for Animal Health;


(v) the Global Health Security Agenda 2024 Framework; and

(vi) other relevant frameworks that contribute to global health security.

(3) GLOBAL HEALTH SECURITY INDEX.—The term “Global Health Security Index” means the comprehensive assessment and benchmarking of health security and related capabilities across the countries that make up the Data Parties to the International Health Regulations (2005).

(4) GLOBAL HEALTH SECURITY INITIATIVE.—The term “Global Health Security Initiative” means the informal network of countries and organizations that came together in 2001, to undertake concerted global action to strengthen public health preparedness and response to chemical, biological, radiological, and nuclear threats, including pandemic influenza.


(6) JOINT EXTERNAL EVALUATION.—The term “Joint External Evaluation” means the voluntary, collaborative, multi-sectoral process facilitated by the World Health Organization—

(A) to assess country capacity to prevent, detect, and rapidly respond to public health threats occurring naturally or due to deliberate or accidental events;

(B) to assess progress in achieving the targets set under the International Health Regulations (2005); and

(C) to recommend priority actions.

(7) KEY STAKEHOLDERS.—The term “key stakeholders” means actors engaged in efforts to advance health security programs and objectives, including—

(A) national and local governments in partner countries;

(B) bilateral donors;

(C) international, regional, and local organizations, including private, voluntary, non-governmental, and civil society organizations, including faith-based and indigenous organizations;

(D) international, regional, and local financial institutions and development banks;

(E) representatives of historically marginalized groups, including women, youth, and indigenous peoples;

(F) the governments and medical device, technology, pharmaceutical, manufacturing, logistics, and other relevant companies; and

(G) public and private research and academic institutions.

(8) ONE HEALTH APPROACH.—The term “One Health approach” means the collaborative, multidisciplinary approach toward achieving optimal health outcomes in a manner that recognizes the interconnection between people, animals, plants, and their shared environment.

(9) PANDEMIC PREPAREDNESS.—The term “pandemic preparedness” refers to the actions taken to establish and sustain the capacity and capabilities necessary to rapidly identify, prevent, protect against, and respond to the emergence, reemergence, and spread of pathogens of pandemic potential.

(10) PARTNER COUNTRY.—The term “partner country” means a foreign country in which the relevant Federal departments and agencies are implementing United States foreign assistance to help build global health security and pandemic prevention and preparedness under this section.

(11) RELEVANT FEDERAL DEPARTMENTS AND AGENCIES.—The term “relevant Federal departments and agencies” means any Federal department or agency implementing United States policies and programs relevant to the Global Health Security Agenda; IHR; development, manufacturing, local production, and efficient and equitable distribution of—

(A) vaccines and related raw materials to meet or exceed the vaccination goals referred to in paragraph (6); and

(B) global health commodities, including surges to commit manufacturing companies to support production of medical countermeasures for the United States and other partner countries, and other partners responding to the COVID–19 pandemic;

(C) the Peace Corps; and

(D) the Development Finance Corporation;

(E) the Millennium Challenge Corporation;

(F) the Department of Health and Human Services; and

(G) any other department or agency that the President determines to be relevant for these purposes.

(12) RESILIENCE.—The term “resilience” means the ability of people, households, communities, systems, institutions, countries, and regions to reduce, mitigate, withstand, adapt to, and quickly recover from shocks and stresses in a manner that reduces chronic vulnerability to the emergence, re-emergence, and spread of pathogens of pandemic potential and facilitates inclusive growth.

(13) RESPOND AND RESPONSE.—The terms “respond” and “response” mean the actions taken to counter an infectious disease.

(14) USAID.—The term “USAID” means the United States Agency for International Development.

SEC. 6293. ENHANCING THE UNITED STATES’ INTERNATIONAL RESPONSE TO THE COVID–19 PANDEMIC.

(a) STATEMENT OF POLICY REGARDING INTERNATIONAL RESPONSE TO THE COVID–19 PANDEMIC.—It is the policy of the President to lead and implement a comprehensive and coordinated international response to end the COVID–19 pandemic in a manner that recognizes the critical role that multilateral and regional organizations can and should play in pandemic prevention, preparedness, and response by—

(1) seeking adoption of a United Nations Security Council resolution that—

(A) declares pandemics, including the COVID–19 pandemic, to be threats to international peace and security; and

(B) urges member states to address such threats to align their health security plans with international best practices, including practices established by the Global Health Security Agenda, to improve country-level pandemic preparedness and response to infectious disease threats of pandemic potential;

(2) advancing efforts to reform the World Health Organization to serve as an effective, normative, and coordinating body that is capable of aligning member countries around a strategic operating plan to detect, contain, treat, and deter the further spread of COVID–19;

(3) providing timely, appropriate levels of financial support to United Nations agencies, multilateral facilities, and other partners responding to the COVID–19 pandemic;

(4) prioritizing United States foreign assistance for the COVID–19 response in the world’s most vulnerable countries and regions;

(5) encouraging other donor governments to similarly increase contributions to the United Nations agencies, multilateral facilities, and other partners responding to the COVID–19 pandemic in the world’s poorest and most vulnerable countries;

(6) working with key stakeholders to accelerate progress toward meeting and exceeding, as practicable, global COVID–19 vaccination goals;

(7) engaging with key overseas stakeholders, including through multilateral facilities such as the COVID–19 Vaccines Global Access initiative (referred to in this section as “COVAX”) and the Access to COVID–19 Tools (ACT) Accelerator initiative;

(8) expanding bilateral efforts, including through the United States International Development Finance Corporation, to accelerate the development, manufacturing, local production, and efficient and equitable distribution of—

(A) vaccines and related raw materials to meet or exceed the vaccination goals referred to in paragraph (6); and

(B) global health commodities, including surges to commit manufacturing companies to support production of medical countermeasures for the United States and other partner countries, and other partners responding to the COVID–19 pandemic;

(C) the Peace Corps; and

(D) the Development Finance Corporation;

(E) the Millennium Challenge Corporation;

(F) the Department of Health and Human Services; and

(G) any other department or agency that the President determines to be relevant for these purposes.

(9) supporting global COVID–19 vaccine distribution strategies that—

(A) strengthen underlying health systems for global health security and pandemic prevention, preparedness, and response; and

(B) help to address disparities in access to vaccines and other health commodities and treatments among vulnerable and marginalized communities, including women, who do not face undue barriers to vaccination;

(10) working with key stakeholders, including the World Bank Group, the United Nations, the International Monetary Fund, the United States International Development Finance Corporation, the International Finance Corporation, relevant regional and bilateral financial institutions, to address the economic and financial implications of the COVID–19 pandemic, while taking into account the health needs of disproportionately affected, vulnerable, and marginalized populations;

(11) entering into discussions with vaccine manufacturing companies to support partnerships, with the goal of ensuring adequate global supply of vaccines, which may include necessary components and raw materials; and

(b) SUPPORTING UNITED STATES HEALTH SECURITY AND DIPLOMACY.—The President shall—

(1) ensure that people living in vulnerable regions, international organizations, non-governmental organizations, and the private sector—

(A) to elevate global health security as a national-level priority;

(B) to share best practices; and

(C) to facilitate national capacity to comply with and adhere to—

(i) the International Health Regulations (2005);

(ii) the international standards and guidelines established by the World Organization for Animal Health;


(2) advancing efforts to reform the World Health Organization to serve as an effective, normative, and coordinating body that is capable of aligning member countries around a strategic operating plan to detect, contain, treat, and deter the further spread of COVID–19;

(3) providing timely, appropriate levels of financial support to United Nations agencies, multilateral facilities, and other partners responding to the COVID–19 pandemic;...

(6) working with key stakeholders to accelerate progress toward meeting and exceeding, as practicable, global COVID–19 vaccination goals;...

(7) engaging with key overseas stakeholders, including through multilateral facilities such as the COVID–19 Vaccines Global Access initiative (referred to in this section as “COVAX”) and the Access to COVID–19 Tools (ACT) Accelerator initiative;...

(9) supporting global COVID–19 vaccine distribution strategies that—

(A) strengthen underlying health systems for global health security and pandemic prevention, preparedness, and response; and

(B) help to address disparities in access to vaccines and other health commodities and treatments among vulnerable and marginalized communities, including women, who do not face undue barriers to vaccination;...

(11) entering into discussions with vaccine manufacturing companies to support partnerships, with the goal of ensuring adequate global supply of vaccines, which may include necessary components and raw materials; and
(b) GLOBAL COVID–19 VACCINE DISTRIBUTION AND DELIVERY.—

(1) ACCELERATING GLOBAL VACCINE DISTRIBUTION STRATEGY.—The President shall develop a strategy to expand access to, and accelerate the global distribution of, COVID–19 vaccines to other countries. This strategy shall—

(A) identify the countries that—

(i) have the highest infection and death rates due to COVID–19;

(ii) have the lowest COVID–19 vaccination rates; and

(iii) face the most difficult political, logistical, and financial challenges to obtaining COVID–19 vaccines;

(B) describe the basis and metrics used to identify the countries described in subparagraph (A); and

(C) specify which countries and regions will be prioritized and targeted for COVID–19 vaccine delivery, and the rationale for such prioritization;

(D) describe efforts that the United States is making to increase COVID–19 vaccine manufacturing capacity, both domestically and internationally, as appropriate, through support for the establishment or refurbishment of regional manufacturing hubs in South America, Southern Africa, and South Asia, including through the provision of international finance;

(E) estimate when, how many, and which types of vaccines will be provided by the United States Government bilaterally and through COVAX;

(F) describe efforts to encourage international partners to take actions similar to the efforts referred to in subparagraph (D); and

(G) describe how the United States Government will ensure the efficient delivery of COVID–19 vaccines to intended recipients, including United States citizens residing overseas;

(H) identify complementary United States foreign assistance that will facilitate vaccine readiness, distribution, delivery, monitoring, and administration activities;

(I) describe how the United States Government will ensure the efficient delivery and administration of COVID–19 vaccines to United States citizens residing overseas, including through the donation of vaccine doses to United States embassies and consulates given priority to—

(i) countries in which United States citizens are deemed ineligible or low priority in the national vaccination deployment plan; and

(ii) countries that are not presently distributing a COVID–19 vaccine that—

(i) is licensed or authorized for emergency use by the Food and Drug Administration; or

(ii) has met the necessary criteria for safety and efficacy established by the World Health Organization;

(J) summarize the United States Government’s efforts to encourage and facilitate the sharing and licensing of intellectual property, to the extent necessary, to support the adequate and timely supply of vaccines and vaccine components to meet the vaccination goals specified in subsection (a)(6), giving due consideration to avoiding undermining intellectual property innovation and intellectual property rights protections with respect to vaccine development;

(K) describe the roles, responsibilities, tasks, and, as appropriate, the authorities of the Secretary of Health and Human Services, the Director of the Centers for Disease Control and Prevention, the Chief Executive Officer of the United States Agency for International Development, the United States Agency for International Development Finance Corporation, and the heads of other relevant Federal departments and agencies with respect to the implementation of the strategy;

(L) describe how the Department of State and USAID will coordinate with the Secretaries of Health and Human Services and the heads of other relevant Federal agencies—

(i) to expedite the export and distribution of Federally purchased vaccines to countries in need; and

(ii) to ensure that such vaccines will not be wasted;

(M) summarize the United States public diplomacy strategies for addressing and convening vaccine misinformation and hesitancy within partner countries; and

(N) describe how the United States is making to help countries disrupt the current transmission of COVID–19, utilizing medical products and medical supplies.

(2) SUMMARY OF STRATEGY.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit the strategy described in paragraph (1) to—

(A) the appropriate congressional committees;

(B) the Committee on Health, Education, Labor, and Pensions of the Senate; and

(C) the Committee on Energy and Commerce of the House of Representatives.

(c) LIVERAGING UNITED STATES BILATERAL GLOBAL HEALTH ASSISTANCE FOR THE INTERNATIONAL COVID–19 RESPONSE.—Amounts appropriated or otherwise made available to carry out the Foreign Assistance Act (22 U.S.C. 2151b) may be used in countries receiving United States foreign assistance—

(A) to combat the COVID–19 pandemic, including through the sharing of COVID–19 vaccines; and

(B) to support related activities, including—

(A) strengthening vaccine readiness;

(B) reducing vaccine hesitancy and misinformation;

(C) delivering and administering COVID–19 vaccines;

(D) strengthening health systems and global supply chains as necessary for global health security and pandemic preparedness, prevention, and response;

(E) supporting global health workforce planning, training, and management for pandemic preparedness, prevention, and response;

(F) enhancing transparency, quality, and reliability of public health data;

(G) increasing international testing, including screening for symptomatic and asymptomatic cases; and

(H) building laboratory capacity.

(d) ROLES OF THE DEPARTMENT OF STATE, USAID, AND THE DEPARTMENT OF HEALTH AND HUMAN SERVICES IN INTERNATIONAL PANDEMIC RESPONSE.—

(1) DESIGNATION OF LEAD AGENCIES FOR COORDINATION OF THE UNITED STATES’ INTERNATIONAL RESPONSE TO INFECTION DISEASE OUTBREAKS OF HIGHER HAZARD POTENTIAL.—The President shall designate relevant Federal departments and agencies, including the Department of State, USAID, and the Department of Health and Human Services (including the Centers for Disease Control and Prevention), to lead specific aspects of the United States international response to outbreaks of emerging high-consequence infectious disease threats.

(2) NOTIFICATION.—Not later than 120 days after the date of the enactment of this Act, the President shall notify the appropriate congressional committees, the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Energy and Commerce of the House of Representatives of the designations made pursuant to paragraph (1), including detailed descriptions of the roles and responsibilities of each relevant department and agency.

(e) USAID DISASTER SURGE CAPACITY.—

(1) DISASTER SURGE CAPACITY.—Amounts appropriated or otherwise made available to carry out part I and chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2151a et seq.), including amounts available for “Assistance for Europe, Eurasia and Central Asia”, may be used, in addition to amounts otherwise made available for such purposes, for the costs of support (including support costs) of individuals detailed to or employed by USAID whose primary responsibility is to carry out programs in response to global humanitarian crises including disasters.

(2) NOTIFICATION.—Not later than 15 days before making funds available to address disasters with—

(A) clearly articulate United States policy goals related to pandemic prevention, preparedness, and response, including through actions to strengthen diplomatic leadership and the effectiveness of United States foreign assistance for global health security through advancement of One Health approach, the Global Health Security Agenda, the International Health Regulations (2005), and other relevant frameworks that contribute to pandemic prevention and preparedness;

(B) establish specific and measurable goals, benchmarks, timetables, performance metrics, and monitoring and evaluation plans for United States foreign policy and assistance for global health security that promote learning and serve to reflect international best practices relating to global health security, transparency, and accountability;

(C) establish transparent mechanisms to improve coordination and avoid duplication of effort between and among the relevant Federal departments and agencies, partner countries, the private sector, multilateral organizations, and other key stakeholders;

(D) prioritize working with partner countries with—

(i) demonstrated need, as identified through the Joint External Evaluation process, the Global Health Security Index classifica-
tion of National Action Plans for health security, Global Health Security Agenda, other risk-based assessments, and complementary or successor indicators of global health security and pandemic preparedness; and

(ii) demonstrated commitment to transparency, including budget and global health security data, transparency, as required by the International Health Regulations (2005), in-vesting in domestic health systems, and achieving measurable results;

(E) reduce long-term reliance upon United States foreign assistance for global health security by—

(i) ensuring that United States global health assistance authorized under this subtitle is strategically planned and coordi-nated in a manner that delivers immediate...
impact and contributes to enduring results, including through efforts to enhance community capacity and resilience to infectious disease threats and emergencies; and
(ii) the coordinated partnerships of global health security strategies, data, programs, and outcomes and improved domestic resource mobilization, co-financing, and appropriate national budget allocation for global health security and pandemic prevention, preparedness, and response; and
(F) assist partner countries in building the technical, financial, and in-kind contributions of relevant ministries, systems, and networks to prepare, execute, monitor, and evaluate national action plans for global health security and pandemic prevention, preparedness, and response; and
(G) support and align United States foreign assistance authorized under this subtitle with such national action plans for health security and pandemic prevention, preparedness, and response, as appropriate;
(H) facilitate communication and collaboration, as appropriate, among local stakeholders in support of country-led strategies and initiatives to advance preparedness and response and to prevent, detect, and respond to infectious disease threats; and
(J) strengthen linkages between complementary bilateral and multilateral foreign assistance programs, including efforts of the World Bank, the World Health Organization, the Global Fund to Fight AIDS, Tuberculosis, and Malaria, and Gavi, the Vaccine Alliance, that contribute to the development of more resilient health systems and global supply chains for global health security and pandemic prevention, preparedness, and response in partner countries with the capacity to prevent, detect, and respond to infectious disease threats; and
(K) support innovation and partnerships with commercial, private sector, health organizations, civil society, nongovernmental, faith-based and indigenous organizations, and health research and academic institutions to improve infectious disease prevention, preparedness, and response, including for the development and deployment of effective and accessible infectious disease tracking tools, diagnostics, therapeutics, and vaccines.
(1) SUBMISSION OF STRATEGY.—
(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President, through the Interagency Review Council (referred to in subsection (2)(A) and (3)(A) as the “Council”), shall submit the strategy required under paragraph (1) to—
(i) the appropriate congressional committees;
(ii) the Committee on Health, Education, Labor, and Pensions of the Senate; and
(iii) the Committee on Energy and Commerce of the House of Representatives.
(B) AGENCY-SPECIFIC PLANS.—The strategy required under paragraph (1) shall include specific implementation plans from each relevant Federal department and agency that describe—
(i) the anticipated contributions of the Federal government or agency, including technical, financial, and in-kind contributions, to implement the strategy; and
(ii) the efforts of the Federal department or agency to ensure that the activities and programs carried out pursuant to the strategy are designed to achieve maximum impact and long-term sustainability.
(3) ANNUAL REPORT.—
(A) IN GENERAL.—Not later than 1 year after the submission of the strategy pursuant to paragraph (1), and not later than October 1 of each year thereafter, the President shall submit a report to the committees referred to in paragraph (2)(A) that describes the status of the implementation of such strategy.
(B) CONTENTS.—Each report submitted pursuant to subparagraph (A) shall—
(i) identify any substantial changes made to the strategy during the preceding calendar year;
(ii) describe the progress made in implementing the strategy, including specific information related to the progress toward improving countries’ ability to detect, prevent, and respond to infectious disease threats, such as COVID-19 and Ebola;
(iii) identify—
(I) the indicators used to establish benchmarks and measure results over time; and
(ii) the mechanisms for reporting such results in an open and transparent manner;
(iv) contain a transparent, open, and detailed accounting of obligations by relevant Federal departments and agencies to implement the strategy, including, to the extent practicable, for each such Federal department and agency—
(I) the status of the implementation of such obligations;
(II) the amounts obligated, implemented, and budgeted for implementing the strategy; and
(iii) the estimated commitments to assist other countries; and
(v) identify—
(I) any efforts of the Federal department or agency to ensure that the activities and programs carried out pursuant to the strategy are designed to achieve maximum impact and enduring results, including through specific activities to strengthen health systems for global health security and pandemic prevention, preparedness, and response, as appropriate.
(C) FORM.—The strategy and reports required under this subsection shall be submitted in an unclassified form, but may contain a classified annex.
(b) ESTABLISHMENT OF THE UNITED STATES GLOBAL HEALTH SECURITY AGENDA INTERAGENCY REVIEW COUNCIL.—
(1) STATEMENT OF POLICY.—It is the policy of the United States—
(A) to provide, or to invest in global health security and pandemic prevention, preparedness, and response as a core national and security interest;
(B) to advance the aims of the Global Health Security Agenda;
(C) to collaborate with other countries to promote early detection and mitigation of infectious diseases before such threats become pandemics; and
(D) to encourage and support other countries to advance pandemic preparedness and response and to develop and sustain health systems for global health security and pandemic prevention and preparedness.
(2) ESTABLISHMENT.—The President shall establish a Global Health Security Agenda Interagency Review Council (referred to in this section as the “Council”) to carry out the activities described in paragraphs (4) and (7).
(3) MEETINGS.—The Council shall meet not fewer than 4 times each year to advance its mission and fulfill its responsibilities.
(4) GENERAL RESPONSIBILITIES.—The Council shall—
(A) provide policy-level recommendations to other relevant agencies regarding Global Health Security Agenda goals, objectives, and implementation, and other international efforts to strengthen pandemic preparedness and response;
(B) facilitate interagency, multi-sectoral engagement to carry out GHSA Implementation;
(C) provide a forum for raising and working to resolve interagency disagreements concerning the GHSA, and other international efforts to strengthen pandemic preparedness and response;
(D) review the progress toward, and work to resolve challenges in achieving, United States commitments to the GHSA, including commitments to assist other countries in achieving the GHSA targets; and
(E) consider, among other issues—
(i) the status of United States financial commitments to the GHSA in the context of commitments by other donors, and the contributions of partner countries to achieve the GHSA targets;
(ii) the progress toward the milestones outlined in—
(I) GHSA national plans for countries in which the United States Government has committed to assist in implementing the GHSA; and
(ii) annual work plans outlining agency priorities for implementing the GHSA; and
(iii) the external evaluations of United States and partner country capabilities to prevent, detect, and respond to infectious diseases, including the ability to achieve the targets outlined within the World Health Organization’s Joint External Evaluation Tool, gaps identified in such evaluations.
(5) PARTICIPATION.—The Council—
(A) shall be headed by the Assistant to the President for National Security Affairs, in coordination with the heads of relevant Federal agencies; and
(B) should consist of representatives of each of the relevant Federal departments and agencies, as determined by the President.
(6) RESPONSIBILITIES OF FEDERAL DEPARTMENTS AND AGENCIES.—The Assistant to the President for National Security Affairs and the Council may not assume any responsibilities or authorities of the head of any Federal department, agency, or office, including the foreign affairs responsibilities and authorities of the Secretary of State to oversee the implementation of programs and policies that advance global health security within foreign countries.
(7) SPECIFIC ROLES AND RESPONSIBILITIES.—
(A) IN GENERAL.—The heads of the agencies referred to in paragraph (5) shall—
(i) work with appropriate representatives at the Assistant Secretary level or higher to participate on the Council;
(ii) develop an appropriate, multi-sectoral and comprehensive biennial strategy to advance the GHSA and global pandemic preparedness within their respective agencies’ strategic planning and budget processes;
(iii) designate a senior-level official to be responsible for the implementation of this subsection; and
(iv) provide, in accordance with paragraph (5), an appropriate representative at the Assistant Secretary level or higher to participate on the Council;
(v) keep the Council apprised of GHSA-related activities undertaken within their respective agencies; (vi) maintain responsibility for agency-related programmatic functions in coordination with other relevant Federal agencies, governments in partner countries, country teams, and GHSA in-country teams;
(vii) coordinate with other Federal agencies on the missions identified in this section; and
(viii) coordinate across national health security action plans and with GHSA and other
appropriate partners to which the United States is providing assistance.  

(B) ADDITIONAL ROLES AND RESPONSIBILITIES.—In addition to the roles and responsibilities subparagraph (A), the heads of relevant Federal departments and agencies should carry out their respective roles and responsibilities described in—

(i) Executive Order 13977 (81 Fed. Reg. 78701; relating to Advancing the Global Health Security Agenda to Achieve a World Safe and Secure from Infectious Disease Threats).


(c) ORGANIZATION OF UNITED STATES INTERNSATIONAL ACTIVITIES TO ADVANCE GLOBAL HEALTH SECURITY AND DIPLOMY.—

(1) ESTABLISHMENT.—There is established, within the Department of State, the position of Special Representative for United States International Activities to Advance Global Health Security and Diplomacy overseas (referred to in this section as the “Special Representative”).

(2) APPOINTMENT; QUALIFICATIONS.—The Special Representative—

(A) shall be appointed by the President, by and with the advice and consent of the Senate;

(B) shall report to the Secretary of State; and

(C) shall have—

(i) demonstrated knowledge and experience in the fields of development and public health, epidemiology, or medicine; and

(ii) relevant diplomatic, policy, and political expertise.

(3) AUTHORITIES.—The Special Representative may—

(A) operate internationally to carry out the purposes of this section;

(B) ensure effective coordination, management, and oversight of United States foreign policy, diplomatic efforts, and foreign assistance funded with amounts appropriated to carry out this subtitle to advance the relevant elements of the United States Global Health Security and Diplomacy Strategy developed pursuant to subsection (a) by—

(i) formulating, implementing, and updating related policy guidance;

(ii) establishing, in coordination with USAID and the Department of Health and Human Services, unified auditing, monitoring, and evaluation plans;

(iii) avoiding duplication of effort and working to resolve policy, program, and funding discrepancies between the relevant Federal departments and agencies;

(iv) leading diplomatic efforts to identify and address current and emerging threats to global health security;

(v) ensuring, in consultation with the Secretary of Health and Human Services and the USAID Administrator, effective representation of United States interests in relevant international forums, including the World Health Organization, the World Health Assembly, and meetings of the Global Health Security Agenda and of the Global Health Security Initiative;

(vi) working to enhance coordination with, and transparency among, the governments of partner countries and key stakeholders, including the private sector;

(vii) promoting greater donor and national investment in partner countries to build health systems and supply chains for global health security and pandemic prevention and preparedness;

(viii) securing bilateral and multilateral financing to further the Global Health Security Agenda, in coordination with relevant Federal departments and agencies, including through funding for the financing mechanism described in section 6295; and

(ix) providing regular updates to the appropriate congressional committees on the implementation of the activities described in this paragraph;

(C) represent the United States in the multilateral, catalytic financing mechanism described in paragraph (D); and

(D) utilize details, on a reimbursable or nonreimbursable basis, from relevant Federal departments and agencies and hire personal services contractors, who may operate domestically and internationally, to ensure that the Office of the Special Representative has access to the highest quality experts available to the United States Government to carry out the functions under this subtitle; and

(E) perform such other functions as the Secretary of State may assign.

(d) STRENGTHENING HEALTH SYSTEMS FOR GLOBAL HEALTH SECURITY AND PANDEMIC PREVENTION AND PREPAREDNESS.—

(1) STRATEGIC PLANNING.—The policy of the United States is to ensure that bilateral global health assistance programs are effectively managed and coordinated, as necessary and appropriate, and that the purposes of this subtitle, to contribute to the strengthening of health systems for global health security and pandemic prevention, and preparedness and response, in each country in which such programs are carried out.

(2) COORDINATION.—The USAID Administrator shall work with the Global Malaria Coordinator, the Global AIDS Coordinator, the Special Representative for Global Health Diplomacy at the Department of State, and, as appropriate, the Secretary of Health and Human Services, in coordination with the USAID Administrator, the director of the Centers for Disease Control and Prevention, and the heads of other relevant Federal departments and agencies, and consistent with the requirements under the International Health Regulations (2005) and the objectives of the World Health Organization's Health Emergencies Programme, the Global Health Security Agenda, and national actions plans for health security, shall work, in cooperation with the World Health Organization, with partner countries and other key stakeholders to support the establishment, strengthening, and rapid response capacity of global health emergency operations centers, at the partner country and international levels, including efforts—

(A) to collect and share public health data, address risk, and operationalize early warning;

(B) to secure, including through utilization of stand-by arrangements and emergency financing mechanisms, funds and resources necessary to execute cross-sectoral emergency operations during the 48-hour period immediately following an infectious disease outbreak, particularly those that utilize innovative information and analytical tools and robust review processes to track, document, analyze, and forecast infectious disease threats with epidemic and pandemic potential.

(2) REPORT.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter for the following 4 years, the Secretary of State, in coordination with the Secretary of Health and Human Services and the heads of the other relevant Federal departments and agencies, shall submit a report to the appropriate congressional committees on the implementation of this section and the report shall describe United States Government efforts and opportunities to establish or strengthen effective early warning systems to detect infectious disease threats internationally.

(f) INTERNATIONAL EMERGENCY OPERATIONS.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that it is essential to enhance the capacity of key stakeholders to effectively operationalize early warning and execute emergency operations during an infectious disease outbreak, particularly in countries and areas that deliberately withhold critical global health data and delay access during an infectious disease outbreak in advance of the next infectious disease outbreak with pandemic potential.

(2) PUBLIC HEALTH EMERGENCIES OF INTERNATIONAL CONCERN.—In coordination with the Secretary of Health and Human Services, should work with the World Health Organization and like-minded member states to adopt an approach toward assessing infectious disease threats under the International Health Regulations (2005) for the World Health Organization to identify and transparently communicate, on an ongoing basis, varying levels of risk leading up to a declaration by the Director General of the World Health Organization of a Public Health Emergency of International Concern for the duration and in the aftermath of such declaration.

(3) EMERGENCY OPERATIONS.—The Secretary of State, the Secretary of Health and Human Services, in coordination with the USAID Administrator, the Director of the Centers for Disease Control and Prevention, and the heads of other relevant Federal departments and agencies, shall—

(A) collect and share public health data, address risk, and operationalize early warning;

(B) secure, including through utilization of stand-by arrangements and emergency financing mechanisms, funds and resources necessary to execute cross-sectoral emergency operations during the 48-hour period immediately following an infectious disease outbreak, particularly those that utilize innovative information and analytical tools and robust review processes to track, document, analyze, and forecast infectious disease threats with epidemic and pandemic potential;

(C) to organize and conduct emergency simulations.
(2) the country's commitment to transparency, including—
(A) budget and global health data transparency;
(B) its compliance with the International Health Regulations (2005);
(C) investments in domestic health systems; and
(D) the achievement of measurable results.

(3) EXECUTIVE BOARD.—The Executive Board should—
(i) be charged with approving strategies, operations, and grant making authorities such that it is able to conduct effective fiduciary, monitoring and evaluation efforts, and other oversight functions;
(ii) determine operational procedures to enable the Fund to effectively fulfill its mission;
(iii) provide oversight and accountability for the Fund in collaboration with the Inspector General established pursuant to subsection (d)(5)(A)(i); (iv) develop and utilize a mechanism to obtain formal input from eligible partner countries, including input from implementing entities relative to program design, review, and implementation and associated lessons learned; and
(v) coordinate and align with other multilateral financing and technical assistance activities, and with the activities of the United States and other nations leading pandemic preparedness and response activities in partner countries, as appropriate.

(C) COMPOSITION.—The Executive Board should include—
(i) representatives of the governments of founding member countries who, in addition to meeting the requirements under subparagraph (A), qualify under the authorities provided under this subsection; and
(ii) representatives of the governments of eligible partner countries, bodies, and independent civil society, including governmental, nongovernmental, and private sector investments;

(iv) the chair of the Global Health Security Agenda Steering Group, to serve in an observer status; and
(v) the chair of the Global Health Security and Pandemic Prevention and Preparedness Index; such that it is able to conduct effective fiduciary, monitoring and evaluation efforts, and other oversight functions relating to such countries, bodies, and institutions.

(G) UNITED STATES REPRESENTATION.—
(I) FUNDING MEMBER.—The Secretary of State should seek—
(I) to establish the United States as a founding member of the Fund; and
(ii) to ensure that the United States is represented on the Executive Board by an officer or employee of the United States who has demonstrated knowledge and experience across a variety of sectors, including legal, finance, research, and academia.

(II) to ensure the United States is represented on the Executive Board by an officer or employee of the United States who has demonstrated knowledge and experience across a variety of sectors, including legal, finance, research, and academia.

(H) REMOVAL PROCEDURES.—The Fund should establish procedures for the removal of members of the Executive Board established pursuant to clause (i) that is otherwise contrary to the purposes of the Fund and the objectives of the United States.

(II) TERMINATION DATE.—The membership established pursuant to clause (i) shall terminate upon the date of termination of the Fund.

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(i) to enable eligible partner countries to formulate and implement national health security and pandemic prevention and preparedness action plans, advance action packages under the Global Health Security Agenda, and adopt and uphold commitments under the International Health Regulations (2005) and complementary or successor indicators of global health security and pandemic prevention and preparedness, as appropriate;

(ii) to support global health security budget planning in eligible partner countries, including training in public financial management, integrated and transparent budget and global health data and human resource information systems;

(iii) to strengthen the health security workforce, including hiring, training, and deploying core national essential staff, including community health workers, to improve frontline prevention of, and monitoring and preparedness for, unknown, new, emerging, or reemerging pathogens of pandemic potential, including capacity to surge and manage additional staff during emergencies;

(iv) to improve the quality of community health worker programs as the foundation of pandemic preparedness and response through application of appropriate assessment tools;

(v) to improve—

(I) infection prevention and control;

(II) the protection of healthcare workers, including community health workers; and

(III) access to water and sanitation within healthcare settings;

(vi) to combat the threat of antimicrobial resistance;

(vii) to strengthen laboratory capacity and promote biosafety and biosecurity through the provision of material and technical assistance;

(viii) to reduce the risk of—

(I) bioterrorism; and

(II) the emergence, reemergence, or spread of zoonotic disease (whether through loss of natural habitat, the commercial trade in wildlife for human consumption, or other means); and

(III) accidental biological release;

(ix) to build technical capacity to manage, as appropriate, supply chains for global health security and pandemic prevention and preparedness in such effective forecasting, procurement, warehousing, and delivery from central warehouses to points of service in the health sector;

(x) to enable bilateral, regional, and international partnerships and cooperation, including through pandemic early warning systems and emergency operations centers, to identify and address transnational infectious disease threats exacerbated by natural and man-made disasters, human displacement, and zoonotic infection;

(xi) to establish partnerships for the sharing of best practices and enabling eligible countries to meet targets and indicators under the IHR (2005) Monitoring and Evaluation Framework, the Global Health Security Index classification of health systems, and national action plans for health security relating to the prevention, detection, and treatment of neglected tropical diseases;

(xii) to develop and utilize metrics to monitor and evaluate programmatic performance and identify best practices, including in accordance with the IHR (2005) Monitoring and Evaluation Framework, including Joint External Evaluation benchmarks, Global Health Security Agenda targets, and Global Health Security Index indicators;

(xiii) to develop and deploy mechanisms to enhance and independently monitor the transparency and accountability of global health security and pandemic prevention and preparedness programs and data, in compliance with the International Health Regulations (2005), including through the sharing of trends, risks, and lessons learned;

(xiv) to promote broad participation in emergency planning and advisory bodies, including by women and frontline health workers;

(xv) to develop and implement simulation exercises to produce and release after-action reports, and to address related gaps;

(xvi) to support countries in conducting Joint External Evaluations;

(xvii) to improve disease surveillance capacity in partner countries, including at the community level, to improve such countries’ capacity to detect and respond to known and unknown pathogens and zoonotic infectious diseases; and

(xviii) to support governments through coordinated and prioritized assistance efforts to prevent the emergence, reemergence, or spread of zoonotic diseases caused by deforestation, commercial trade in wildlife for human consumption, climate-related events, and unsafe interactions between wildlife, livestock, and people.

(C) IMPLEMENTATION OF PROGRAM OBJECTIVES.—In carrying out the objectives described in subparagraph (A), the Fund should—

(i) upholding strict transparency and accountability standards and coordinating its programs and activities to work to advance global health security and pandemic prevention and preparedness, including—

(I) governments, independent civil society, nongovernmental, faith-based, and indigenous organizations, research and academic institutions, and private sector entities in eligible partner countries;

(II) the pandemic early warning systems and emergency operations centers to be established under subsections (e) and (f) of section 6294;

(iii) the World Health Organization;

(iv) the Global Health Security Agenda;

(v) the Global Health Security Initiative;

(vi) the Global Fund to Fight AIDS, Tuberculosis and Malaria;

(vii) the United Nations Office for the Coordination of Humanitarian Affairs;

(viii) UNICEF, and other relevant funds, programmes, and specialized agencies of the United Nations;

(ix) Gavi, the Vaccine Alliance;

(x) the World Organisation for Animal Health;

(xi) the United Nations Environment Programme;

(xii) the Food and Agriculture Organization;

(xiii) the Global Polio Eradication Initiative; and

(xiv) the Special Representative for United States International Activities to Advance Global Health Security and Pandemic Prevention Overseas described in section 6294(c).

(2) PRIORITY.—In providing assistance under this subsection, the Fund should give priority to and—

(i) the United States, and to—

(A) low scores on the Global Health Security Index classification of health systems; and

(B) measured global health security and pandemic prevention and preparedness in lower middle income countries with—

(i) low scores on the Global Health Security Index classification of health systems;

(ii) measured global health security and pandemic prevention and preparedness identified under the IHR (2005) Monitoring and Evaluation Framework and national action plans for health security;

(iii) demonstrated political and financial commitment to pandemic prevention and preparedness; and

(iv) demonstrated democratic commitment to—

(A) upholding global health budget and data transparency and accountability standards; and

(B) ensuring that the Fund maintains—

(i) cost-effective management of the Fund; and

(ii) transparency and accountability in the grant-making process.

(5) ADDITIONAL TRANSPARENCY AND ACCOUNTABILITY REQUIREMENTS.—

(A) INSPECTOR GENERAL.—

(i) IN GENERAL.—The Secretary of State shall seek to ensure that the Fund maintains an Inspector General, appointed pursuant to paragraph (1)(B), who—
(I) is fully enabled to operate independently and transparently;

(II) is supported by and with the requisite resources and capacity to regularly conduct and publicly accessible, rigorous financial, programmatic, and reporting audits and investigations of the Fund and its grantees, including sub-grantees and sub-sub-grantees; and

(III) establishes an investigative unit that—

(aa) develops an oversight mechanism to ensure that grant funds are not diverted to illicit or corrupt purposes or activities; and

(bb) submits an annual report to the Executive branch detailing its activities, investigations, and results.

(II) Sense of Congress on corruption.—It is the sense of Congress that—

(I) Federal, global health programs contribute directly to the loss of human life and cannot be tolerated; and

(II) in making financial recoveries relating to, or assets seized from, criminal conduct committed by a grant recipient, as determined by the Inspector General, the responsible grantrecipient should be assessed at a recovery rate that is sufficient to cover the costs of the Federal, global health programs.

(A) Administrative expenses; financial tracking systems.—The Secretary of State shall seek to ensure the Fund establishes, maintains, and makes publicly available—

(i) a system to track the administrative and management costs of the Fund on a quarterly basis; and

(ii) a system to track the amount of funds disbursed to each grant recipient and sub-recipient during each grant’s fiscal cycle.

(C) Exemption from duties and taxes.—The Secretary should ensure that the Fund adopts rules that condition grants upon agreement by the relevant national authorities in an eligible partner country to exempt the United States of America from duties and taxes on all goods and services provided to the Fund as a result of the Fund’s activities.

(B) Technical Advisory Panel.—

(1) In general.—There should be an independent, non-governmental, non-biased, non-political, non-advocacy group established and operated by the Fund.

(2) Appointments.—The members of the Technical Advisory Panel should be composed of—

(A) individuals with experience and leadership in development, global health, epidemiology, medicine, biomedical research, and social sciences; and

(B) representatives of relevant United Nations agencies and international organizations with a track record of implementing programs and projects in the fields of public health and education.

(3) Responsibilities.—The Technical Advisory Panel should provide advice and guidance to the Fund on the development and implementation of programs and projects to be assisted by the Fund and on leveraging donations to the Fund.

(4) Prohibition on payment of compensation.—

(A) In general.—Except for travel expenses (including per diem in lieu of subsistence), no member of the Technical Advisory Panel should receive compensation for services performed as a member of the Technical Advisory Panel.

(B) United States representatives.—Notwithstanding any other provision of law (including an international agreement), a representative of the United States on the Technical Advisory Panel may not accept compensated compensation for services performed as a member of the Technical Advisory Panel, except that such representative may accept travel expenses, including per diem in lieu of subsistence, while away from the representative’s home or regular place of business for United States representatives to represent the United States at events, conferences, and other international gatherings.

(C) CONGRESSIONAL RECORD — SENATE

SEC. 6296. GENERAL PROVISIONS.

(a) Authorization of Appropriations.—

(1) In general.—There is authorized to be appropriated to the Secretary, for the 5-year period beginning on October 1, 2022, $5,000,000,000, which—

(i) shall be used to carry out sections 6299H and 6299I, in consultation with the appropriate congressional committees and subject to the requirements under chapters 1 and 10 of part 1 and section 634A of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.); and

(ii) may include support for—

(A) enhancing pandemic prevention, preparedness, and response in partner countries through implementation of the Global Health Security and Diplomacy Strategy development pursuant to section 6298, and

(B) United States contributions to a multilateral, catalytic financing mechanism for global health security and pandemic prevention and preparedness described in section 6295.

(b) Exception.—Section 109 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107) shall not apply to assistance made available pursuant to this subsection.

(c) Compliance with the Foreign Aid Transparency and Accountability Act of 2016.—Section 2(3) of the Foreign Aid Transparency and Accountability Act of 2016 (Public Law 114–114; 22 U.S.C. 2394c note) is amended by—

(1) in subparagraph (D), by striking “and” at the end; and

(2) in subparagraph (E), by striking the period at the end and inserting “; and”;

and

(d) By adding at the end the following:

“(F) the International Pandemic Preparedness and COVID–19 Response Act of 2022.”;

SEC. 6297. SUNSET.

This subtitle, and the amendments to this subtitle, shall cease to be effective on September 30, 2027.
(1) as the Space Development Agency transfers into the United States Space Force in October 2022, the Space Development Agency should retain the original organizational structures during that process, including leadership positions;

(2) there should be a transfer of three Senior Executive Service positions authorized for the Department of Defense to the Space Development Agency;

(3) the modification described in paragraph (2) should be approved per the National Defense Authorization Act for Fiscal Year 2021 Joint Explanatory Statement, which directed that when the Space Development Agency transfers to the Department of the Air Force, the Space Development Agency shall retain the equivalent position of tier-3 Senior Executive Service; and

(4) the Director of the Space Development Agency should maintain equivalent to—

(A) the Commander of Space Systems Command,

(B) the Director of the Department of the Air Force Rapid Capabilities Office,

(C) the Director of the Space Security and Defense Program,

(D) the Director of the Space Warfarefighting Analysis Center;

(E) the Director of the Space Rapid Capabilities Office;

(F) the Commander of Space Operations Command; and

(G) the Commander of Space Training and Readiness Command.

SEC. 6502. AUTHORIZATION OF WORKFORCE DEVELOPMENT AND TRAINING PARTNERSHIP PROGRAMS WITHIN NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) IN GENERAL.—The Administrator for Nuclear Security may authorize management and operating contractors at covered facilities to develop and implement workforce development and training partnership programs with covered institutions to further the education and training of employees or prospective employees of such management and operating contractors in order to meet the requirements of section 4219 of the Atomic Energy Defense Act (50 U.S.C. 2538a).

(b) CAPACITY.—To carry out subsection (a), a management and operating contractor at a covered facility may provide to a covered institution sufficient grants, fellowships, or other means to cover the costs of the development and implementation of a workforce development and training partnership program authorized under subsection (a), including costs related to curriculum development, hiring of teachers, procurement of equipment and machinery, use of facilities or other properties, and provision of scholarships and fellowships.

(c) DEFINITIONS.—In this section:

(1) COVERED INSTITUTION.—The term "covered institution" means—

(A) a historically Black college or university;

(B) a Hispanic-serving institution; or

(C) a Tribal College or University.

(2) COVERED FACILITY.—The term "covered facility" means—

(A) Los Alamos National Laboratory, Los Alamos, New Mexico; or

(B) the Savannah River Site, Aiken, South Carolina.

(3) HISPANIC-SERVING INSTITUTION.—The term "Hispanic-serving institution" has the meaning given that term in section 502 of the Higher Education Act of 1965 (20 U.S.C. 1061).

(4) HISTORICALLY BLACK COLLEGE OR UNIVERSITY.—The term "historically Black college or university" has the meaning given the term "part B institution" in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(5) PROSPECTIVE EMPLOYEE.—The term "prospective employee" means an individual who has applied or who, based on their field of study and experience, is likely to apply for and consider employment with a management and operating contractor to support plutonium pit production at a covered facility.

(6) TRIBAL COLLEGE OR UNIVERSITY.—The term "Tribal College or University" has the meaning given that term in section 502 of the Higher Education Act of 1965 (20 U.S.C. 1061).

(7) VERSITY.—The term "historically Black collegiate or university" has the meaning given the term "part B institution" in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(20) On June 8, 2022, the Islamic Republic of Iran turned off surveillance cameras installed by the International Atomic Energy Agency to monitor uranium enrichment activities at nuclear sites in the country.

(c) Sense of Congress.—It is the sense of Congress that—

(1) the Department of State has used evidence from the International Atomic Energy Agency to conclude that the Islamic Republic of Iran has engaged in activities at nuclear sites in the country that are contrary to the Iran Nuclear Agreement.

(2) intelligence agencies have compiled evidence of the intent of the Islamic Republic of Iran to advance a nuclear program, with evidence of a nuclear program prior to 2003.

(3) an Islamic Republic of Iran that possesses a nuclear weapons capability would be a serious threat to the national security of the United States, Israel, and other allies and partners;

(4) the Islamic Republic of Iran has been less than cooperative with international inspectors from the International Atomic Energy Agency and has obstructed their ability to inspect nuclear facilities across Iran;

(5) the Department of State has compiled additional intelligence that the Islamic Republic of Iran has advanced its nuclear program;

(6) the Islamic Republic of Iran and its proxies have undertaken activities with respect to design and development of ballistic missiles and other weapons of mass destruction that threaten the national security of the United States, Israel, and other allies and partners;

(7) the Islamic Republic of Iran has engaged in activities against the United States and its allies, including attacks against former United States officials and its allies.

(d) Definitions.—In this section:

(A) the United States must—

(B) threat the safety of United States citizens;

(C) threatens the United States and its allies and partners;

(D) directly undermines the national security interests of the United States;

(E) the Islamic Republic of Iran has engaged in unsafe and unprofessional maritime activity that threatens the movement of naval vessels of the United States and the free flow of commerce, strategic maritime chokepoints in the Middle East and North Africa;

(F) the Islamic Republic of Iran has delivered hundreds of armed drones to the Russian Federation, which will enable Vladimir Putin to continue the assault against Ukraine in direct opposition of the national security interests of the United States; and

(G) the Secretary of Defense shall establish a task force to coordinate and synthesize efforts by the United States Government regarding—

(1) nuclear activity of the Islamic Republic of Iran or its proxies;

(2) regional and global terrorism activity by the Islamic Republic of Iran or its proxies.

(e) Establishment of Interagency Task Force on Nuclear Activity and Regional Terrorism of the Islamic Republic of Iran.—

(1) Establishment.—The Secretary of State shall establish a task force to coordinate and synthesize efforts by the United States Government regarding—

(A) the intelligence community has the mission given the term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(B) nuclear force by the head of one of the following agencies:

(i) the Department of State.

(ii) the Office of the Director of National Intelligence.

(iii) The Department of Defense.

(iv) The Department of Energy.

(v) The Central Intelligence Agency.

(2) Membership.—The Chairperson may appoint to the task force additional individuals from other Federal agencies, as the Chairperson considers necessary.

(f) Sunset.—The task force shall terminate on December 31, 2028.

(g) Reports.—The task force shall submit to the appropriate congressional committees—

(I) an intelligence assessment regarding any uranium enrichment, nuclear weapons development, delivery vehicle development, and associated engineering and research activities of the Islamic Republic of Iran;

(ii) the use of depleted and enriched uranium; and

(iii) the use of computer models to simulate nuclear explosive devices;

(h) Activities.—The task force may—

(I) assess and develop computer models to simulate nuclear explosive devices;

(ii) design, develop, fabrication, acquisition, or use of explosives that could be used as a weapon of mass destruction.

(i) Authorization.—Nothing in this section shall be construed to authorize the construction or testing of a nuclear explosive device.
(III) the estimated breakout time for the Islamic Republic of Iran to develop and deploy a nuclear weapon, including a crude nuclear weapon; and
(IV) the status and location of any research and development work site related to the preparation of an underground nuclear test; 
(iv) an identification of any clandestine nuclear facilities; 
(v) an assessment of whether the Islamic Republic of Iran maintains locations to store equipment, research archives, or other material prepared by or used for the Nuclear Suppliers Group or any successor list at sites that the International Atomic Energy Agency has sought to inspect during previous 1-year periods; 
(vi) any diversion by the Islamic Republic of Iran of uranium, carbon-fiber, or other materials for use in an undeclared or clandestine nuclear facility; 
(vii) an assessment of activities related to developing or acquiring the capabilities for the production of nuclear weapons, conducted or sponsored by, the Islamic Republic of Iran, including training, and any other information that the task force, shall submit to the appropriate congressional committees a diplomatic strategy that outlines a comprehensive plan for engaging with the Islamic Republic of Iran against United States partners or allies and the associated response by the United States Government in the previous 120 days; 
(2) CONTENTS.—The diplomatic strategy referred to in paragraph (1) shall include—
(A) an assessment of whether the Islamic Republic of Iran is engaged in new or evolving nuclear weapons development activities; 
(B) a description of any dual-use item (as defined under section 730.3 of title 15, Code of Federal Regulations or listed on the List of Nuclear-Related Dual-Use Equipment, Materials, Software, and Related Technology issued by the Nuclear Suppliers Group or any successor list) the Islamic Republic of Iran is using to further the nuclear weapon or missile program; 
(C) a description of efforts of the United States to counter efforts of the Islamic Republic of Iran to project political and military influence into the Middle East; 
(D) a description of efforts to address the Iranian threat that terrorism by, or sponsored by, the Islamic Republic of Iran, and economic, financial, and security related tools to address such activities; and 
(E) a comprehensive plan for engaging with allies and regional partners in all relevant multilateral fora to address such activities.
(3) UPDATED STRATEGY RELATED TO NOTIFICATION.—Not later than 15 days after the submittal of a notification to Congress that there has been a significant development in the nuclear weapon or missile delivery systems capability of the Islamic Republic of Iran, the Secretary of State shall submit to the appropriate congressional committees an update to the most recent diplomatic strategy submitted under paragraph (1).
TITIE LXXVIII—MILITARY CONSTRUCTION AND GENERAL PROVISIONS

SEC. 7801. COMPTROLLER GENERAL ASSESSMENT OF IMPLEMENTATION OF CERTAIN PROVISIONS INTENDED TO IMPROVE THE EXPERIENCE OF RESIDENTS OF PRIVATIZED MILITARY HOUSING

(a) ASSESSMENT REQUIRED.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct an independent assessment of the implementation by the Department of Defense of sections 2806, 2808(b), and 2894(c) of title 10, United States Code.

(b) ELEMENTS.—The assessment required under paragraph (1) shall include—

(A) a summary and evaluation of the analysis and information provided to residents of privatized military housing regarding the assessment of performance indicators pursuant to section 2894(b) of title 10, United States Code, and the extent to which residents have requested such an assessment;

(B) a summary of the extent to which the Department collects and uses data on whether members of the Armed Forces and their families residing in privatized military housing, including family and unaccompanied housing, have exercised the rights afforded in the Military Housing Privatization Initiative Tenant Bill of Rights under subsection (a) of section 2890 of title 10, United States Code, to include the rights specified under paragraphs (8), (12), (13), (14), and (15) of subsection (a);

(C) an evaluation of the implementation by each military department of section 2894(c) of title 10, United States Code, including, with regard to paragraph (5) of such section—

(i) the number of requests that have been resolved favorably; and

(ii) the number of requests that have been resolved in compliance within the required time period; and

(D) such other matters as the Comptroller General considers necessary.

(b) BRIEFING AND REPORT.—

(1) BRIEFING.—Not later than March 31, 2022, the Comptroller General shall provide to the Committees on Armed Services of the Senate and the House of Representatives a report on the assessment conducted under subsection (a).

(2) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the assessment conducted under subsection (a).

(c) PRIVATIZED MILITARY HOUSING DEFINED.—In this section, the term ‘‘privatized military housing’’ means military housing provided under subchapter IV of chapter 169 of title 10, United States Code.

SEC. 7802. LAND CONVEYANCE, STARKVILLE, MISSISSIPPI

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army (in this section referred to as the ‘‘Secretary’’) may convey to the City of Starkville, Mississippi (in this section referred to as the ‘‘City’’), all right, title, and interest of the United States in and to the property, consisting of approximately 5.26 acres located at 436 Highway 12, Starkville, Mississippi 39759, to be used for economic development purposes.

(b) CONVEYANCE.—

(1) IN GENERAL.—If the Secretary determines at any time that the property conveyed under subsection (a) is not being used in accordance with the purpose of the conveyance specified in such subsection, all right, title, and interest in such property, including any improvements thereto, may, at the option of the Secretary, revert to and become the property of the United States, and the United States may have the right of immediate entry onto such property.

(2) DETERMINATION.—A determination by the Secretary under paragraph (1) shall be made on the record after an opportunity for a hearing.

(c) CONSIDERATION.—

(1) PAYMENT.—(A) IN GENERAL.—The consideration received under paragraph (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 in accordance with subparagraph (B) of such section.

(B) DETERMINATION.—(A) IN GENERAL.—The Secretary may require the City to cover all costs (except costs for environmental remediation of the property) 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 for environmental documentation, and any other administrative costs related to the conveyance.

(B) REFUND.—If amounts are collected from the City under subparagraph (A) in advance of the Secretary incurring actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance under subsection (a), the Secretary may 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 may be merged with amounts in such fund or account.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) may 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) as the Secretary considers appropriate to protect the interests of the United States.

TITLE LXXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

SEC. 8010. PLAN TO ACCELERATE RESTORATION OF DOMESTIC URANIUM ENRICHMENT

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States is engaged in a period of intense strategic competition with 2 peer adversaries, each of which aims to develop nuclear forces superior to the nuclear forces maintained by the United States and its allies requires that the United States maintain a capable, credible nuclear force, including the capability to produce the materials needed to manufacture nuclear weapons and provide reliable sources of energy for naval vessels and military facilities; and

(b) REVERSIONARY INTEREST.—

(1) IN GENERAL.—If the Secretary determines at any time that the property conveyed under subsection (a) is not being used in accordance with the purpose of the conveyance specified in such subsection, all right, title, and interest in such property, including any improvements thereto, may, at the option of the Secretary, revert to and become the property of the United States, and the United States may have the right of immediate entry onto such property.

(2) DETERMINATION.—A determination by the Secretary under paragraph (1) shall be made on the record after an opportunity for a hearing.

(c) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT AUTHORIZED.—

(A) IN GENERAL.—The Secretary may require the City to cover all costs (except costs for environmental remediation of the property) 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 for environmental documentation, and any other administrative costs related to the conveyance.

(B) REFUND.—If amounts are collected from the City under subparagraph (A) in advance of the Secretary incurring actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance under subsection (a), the Secretary may 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) may 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 may be merged with amounts in such fund or account and may 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 property to be conveyed under subsection (a) may 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) as the Secretary considers appropriate to protect the interests of the United States.

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(3) a key component to achieving those
goals is the restoration of the domestic ura-
nium enrichment capability of the United States, a component that will allow the United States to make significant strides to-
toward improved energy independence by re-
ducing reliance on international sources of
enriched uranium and opening up tremen-
dous opportunities for improving the com-
petitiveness of the United States in the
international energy economy.
(b) In general.—Not later than June 1, 2023, the Secretary of Defense, in coordina-
tion with the Administrator for Nuclear Se-
curity and the congressional de-
cision committees a plan to restore the do-
mestic uranium enrichment capability of the
United States by not later than 2035.
(2) Eliminating the plan required by para-
graph (1) shall include the following ele-
ments:
(A) Recommendations restore unobligated
uranium production, conversion and enrich-
ment capabilities, including production of
high-enriched uranium—
(i) to refurbish the nuclear weapons stock-
pile of the United States over a period of not
more than 30 years;
(ii) to satisfy the annual requirements of
the United States for naval reactor fuel, in-
cluding satisfying the requirements for all
submarines developed using reactor designs and technology of the
United States; and
(iii) to satisfy the annual requirements of
the United States for defense nuclear power
reactors.
(B) Recommendations to improve the pro-
duction capacity of unobligated low-enriched
uranium needed to satisfy annual tritium
production requirements for the nuclear
weapons stockpile of the United States and
associated research and development objec-
tives.
(C) Such other recommendations and infor-
mation as the Secretary of Defense or the
Administrator for Nuclear Security consider
appropriate.
SEC. 8102. ASSESSMENT OF READINESS AND SUR-
VIVABILITY OF STRATEGIC FORCES OF THE
UNITED STATES.
Not later than 180 days after the date of
the enactment of this Act, the Secretary of
Defense shall submit to the Joint Chiefs of
Staff and the Congress a report on the readiness and
survivability of the strategic forces of
the United States, including recommenda-
tions for improving such readiness and sur-
vivability.
SEC. 8103. U.S. NUCLEAR FUELS SECURITY INITIA-
TIVE.
(a) SENSE OF CONGRESS.—It is the sense of
Congress that—
(1) the Department should—
(A) prioritize activities to increase domes-
tic production of low-enriched uranium;
(B) accelerate efforts to establish a domes-
tic high-assay, low-enriched uranium enrich-
ment capability; and
(C) prioritize enrichment of high-assay,
low-enriched uranium will not be commer-
cially available at the scale needed in time
to meet the needs of the advanced nuclear
reactor demonstration projects of the De-
partment, the Secretary shall consider and
implement, as necessary,—
(i) all viable options to make high-assay,
low-enriched uranium produced from inven-
tories owned by the Department available
in a manner that is sufficient to maximize
the potential for the Department to meet the
needs and schedules of advanced nuclear re-
actor developers, without impacting existing
Department missions, until such time that
commercial enrichment and deconversion ca-
capability for high-assay, low-enriched ura-
nium exists at a scale sufficient to meet fu-
ture needs; and
(ii) all viable options for partnering with
countries that are allies or partners of the
United States to meet those needs and sched-
ules until that time.
(ii) advanced nuclear reactor developers;
and
(iii) the consortium established under sec-

(b) Objectives.—The objectives of this sec-

(1) to expeditiously increase domestic pro-
duction of low-enriched uranium;
(2) to expeditiously increase domestic pro-
duction of high-assay, low-enriched uranium by an annual quantity, and in such form, de-
termined by the Secretary to be sufficient to
meet the needs of—
(A) advanced nuclear reactor developers;
and
(B) the consortium;
(3) to ensure the availability of domesti-
cally produced, converted, and enriched ura-
nium in a quantity determined by the Sec-
cretary, in consultation with U.S. nuclear en-
ergy companies, to be sufficient to address a
reasonably anticipated supply disruption;
(4) to address gaps and deficiencies in the
domestic production, conversion, enrich-
ment, deconversion, and reduction of ura-
nium by partnering with countries that are
allies or partners of the United States if do-
mestic options are not practicable;
(5) to ensure that, in the event of a supply
 disruption in the nuclear fuel market, a re-
serve of nuclear fuels is available to serve as
a backup supply to support the nuclear non-
proliferation and civil nuclear energy objec-
tives of the Department;
(6) to support enrichment, deconversion,
and reduction technology deployed in the
United States; and
(7) to ensure that, until such time that do-
mestic enrichment and conversion of high-
assay, low-enriched uranium is commer-
cially available at the scale needed to meet
the needs of advanced nuclear reactor devel-
opers, the Secretary considers and imple-
ments, as necessary—
(A) all viable options to make high-assay,
low-enriched uranium produced from inven-
tories owned by the Department available
in a manner that is sufficient to maximize
the potential for the Department to meet the
needs and schedules of advanced nuclear re-
actor developers;
(B) all viable options for partnering with
countries that are allies or partners of the
United States to meet those needs and sched-
ules;
(C) such other recommendations and infor-
mation as the Secretary of Defense or the
Administrator for Nuclear Security consider
appropriate.
(c) DEFINITIONS.—In this section:
(1) ADVANCED NUCLEAR REACTOR.—The term
‘advanced nuclear reactor’ has the meaning
given the term in section 351(b) of the En-
ergy Policy Act of 2005 (42 U.S.C. 16271(b)).
(2) ASSOCIATED ENTITY.—The term ‘associ-
ated entity’ means an entity that—
(A) is owned, controlled, or dominated by—
(i) the government of a country that is an
ally or partner of the United States; or
(ii) is organized under the laws of, or other-
wise subject to the jurisdiction of, a country
that is an ally or partner of the United States
and incorporates in such a country.
(3) ASSOCIATED INDIVIDUAL.—The term ‘as-
sociated individual’ means an alien who is a
national of a country that is an ally or part-
ner of the United States.
(4) CONSORTIUM.—The term ‘consortium’
means the consortium established under sec-

(5) PROGRAMS.—The term ‘Programs’ means—
(A) the Nuclear Fuel Security Program es-

(iii) to satisfy the annual requirements of
the United States; and
(B) the consortium.
(2) to ensure the availability of domestically
produced, converted, and enriched uranium in the event of a supply disruption;
(3) to establish a program, to be known as
the ‘Nuclear Fuel Security Program’, to in-
crease the quantity of LEU and HALEU pro-
duced by U.S. nuclear energy companies;
(C) the HALEU for Advanced Nuclear Reac-
tor Demonstration Projects Program estab-
lished under subsection (d)(3); and
(D) programs to establish a program, to be
known as the ‘Nuclear Fuel Security Program’, to in-
crease the quantity of LEU and HALEU pro-
duced by U.S. nuclear energy companies;
(C) the HALEU for Advanced Nuclear Reac-
tor Demonstration Projects Program estab-
lished under subsection (d)(3); and
(D) programs to expand the American Assured
Fuel Supply Program of the Department to ensure
the availability of domestically produced,
converted, and enriched uranium in the event of a supply disruption.
(3) establish a program, to be known as the
‘Nuclear Fuel Security Program’, to in-
crease the quantity of LEU and HALEU pro-
duced by U.S. nuclear energy companies;
(C) the HALEU for Advanced Nuclear Reac-
tor Demonstration Projects Program estab-
lished under subsection (d)(3); and
(D) programs to expand the American Assured
Fuel Supply Program of the Department to ensure
the availability of domestically produced,
converted, and enriched uranium in the event of a supply disruption.
(3) establish a program, to be known as the
‘Nuclear Fuel Security Program’, to in-
crease the quantity of LEU and HALEU pro-
duced by U.S. nuclear energy companies;
(C) the HALEU for Advanced Nuclear Reac-
tor Demonstration Projects Program estab-
lished under subsection (d)(3); and
(D) programs to expand the American Assured
Fuel Supply Program of the Department to ensure
the availability of domestically produced,
converted, and enriched uranium in the event of a supply disruption.
(3) establish a program, to be known as the
‘Nuclear Fuel Security Program’, to in-
crease the quantity of LEU and HALEU pro-
duced by U.S. nuclear energy companies;
(C) the HALEU for Advanced Nuclear Reac-
tor Demonstration Projects Program estab-
lished under subsection (d)(3); and
(D) programs to expand the American Assured
Fuel Supply Program of the Department to ensure
the availability of domestically produced,
converted, and enriched uranium in the event of a supply disruption.
(3) establish a program, to be known as the
‘Nuclear Fuel Security Program’, to in-
crease the quantity of LEU and HALEU pro-
duced by U.S. nuclear energy companies;
(C) the HALEU for Advanced Nuclear Reac-
tor Demonstration Projects Program estab-
lished under subsection (d)(3); and
(D) programs to expand the American Assured
Fuel Supply Program of the Department to ensure
the availability of domestically produced,
converted, and enriched uranium in the event of a supply disruption.
(3) establish a program, to be known as the
‘Nuclear Fuel Security Program’, to in-
crease the quantity of LEU and HALEU pro-
duced by U.S. nuclear energy companies;
(iv) to the maximum extent practicable, ensure that the use of domestic uranium utilized as a result of that program does not negatively affect the economic operation of nuclear power reactors in the United States; and

(B)(i) may not make commitments under this subsection (including cooperative agreements used in accordance with section 6305 of title 31, United States Code, purchase agreements, guarantees, leases, service contracts, or any other type of commitment) for the purchase or other acquisition of HALEU or LEU; and

(ii) the commitment is funded entirely by funds made available to the Secretary from the account described in subsection (i)(2)(B); and

(ii) may make a commitment described in clause (i) only—

(A) that the full extent of the anticipated costs stemming from the commitment is recorded as an obligation at the time that the commitment is made; and

(B) that the extent of that up-front obligation recorded in full at that time.

(2) CONSIDERATIONS.—In carrying out paragraph (1)(A)(ii), the Secretary shall consider and—

(A) options to ensure the quickest availability of commercially enriched HALEU, including—

(i) partnerships between 2 or more commercial enrichers; and

(ii) utilization of up to 10 percent enriched uranium as feedstock in demonstration-scale or commercial HALEU enrichment facilities;

(B) options to partner with countries that are allies or partners of the United States to avoid the environmental liability of the Department, including activities that result in the removal of radioactive or other contaminants from uranium designated as waste;

(C) options that provide for a blend of HALEU—

(i) enrichment levels;

(ii) output levels to meet demand; and

(iii) fuel forms, including uranium metal and oxide; and

(D) options—

(i) to replenish, as necessary, Department stockpiles of uranium that was intended to be downblended for other purposes, but was instead used in carrying out activities under the HALEU for Advanced Nuclear Reactor Demonstration Projects Program;

(ii) to continue supplying HALEU to meet the needs of recipients of an award made pursuant to the funding opportunity announcement of the Department numbered DE-F0A-0002271 for Pathway 1, Advanced Reactor Demonstrations; and

(iii) to make HALEU available to other advanced nuclear reactor developers after reprocessing and downblending of spent fuel from commercial reactors owned by the Department and made available from inventories or stockpiles owned by the Department and made available to the consortium, HALEU for use in advanced nuclear reactors that cannot operate on uranium with lower enrichment levels or on alternate fuels, with priority given to the awards made pursuant to the funding opportunity announcement of the Department numbered DE-F0A-0002271 for Pathway 1, Advanced Reactor Demonstrations, with additional HALEU to be made available to other advanced nuclear reactor developers, as the Secretary determines to be appropriate.

(3) QUANTITY.—In carrying out activities under this subsection, the Secretary shall consider and implement, as necessary, all viable options to make HALEU available in quantities sufficient to minimize the potential for the Department to meet the needs and schedules of advanced nuclear reactor developers, including by seeking to make available—

(A) by September 30, 2024, not less than 3 metric tons of HALEU;

(B) by December 31, 2025, not less than an additional 2 metric tons of HALEU; and

(C) by June 30, 2026, not less than an additional 10 metric tons of HALEU.

(4) FACTORS FOR CONSIDERATION.—In carrying out activities under this subsection, the Secretary shall take into consideration—

(A) options for providing HALEU from a stockpile of uranium owned by the Department, including—

(i) uranium that has been declared excess to national security needs during or prior to fiscal year 2022;

(ii) Uranium that—

(I) directly meets the needs of advanced nuclear reactor developers; but

(II) has been previously used or fabricated for another purpose;

(iii) uranium that can meet the needs of advanced nuclear reactor developers after removing radioactive or other contaminants that resulted from previous use or fabrication of the fuel for research, development, demonstration, or deployment activities of the Department, including activities that reduce or eliminated liability of the Department by accelerating the processing of uranium from stockpiles designated as waste;

(iv) uranium from a high-enriched uranium stockpile, which can be blended with lower assay uranium to become HALEU to meet the needs of advanced nuclear reactor developers; and

(v) uranium from stockpiles intended for other purposes (excluding stockpiles in connection with national security needs for which uranium could be swapped or replaced in time in such a manner that would not negatively impact the missions of the Department); and

(B) options for expanding, or establishing new, capabilities or infrastructure to support the processing of uranium from Department inventories;

(C) options for accelerating the availability of HALEU from HALEU enrichment demonstrated projects and programs; and

(D) options for providing HALEU from domestically enriched HALEU procured by the Department through a competitive process pursuant to the Nuclear Fuel Security Program established under subsection (d)(1);

(E) options to replenish, as needed, Department stockpiles of uranium made available pursuant to subparagraph (A) with domestically enriched HALEU procured by the Department through a competitive process pursuant to the Nuclear Fuel Security Program established under subsection (d); or

(F) options that combine 1 or more of the approaches described in subparagraphs (A) through (E) to meet the deadlines described in paragraph (2).

(5) LIMITATIONS.—In carrying out any activity under this subsection, including cooperative agreements (used in accordance with sections 6305 or title 31, United States Code), purchase agreements, guarantees, leases, service contracts, or any other type of commitment) for the purchase or other acquisition of HALEU or LEU unless—

(A) funds are specifically provided for those purposes in advance in appropriations Acts enacted after the date of enactment of this Act; or

(B) the commitment is funded entirely by funds made available to the Secretary from the account described in subsection (i)(2)(B); and

(C) by June 30, 2026, not less than an additional 10 metric tons of HALEU;

(6) DOMESTIC SOURCING CONSIDERATIONS.—In carrying out any activity under this subsection, the Secretary shall—

(A) consider and implement, as necessary, all viable options to make HALEU available in quantities sufficient to minimize the potential for the Department to meet the needs and schedules of advanced nuclear reactor developers, including by seeking to make available—

(i) uranium that has been declared excess to national security needs during or prior to fiscal year 2022;

(ii) Uranium that—

(I) directly meets the needs of advanced nuclear reactor developers; but

(II) has been previously used or fabricated for another purpose;

(iii) uranium that can meet the needs of advanced nuclear reactor developers after removing radioactive or other contaminants that resulted from previous use or fabrication of the fuel for research, development, demonstration, or deployment activities of the Department, including activities that reduce or eliminated liability of the Department by accelerating the processing of uranium from stockpiles designated as waste;

(iv) uranium from a high-enriched uranium stockpile, which can be blended with lower assay uranium to become HALEU to meet the needs of advanced nuclear reactor developers; and

(v) uranium from stockpiles intended for other purposes (excluding stockpiles in connection with national security needs for which uranium could be swapped or replaced in time in such a manner that would not negatively impact the missions of the Department); and

(B) options for expanding, or establishing new, capabilities or infrastructure to support the processing of uranium from Department inventories;

(C) options for accelerating the availability of HALEU from HALEU enrichment demonstrated projects and programs; and

(D) options for providing HALEU from domestically enriched HALEU procured by the Department through a competitive process pursuant to the Nuclear Fuel Security Program established under subsection (d)(1);

(E) options to replenish, as needed, Department stockpiles of uranium made available pursuant to subparagraph (A) with domestically enriched HALEU procured by the Department through a competitive process pursuant to the Nuclear Fuel Security Program established under subsection (d); or

(F) options that combine 1 or more of the approaches described in subparagraphs (A) through (E) to meet the deadlines described in paragraph (2).
(i) in the United States; or
(ii) in a country that is an ally or partner of the United States by
(1) the government of that country;
(II) an association of 2 or more countries whose states are each
(III) a U.S. nuclear energy company.
(2) Waiver.—The Secretary may waive the requirements of paragraph (1) with respect to an associate determined by the Secretary to be a waiver to be necessary to achieve 1 or more of the objectives described in subsection (b).
(i) Reasonable Compensation.—
(1) In General.—In carrying out activities under this section, the Secretary shall ensure that any LEU and HALEU made available by the Secretary under 1 or more of the programs operated by the Department, as expanded under a waiver, shall be—
(A) deposited in the account described in subparagraph (B); or
(B) made available in accordance with clauses (i) and (ii) of subsection (e)(1)(A) shall—
(i) be deposited in the account described in subparagraph (B); or
(ii) be available to the Secretary for carrying out the purposes of this section, to reduce the need for further appropriations for those purposes; and
(iii) remain available until expended.
(B) Revolving Fund.—There is established in the Treasury an account into which the revenues described in subparagraph (A) shall be—
(i) deposited in accordance with clause (i) of that subparagraph; and
(ii) made available in accordance with clauses (i) and (ii) of that subparagraph.
(k) Useb Privatization Act.—The requirements of section 3302(b) of the USEB Privatization Act (42 U.S.C. 2290q–10) shall not apply to activities related to the Programs.
(l) National Security Needs.—The Secretary shall only make available to a member of the Armed Forces under this section for commercial use or use in a demonstration project material that the President has determined is not necessary for national security and is the condition that the material made available shall not include any material that the Secretary determines to be necessary for the National Nuclear Security Administration or any critical mission of the Department.
(m) International Agreements.—This section shall be applied in a manner consistent with the obligations of the United States under international agreements.
(n) Authorization of Appropriations.—In addition to amounts otherwise available, there are appropriated to be appropriated to the Secretary—
(1) for the Nuclear Fuel Security Program, $3,500,000,000 for fiscal year 2023, to remain available until September 30, 2023, of which the Secretary may use $1,000,000,000 by September 30, 2028, to carry out the HALEU for Advanced Nuclear Reactor Demonstration Projects Program, and
(2) for the Nuclear Fuel Security Program of the Department, as expanded under this section, such sums as are necessary to carry out the programs for fiscal years 2023 through 2030, to remain available until September 30, 2031.

SEC. 8104. ISOTOPE DEMONSTRATION AND ADVANCED NUCLEAR RESEARCH INFRASTRUCTURE ENHANCEMENT.
(a) Evaluation and Demonstration of Isotope Demonstration Program.—Section 952(a)(2)(A) of the Energy Policy Act of 2005 (42 U.S.C. 16274(a)(2)(A)) is amended by striking ‘‘shall evaluate the technical and economic feasibility of the establishment of’’ and inserting ‘‘shall evaluate the technical and economic feasibility of, and, if feasible, is authorized to establish.’’;
(b) Advanced Nuclear Research Infrastructure Enlancement.—Section 954(a)(5) of the Energy Policy Act of 2005 (42 U.S.C. 16274(a)(5)) is amended—
(1) by redesignating subparagraph (E) as subparagraph (F); and
(2) by inserting after subparagraph (D) the following:
‘‘(E) Fuel Services.—The Secretary shall—
(1) expand the Research Reactor Infrastructure subprogram of the Radiological Facilities Management Program of the Department carried out under paragraph (6) to provide fuel services to research reactors established under this paragraph.’’

SEC. 8105. REPORT ON CIVIL NUCLEAR CREDIT PROGRAM.
Not later than 180 days after the date of enactment of this Act, the Secretary of Energy shall submit to the appropriate committees of Congress a report that identifies the anticipated funding requirements for the civil nuclear credit program described in section 5023 of the Infrastructure Investment and Jobs Act (42 U.S.C. 18753), taking into account—
(1) the zero-emission nuclear power production credit authorized by section 45F of the Internal Revenue Code of 1986; and
(2) any increased fuel costs associated with the use of domestic fuel that may arise from the implementation of this program.

DIVISION F—INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2023
SEC. 1. SHORT TITLE; TABLE OF CONTENTS.
(a) Short Title.—This division may be cited as the ‘‘American Security Drone Act of 2022’’.
(b) Table of Contents.—The table of contents for this division is as follows:
SEC. 2. Definitions.
SEC. 3. Authorization of appropriations.
SEC. 4. Annual report on concentrated retraining.
SEC. 5. Annual training requirement and report regarding analysis.
SEC. 7. Expansion of reporting requirements relating to authority to pay personnel of Central Intelligence Agency for certain injuries to the brain.
SEC. 8. Modifications to Foreign Malign Influence Response Center.
SEC. 9. Requirement to offer cyber protection support for personnel of intelligence community in positions highly vulnerable to cyber attack.
SEC. 10. Minimum cybersecurity standards for national security systems of Intelligence Community.
SEC. 11. Review and report on intelligence community activities under Executive Order 13333.
SEC. 12. Elevation of the National Geospatial-Intelligence Agency to a National Geospatial-Intelligence Agency.
SEC. 13. Assessing intelligence community open-source support for export controls and foreign investment screening.
SEC. 15. Historical Advisory Panel of the Central Intelligence Agency.

TITLE IV—INTELLIGENCE MATTERS RELATING TO THE PEOPLE’S REPUBLIC OF CHINA
SEC. 301. Report on wealth and corrupt activities of the leadership of the Chinese Communist Party.
SEC. 302. Identification and threat assessment of companies with investments of the People’s Republic of China.
SEC. 303. Intelligence community working group for monitoring the economic and technological capabilities of the People’s Republic of China.
SEC. 304. Annual report on concentrated re-education camps in the Xinjiang Uighur Autonomous Region of the People’s Republic of China.
SEC. 305. Assessment of production of semiconductor conductors by the People’s Republic of China.

TITILE V—PERSONNEL AND SECURITY CLEARANCE MATTERS
SEC. 306. Improving onboarding of personnel in intelligence community.
SEC. 307. Improving onboarding at the Central Intelligence Agency.
SEC. 308. Report on legislative action required to implement Trusted Workforce 2.0 Initiative.
SEC. 309. Comptroller General of the United States assessment of administration of polygraphs in intelligence community.
SEC. 310. Timeliness in the administration of polygraphs.
SEC. 311. Policy on submittal of applications for access to classified information for certain personnel.
TITLE VI—INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY

Sec. 601. Submittal of complaints and information by whistleblowers in the intelligence community to Congress.

Sec. 602. Modification of whistleblower protections for contractor employees in intelligence community.

Sec. 603. Prohibition against disclosure of whistleblower identity as required by statute or court order, or by the date of enactment, by employees and contractors in intelligence community.

Sec. 604. Definitions regarding whistleblower complaints and information of urgent concern received by inspectors general of the intelligence community.

TITLE VII—OTHER MATTERS

Sec. 701. Improvements relating to continuity of Privacy and Civil Liberties Oversight Board membership.

Sec. 702. Modification of requirement for office to address unidentified aerospace-undersea phenomena reporting procedures.

Sec. 704. Comptroller General of the United States compilation of unidentified aerospace-undersea phenomena reporting procedures.

Sec. 705. Office of Global Competition Analysis.

Sec. 706. Report on tracking and collecting precursor chemicals used in the production of synthetic opioids.

Sec. 707. Assessment and report on mass migration in the Western Hemisphere.

Sec. 708. Notifications regarding transfers of detainees at United States Naval Station, Guantanamo Bay, Cuba.

Sec. 709. Report on international norms, rules, and principles applicable to armed drone warfare.

Sec. 710. Assessments of the effects of sanctions imposed with respect to the Russian Federation's invasion of Ukraine.

Sec. 711. Assessments and briefings on implications of food insecurity that may result from the Russian Federation's invasion of Ukraine.

Sec. 712. Pilot program for Director of Federal Bureau of Investigation to undertake an effort to identify International Mobile Subscriber Identity-catchers and disrupt countermeasures.

Sec. 713. Department of State Bureau of Intelligence and Research assessment of anomalous health incidents.

SEC. 2. DEFINITIONS.

In this division:

(1) CONGRESSIONAL INTELLIGENCE COMMITTEES.—The term "congressional intelligence committees" has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 403).

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

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund $514,000,000 for fiscal year 2023.

TITLE III—GENERAL INTELLIGENCE COMMUNITY MATTERS

SEC. 301. MODIFICATION OF ADVISORY BOARD IN NATIONAL RECONNAISSANCE OFFICE.

Section 106a(d) of the National Security Act of 1947 (50 U.S.C. 3011(a)(d)) is amended—

(1) in paragraph (3)(A)(i), by inserting "in consultation with the Director of National Intelligence and the Secretary of Defense," after "Director";

and

SEC. 302. PROHIBITION ON EMPLOYMENT WITH GOVERNMENTS OF CERTAIN COUNTRIES.

(a) IN GENERAL.—Title III of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) is amended by inserting after section 304 the following:

"SEC. 305. PROHIBITION ON EMPLOYMENT WITH GOVERNMENTS OF CERTAIN COUNTRIES.

"(a) DEFINITIONS.—In this section:

"(1) COVERED EMPLOYEE.—The term 'covered employee', with respect to an employee occupying a position in the intelligence community, means an officer or official of an element of the intelligence community, a contractor of such an element, a detailee to such an element, or a member of the Armed Forces assigned to such an element that, based on the level of access of a person occupying such position to information regarding sensitive intelligence sources or methods or other exceptionally sensitive matters, the head of such element determines should be subject to the requirements of this section.

"(2) FORMER COVERED EMPLOYEE.—The term 'former covered employee' means an individual who was a covered employee on or after the date of enactment of the American Security Drone Act of 2022 and is no longer a covered employee.

"(3) STATE SPONSOR OF TERRORISM.—The term 'state sponsor of terrorism' means a country the government of which the Secretary of State has repeatedly provided support for international terrorism pursuant to—

"(A) section 1754(c)(1)(A) of the Export Control Reform Act of 2018 (50 U.S.C. 4813(c)(1)(A));

"(B) section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371);

"(C) section 40 of the Arms Export Control Act (22 U.S.C. 2780); or

"(D) any other provision of law.

"(b) PROHIBITION ON EMPLOYMENT AND SERVICES.—No former covered employee may provide services relating to national security, intelligence, the military, or internal security to—

"(1) the government of a country that is a state sponsor of terrorism, such as the People's Republic of China, or the Russian Federation;

"(2) a person or entity that is directed and controlled by a foreign government described in paragraph (1);

"(c) TRAINING AND WRITTEN NOTICE.—The head of each element of the intelligence community shall—

"(1) regularly provide to the covered employees of the element training on the prohibition in subsection (b); and

"(2) provide to each covered employee of the element before the employee becomes a former covered employee written notice of the prohibition in subsection (b).

"(d) LIMITATION ON ELIGIBILITY FOR ACCESS TO CLASSIFIED INFORMATION.—No former covered employee who knowingly and willfully violates subsection (b) shall be considered eligible for access to classified information (as defined in the procedures established pursuant to section 801(a) of this Act (50 U.S.C. 3511(a))) by any element of the intelligence community.

"(e) CRIMINAL PENALTIES.—A former employee who knowingly and willfully violates subsection (b) shall be fined under title 18, United States Code, or imprisoned for not more than 5 years, or both.

"(f) APPLICATION.—Nothing in this section shall apply to—

"(1) a former covered employee who continues to provide services described in subsection (b) that the former covered employee..."
first began to provide before the date of the enactment of the American Security Drone Act of 2022;

(2) a former covered employee who, on or after the date of the enactment of the American Security Drone Act of 2022, provides services described in subsection (b) to a person or entity that is directed and controlled by a country that is a state sponsor of terrorism, the People’s Republic of China, or the Russian Federation as a result of a merger, acquisition, or similar change of ownership that occurred after the date on which such former covered employee first began to provide such services;

(3) a former covered employee who, on or after the date of the enactment of the American Security Drone Act of 2022, provides services described in subsection (b) to—

(A) a government that was designated as a state sponsor of terrorism after the date on which such former covered employee first began to provide such services; or

(B) a person or entity directed and controlled by a government described in subparagraph (A).''.

(b) ANNUAL REPORT.—

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

(A) the congressional intelligence committees;

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

(C) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

(2) SEC. 305. CLARIFICATION REGARDING PROTECTION OF INTELLIGENCE COMMUNITY.

(a) IN GENERAL.—Section 15(a) of the Central Intelligence Act of 1949 (50 U.S.C. 3515(a)) is amended—

(1) NUMBER AND APPOINTMENT.—

(A) IN GENERAL.—The Board shall be composed of 6 members appointed by the Director from among individuals with demonstrated academic, government, business, or other expertise relevant to the mission and functions of the Agency.

(b) DUTIES.—The Board shall—

(1) study matters relating to the mission of the intelligence community; and

(2) advise and report directly to the Director with respect to such matters.

(c) MEMBERS.—

(1) NUMBER AND APPOINTMENT.—

(A) IN GENERAL.—The Board shall be composed of 6 members appointed by the Director from among individuals with demonstrated academic, government, business, or other expertise relevant to the mission and functions of the Agency.

(b) DUTIES.—The Board shall—

(1) study matters relating to the mission of the intelligence community; and

(2) advise and report directly to the Director with respect to such matters.

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(1) study matters relating to the mission of the intelligence community; and

(2) advise and report directly to the Director with respect to such matters.

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(1) study matters relating to the mission of the intelligence community; and

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(1) study matters relating to the mission of the intelligence community; and

(2) advise and report directly to the Director with respect to such matters.

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(1) study matters relating to the mission of the intelligence community; and

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(1) study matters relating to the mission of the intelligence community; and

(2) advise and report directly to the Director with respect to such matters.

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(1) study matters relating to the mission of the intelligence community; and

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(1) study matters relating to the mission of the intelligence community; and

(2) advise and report directly to the Director with respect to such matters.

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(1) study matters relating to the mission of the intelligence community; and

(2) advise and report directly to the Director with respect to such matters.

(c) MEMBERS.—

(1) NUMBER AND APPOINTMENT.—

(A) IN GENERAL.—The Board shall be composed of 6 members appointed by the Director from among individuals with demonstrated academic, government, business, or other expertise relevant to the mission and functions of the Agency.

(b) DUTIES.—The Board shall—

(1) study matters relating to the mission of the intelligence community; and

(2) advise and report directly to the Director with respect to such matters.
Not later than 5 days after the date on which the President submits to Congress a budget for a fiscal year pursuant to section 1105(a) of the United States Code, the Director of National Intelligence shall submit to Congress the supporting information under such section for each element of the intelligence community for that fiscal year.

SEC. 309. COPYRIGHT PROTECTION FOR CIVILIAN INTELLIGENCE UNIVERSITY.

(a) Definition.—In this subsection, the term "civilian intelligence university" means any civilian institution of higher learning established and administered by the Department of Defense for the purpose of training personnel employed at civilian intelligence universities or centers.

(b) Requirement.—The Director of National Intelligence shall submit to Congress, not later than 365 days after the date of the enactment of this Act, and each year thereafter on or before December 1, a report that includes—

(1) a comprehensive list of all civilian intelligence universities or centers;

(2) the number of students enrolled at each civilian intelligence university or center;

(3) the number of faculty members employed at each civilian intelligence university or center;

(4) the number of researchers employed at each civilian intelligence university or center;

(5) the number of courses offered at each civilian intelligence university or center;

(6) the number of degrees awarded at each civilian intelligence university or center;

(7) the amount of federal funding received by each civilian intelligence university or center;

(8) the amount of nonfederal funding received by each civilian intelligence university or center;

(9) the amount of research and development funding received by each civilian intelligence university or center;

(10) the amount of grants received by each civilian intelligence university or center;

(11) the amount of contracts received by each civilian intelligence university or center;

(12) the amount of sponsored research received by each civilian intelligence university or center;

(13) the amount of sponsored research and development funding received by each civilian intelligence university or center;

(14) the amount of sponsored research and development funding received by each civilian intelligence university or center.

(c) Report.—Not later than 365 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to Congress a report that includes—

(1) a comprehensive list of all civilian intelligence universities or centers;

(2) the number of students enrolled at each civilian intelligence university or center;

(3) the number of faculty members employed at each civilian intelligence university or center;

(4) the number of researchers employed at each civilian intelligence university or center;

(5) the number of courses offered at each civilian intelligence university or center;

(6) the number of degrees awarded at each civilian intelligence university or center;

(7) the amount of federal funding received by each civilian intelligence university or center;

(8) the amount of nonfederal funding received by each civilian intelligence university or center;

(9) the amount of research and development funding received by each civilian intelligence university or center;

(10) the amount of grants received by each civilian intelligence university or center;

(11) the amount of contracts received by each civilian intelligence university or center;

(12) the amount of sponsored research received by each civilian intelligence university or center;

(13) the amount of sponsored research and development funding received by each civilian intelligence university or center;

(14) the amount of sponsored research and development funding received by each civilian intelligence university or center.

SEC. 310. REPORTING REQUIREMENTS RELATING TO AUTHORITY TO PAY PERSONNEL OF CENTRAL INTELLIGENCE AGENCY FOR CERTAIN INJURIES TO THE BRAIN.

Section 2(d)(1) of the Helping American Veterans Affected by Neurological Attacks Act of 2008 (5 U.S.C. 3535 note) is amended—

(1) in subparagraph (A), by inserting "and not less frequently than once each year thereafter for 5 years after "Not later than 365 days after the date of the enactment of this Act";";

(2) in subparagraph (B), by adding at the end the following: "The Director of National Intelligence shall submit to the appropriate committees of Congress a report that includes—

(1) the number of covered employees;

(2) the number of covered civil servants;

(3) the number of covered employees who do not receive an annuity for purposes of paragraph (1) of subsection (g) of section 1110 of title 5, United States Code, the Director of National Intelligence shall submit to Congress a report that includes—

(1) the number of employees who are employed at a covered agency described in clause (i) of section 1110(g)(1) of title 5, United States Code, and are not covered by the Federal Employees Health Benefits Program or the Federal Employees Retirement System Act of 1960 (29 U.S.C. 9901 et seq.), the Director of National Intelligence shall submit to Congress a report that includes—

(1) the number of employees who are employed at a covered agency described in clause (i) of section 1110(g)(1) of title 5, United States Code, and are not covered by the Federal Employees Health Benefits Program or the Federal Employees Retirement System Act of 1960 (29 U.S.C. 9901 et seq.).

(c) Report.—Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees, the Committee on Appropriations of the House of Representatives, and the Comptroller General a report on the actions taken by the Director and actions that the Director intends to take, alone or in coordination with the heads of other Federal agencies, in response to each open recommendation identified in the list, including open recommendations the Director considers closed and recommendations the Director determines do not require further action, as well as the basis for that determination.

SEC. 311. MODIFICATIONS TO FOREIGN MALIGN INFLUENCE RESPONSE CENTER.

(a) Renaming.—

(1) In general.—Section 119C of the National Security Act of 1947 (50 U.S.C. 3059) is amended—

(A) in the section heading, by striking "RESPONSE" and inserting "RESPONSE"; and

(B) in subsection (a) by striking "Response".

(2) Clerical amendment.—The table of contents in the matter preceding section 2 of such Act is amended by striking the item relating to section 119C and inserting the following: "Sec. 119C. Foreign Malign Influence Center."


(c) Recommendation.—Any reference in law, regulation, map, document, paper, or other record of the United States to the "Foreign Malign Influence Response Center" shall be deemed to be a reference to the Foreign Malign Influence Response Center established under paragraph (1).

SEC. 312. REQUIREMENT TO OFFER CYBER PROTECTION SUPPORT FOR PERSONNEL OF INTELLIGENCE COMMUNITY IN POSITIONS HIGHLY VULNERABLE TO CYBER ATTACK.

(a) In general.—Section 838B(b) of the Defense授权 Act for Fiscal Years 2018, 2019, and 2020 (50 U.S.C. 3334d(b)) is amended—

(1) in paragraph (1)—

(A) by striking "may provide" and inserting "shall offer"; and

(B) by inserting "and shall provide such support to any such person who requests it before the period at the end; and

(2) in the subsection heading, by striking "AUTHORITY" and inserting "REQUIREMENT".

(b) Requirement.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives an implementation plan for providing the support described in section 838B(b) of the Damen Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020 (50 U.S.C. 3334d(b)), as amended by subsection (a), including a description of the training and resources needed to implement the support and the methodology for determining the support described in paragraph (2) of such section.

SEC. 313. MINIMUM CYBERSECURITY STANDARDS FOR NATIONAL SECURITY SYSTEMS OF INTELLIGENCE COMMUNITY.

(a) Definition of national security systems.—In this section, the term "national security systems" means—

(1) the term as defined in section 3552(b) of title 44, United States Code, and includes systems described in paragraphs (2) or (3) of section 3552(a) of such title;

(b) Requirement to establish cybersecurity standards for national security systems.—The Director of National Intelligence shall, in coordination with the National Manager for National Security Systems, establish minimum cybersecurity requirements that shall apply to all national security systems operated by, on the behalf of, or under a law administered by the head of an element of the intelligence community.

(c) Implementation of deadlines.—The requirements published pursuant to subsection (b) shall include appropriate deadlines by which all elements of the intelligence community that own or operate a national security system shall have fully implemented the requirements established under subsection (b) for all national security systems that it owns or operates.

(d) Maintenance of requirements.—Not less frequently than once every 2 years, the Director shall reevaluate and update the minimum cybersecurity requirements established under subsection (b).

(e) Resources.—The head of each element of the intelligence community that owns or operates a national security system shall update plans of the element to prioritize resources in such a manner as to fully implement the minimum cybersecurity requirements established under subsection (b) in accordance with the process established under paragraph (2).

(f) Process for exemption.—The Director shall establish and administer procedures by which specific national security systems can be exempted under paragraph (1).
(g) ANNUAL REPORTS ON EXEMPTION REQUESTS.—

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

(A) the congressional intelligence committees;

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

(C) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

(2) IN GENERAL.—Each year, the Director shall submit to the appropriate committees of Congress an annual report documenting all exemption requests received under subsection (f), the number of exemptions denied, and the justification for each exemption request that was approved.

SEC. 314. REVIEW AND REPORT ON INTELLIGENCE COMMUNITY ACTIVITIES UNDER EXECUTIVE ORDER 12333.

(a) REVIEW AND REPORT REQUIRED.—No later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall—

(1) conduct a review to ascertain the feasibility and advisability of compiling and making public information relating to activities of the intelligence community under Executive Order 12333 (50 U.S.C. 3001 note; relating to United States intelligence activities); and

(2) submit to the congressional intelligence committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a report on the findings of the Director with respect to the review conducted under paragraph (1).

(b) MATTERS ADDRESSED.—The report shall address the feasibility and advisability of making available to the public information relating to the following:

(1) Data on activities described in subsection (a)(1), including the following:

(A) The amount of United States person information collected pursuant to such activities.

(B) Queries of United States persons pursuant to such activities.

(C) Dissemination of United States person information pursuant to such activities, including masking and unmasking.

(D) Criminal complaints involving United States person information in criminal proceedings.

(2) Quantitative data and qualitative descriptions of incidents in which the intelligence community has violated Executive Order 12333 and associated guidelines and procedures.

(c) CONSIDERATIONS.—In conducting the review under subsection (a)(1), the Director shall consider—

(1) the public transparency associated with the use by the intelligence community of the authorities provided under the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.), including relevant data and compliance incidents; and

(2) the implications of the transparency model developed in connection with such Act to activities conducted under Executive Order 12333.

(d) DISAPPROVAL FOR PUBLIC RELEASE.—In conducting the review under subsection (a)(1), the Director shall address whether the relevancy of the compliance incidents associated with the different intelligence community entities can be disaggregated for public release.

SEC. 315. ELIMINATION OF THE COMMERCIAL AND BUSINESS OPERATIONS OFFICE OF THE NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY.

Beginning not later than 90 days after the date of the enactment of this Act, the head of the commercial and business operations office of the National Geospatial-Intelligence Agency shall report directly to the Director of the National Geospatial-Intelligence Agency.

SEC. 316. ASSESSING INTELLIGENCE COMMUNITY OPEN-SOURCE SUPPORT FOR EXPORT CONTROLS AND FOREIGN INVESTMENT SCREENING.

(a) PILOT PROGRAM TO ASSESS OPEN SOURCE SUPPORT FOR EXPORT CONTROLS AND FOREIGN INVESTMENT SCREENING.—

(1) PILOT PROGRAM AUTHORIZED.—The Director of National Intelligence shall carry out a pilot program to assess the feasibility and advisability of providing intelligence derived from open source, publicly and commercially available information—

(A) to the Department of Commerce to support the export control and investment screening functions of the Department; and

(B) to the Department of Homeland Security to support the export control functions of the Department.

(2) AUTHORITY.—In carrying out the pilot program required by paragraph (1), the Director—

(A) shall establish a process for the provision of information as described in such paragraph; and

(B) may—

(i) acquire and prepare data, consistent with applicable provisions of law and Executive orders;

(ii) modernize analytic systems, including through the acquisition, development, or application of automated tools; and

(iii) establish standards and policies regarding the acquisition, treatment, and sharing of open source, publicly and commercially available information.

(3) DURATION.—The pilot program required by paragraph (1) shall be carried out during a 3-year period.

(b) PLAN AND REPORT REQUIRED.—

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

(A) the Select Committee on Intelligence, the Committee on Banking, Housing, and Urban Affairs, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and

(B) the Permanent Select Committee on Intelligence, the Committee on Foreign Affairs, the Committee on Appropriations, the Committee on Homeland Security, and the Committee on Appropriations of the House of Representatives.

(2) PLAN.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director shall, in coordination with the Secretary of Commerce and the Secretary of Homeland Security, submit to the appropriate committees of Congress a plan to carry out the pilot program required by subsection (a).

(B) CONTENTS.—The plan submitted under subparagraph (A) shall include the following:

(i) A list, developed in consultation with the Secretaries of Commerce and the Secretaries of Homeland Security, of the activities of the Department of Commerce and the Department of Homeland Security that will be supported by the pilot program.

(ii) A plan for measuring the effectiveness of the pilot program and the value of open source, publicly and commercially available information to the export control and investment screening missions.

(3) REPORT.—

(A) IN GENERAL.—Not later than 540 days after the date of the enactment of this Act, the Director shall submit the plan under paragraph (2)(A), the Director shall submit to the appropriate committees of Congress a report on the findings of the Director with respect to the pilot program.

(B) CONTENTS.—The report submitted under subparagraph (A) shall include the following:

(i) An assessment of the feasibility and advisability of providing information as described in subsection (a)(1).

(ii) A plan for measuring the effectiveness of the open source, publicly and commercially available information to the export control and investment screening missions, using the measures of effectiveness under paragraph (2)(ii).

(iii) Identification of opportunities for and barriers to more effective use of open source, publicly and commercially available information for intelligence derived by the intelligence by the intelligence community.

SEC. 317. ANNUAL TRAINING REQUIREMENT AND REPORT REGARDING ANALYTIC STANDARDS.

(a) POLICY FOR TRAINING PROGRAM REQUIRED.—Consistent with sections 1019 and 1020 of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3364 and 3364 note), the Director of National Intelligence shall issue a policy that requires each head of an element of the intelligence community, that has not been completed, before the date that is 180 days after the date of the enactment of this Act, an annual training program on the standards set forth in Intelligence Community Directive 203, Analytic Standards (or successor directive).

(b) TRAINING CONDUCT OF TRAINING.—Training required pursuant to the policy required by subsection (a) may be conducted in conjunction with other required annual training programs conducted by the element of the intelligence community concerned.

(c) CERTIFICATION OF COMPLETION OF TRAINING.—Each year, each head of an element of the intelligence community shall submit to the congressional intelligence committees a certification as to whether all of the analysts of that element have completed the training required pursuant to the policy required by subsection (a) and if the analysts have not, an explanation of why the training has not been completed.

(d) REPORTS.—

(1) ANNUAL REPORT.—In conjunction with each briefing provided under section 1019(c) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3364 note), the Director shall submit to the congressional intelligence committees, the Committee on Appropriations of the House of Representatives a report on the number and themes of compliance incidents reported to intelligence community analytic ombudspersons relating to the standards set forth in Intelligence Community Directive 203 (relating to analytic standards), or successor directive.

(2) REPORT ON PERFORMANCE EVALUATION.—Not later than 90 days after the date of the enactment of this Act, the head of an element of the intelligence community that conducts all-source analysis shall submit to the congressional intelligence committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a report describing how compliance with the standards set forth in Intelligence Community Directive 203 (relating to analytic standards), or successor directive, is considered in the performance evaluations and consideration for merit pay, bonuses, promotions, and any other personnel actions.

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit the Director from providing training described in this section as a service of common concern.
(f) SUNSET.—This section shall cease to be effective on the date that is 5 years after the date of the enactment of this Act.

SEC. 318. HISTORICAL ADVISORY PANEL OF THE CENTRAL INTELLIGENCE AGENCY.

The Central Intelligence Agency Act of 1949 (50 U.S.C. 3001 et seq.) is amended by adding at the end the following:

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(ii) evade financial sanctions, export controls, or import restrictions imposed by the United States.

(F) An unclassified list of the top 20 business enterprises, research institutions, or other entities of the People’s Republic of China that are developing surveillance, smart cities, or related technologies that are—

(i) exporting technology to other countries, undermining democracy worldwide; or

(ii) provided to the security services of the People’s Republic of China, enabling them to commit severe human rights abuses in China.

(G) An unclassified list of the top 200 business enterprises, research institutions, or other entities of the People’s Republic of China that are—

(i) operating in the genotype zone in Xinjiang; or

(ii) supporting the Xinjiang Public Security Bureau, the Xinjiang Bureau of the Ministry of State Security, the People’s Armed Police, or the Xinjiang Production and Construction Corps.

(H) A list of investment funds, public companies, or private or early-stage firms of the People’s Republic of China that have received more than $100,000,000 in capital flows from the United States during the 10-year period preceding the date on which the assessment is submitted.

(1) The progress of the People’s Republic of China in the production of semiconductors by Chinese firms.

(2) Activity of Chinese firms with respect to the procurement of semiconductor manufacturing equipment for the production of microelectronics below the 20 nanometer process node, including any identified export diversion to evade export controls.

(3) A comprehensive summary of unilateral and multilateral export controls that Chinese semiconductor manufacturers have been subject to in the year preceding the date on which the assessment is submitted, as well as a description of the status of export licenses issued by any export control authority during that time period.

(4) Any observed stockpiling efforts by Chinese firms with respect to semiconductor manufacturing equipment, substrate materials, silicon wafers, or other necessary inputs for semiconductor production.

(5) An analysis of the relative market share of different Chinese semiconductor manufacturers at different process nodes and the estimated increase or decrease of market share by that manufacturer in each process category during the preceding year.

(6) A comprehensive summary of recruitment activity of the People’s Republic of China targeting semiconductor manufacturing engineers and managers from non-Chinese firms.

(7) An analysis of the capability of the workforce of the People’s Republic of China to design, produce, and manufacture microelectronics below the 20 nanometer process node and relevant equipment.

(1) The vulnerabilities of the People’s Republic of China, disaggregated by economic sector, industry, and entity; and

(2) The technological or supply chain chokepoints of the People’s Republic of China that provide leverage to the United States.

(1) The congressional intelligence committees;

(2) The Committee on Appropriations of the House of Representatives.

(2) COVERED CAMP.—The term ‘‘covered camp’’ means a detention camp, prison, forced labor facility, or other such facility located in the Xinjiang Uyghur Autonomous Region of the People’s Republic of China, referred to by the Government of the People’s Republic of China as ‘‘concentrated reeducation camps’’ or ‘‘vocational training centers’’.

(3) ANNUAL REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, and annually thereafter for 5 years, the Director of National Intelligence, in consultation with such heads of elements of the intelligence community as the Director considers appropriate, shall submit to the appropriate committees of Congress a report on the status of covered camps.

(c) ELEMENTS.—Each report required by subsection (b) shall include the following:

(1) An identification of the number and geographic location of covered camps and an estimate of the number of victims detained in covered camps.

(2) A description of—

(A) the types of personnel and equipment in covered camps;

(B) the funding received by covered camps from the Government of the People’s Republic of China; and

(C) the role of the security services of the People’s Republic of China and the Xinjiang Production and Construction Corps in enforcing atrocities at covered camps.

(3) A comprehensive list of—

(A) the entities of the Xinjiang Production and Construction Corps, including subsidiaries and affiliated businesses, with respect to which sanctions have been imposed by the United States;

(B) commercial activities of those entities outside of the People’s Republic of China; and

(C) other Chinese businesses, including in the artificial intelligence, biotechnology, and surveillance technology sectors, that are involved with the atrocities in Xinjiang or supporting the policies of the People’s Republic of China in the region.

(4) Any observed stockpiling efforts by Chinese firms with respect to semiconductor manufacturing equipment, substrate materials, silicon wafers, or other necessary inputs for semiconductor production.


(6) Activity of Chinese firms with respect to the procurement of semiconductor manufacturing equipment for the production of microelectronics below the 20 nanometer process node, including any identified export diversion to evade export controls.

(7) An analysis of the relative market share of different Chinese semiconductor manufacturers at different process nodes and the estimated increase or decrease of market share by that manufacturer in each process category during the preceding year.

(b) A description of—

(A) the vulnerabilities of the People’s Republic of China, disaggregated by economic sector, industry, and entity; and

(B) the technological or supply chain chokepoints of the People’s Republic of China that provide leverage to the United States.

(c) ELEMENTS.—Each report submitted under subsection (b) shall be submitted in unclassified form and include a classified annex.

TITe V—PERSONNEL AND SECURITY CLEARANCE MATTERS

SEC. 501. IMPROVING ONBOARDING OF PERSONNEL IN INTELLIGENCE COMMUNITY.

(a) METHODOLOGY.—The Director of National Intelligence shall establish a methodology appropriate for all elements of the intelligence community that can be used to measure, consistently and reliably, the time it takes to onboard personnel in the intelligence community, for elements of the intelligence community that have measured onboarding times that exceed 180 days.

(b) REPORT.—In general.—Not later than 90 days after the date of the enactment of this Act, the Director shall submit to the congressional intelligence committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a report on the time it takes to onboard personnel in the intelligence community, disaggregated by mode of onboarding and element of the intelligence community.

(c) PLAN.—In general.—Not later than 180 days after the date of the enactment of this Act, the Director shall submit to the congressional intelligence committees a plan to reduce the time it takes to onboard personnel in the intelligence community, for elements of the intelligence community that have median onboarding times that exceed 180 days.

(d) ELEMENTS.—The report submitted under paragraph (1) shall include milestones to achieve certain specific goals with respect to
the mean, median, and mode time it takes to onboard personnel in the elements of the intelligence community described in such paragraph, disaggregated by element of the intelligence community.

SEC. 502. IMPROVING ONBOARDING AT THE CENTRAL INTELLIGENCE AGENCY.

(a) DEFINITION OF ONBOARD PERIOD.—In this section, the term ‘onboard period’ means the period beginning on the date on which an individual submits an application for employment with the Central Intelligence Agency and ending on the date on which the individual is formally offered one or more onramp dates.

(b) IN GENERAL.—The Director of the Central Intelligence Agency shall take such actions as the Director considers appropriate and necessary to ensure that, by December 31, 2023, the median duration of the onboard period for new employees at the Central Intelligence Agency is equal to or less than 180 days.

SEC. 503. REPORT ON LEGISLATIVE ACTION REQUIRED TO IMPLEMENT TRUSTED WORKFORCE 2.0 INITIATIVE.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Deputy Director for Management of the Office of Management and Budget shall, in the Deputy Director’s capacity as the Chair of the National Institute of Standards and Technology’s Science Board, forward the report submitted under subsection (a) of section 2301 of the National Defense Authorization Act for Fiscal Year 2019 (5 U.S.C. App.) to the Director of the National Intelligence community.

(b) CONTENTS.—The report submitted under subsection (a) shall include:

(1) An identification of the priority for enactment of an amendment.

(2) An identification of the legislative action required to implement the Trusted Workforce 2.0 initiative.

(c) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of the National Intelligence shall, in the Director’s capacity as the Security Executive Agent under section 806 of the National Security Act of 1947 (50 U.S.C. 3162(a)), issue guidance and direction to an employee access to classified information for certain personnel.

SEC. 504. COMPTROLLER GENERAL OF THE UNITED STATES.

(a) ASSESSMENT REQUIRED.—The Comptroller General of the United States shall conduct an assessment of the administration of polygraph evaluations that are used in the intelligence community to meet current annual mission demand.

(b) ELEMENTS.—The assessment completed under subsection (a) shall include the following:

(1) An identification of the number of polygraphers currently available at each element of the intelligence community to perform the duties described in subsection (a).

(2) The data described in subsection (a) cannot be met, an identification of the number of polygraphers that would need to be hired and trained to meet this objective.

(c) DEFICIENCY.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall report to the Committees on Appropriations of the Senate and the House of Representatives on the preliminary findings of the Comptroller General with respect to the assessment conducted pursuant to subsection (a).

(d) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the committees described in subsection (c) a report on the findings of the Comptroller General with respect to the assessment conducted pursuant to subsection (a).

SEC. 505. TIMELINESS IN THE ADMINISTRATION OF SECURITY CLEARANCES AND ACCESS DETERMINATIONS.

(a) STANDARDS REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the agency shall, in the Director’s capacity as the Security Executive Agent pursuant to section 803(a) of the National Security Act of 1947 (50 U.S.C. 3162(a)), implement a policy for Federal agencies to administer polygraphs conducted for the purpose of:

(A) adjudicating decisions regarding eligibility for employment as defined in the procedures established pursuant to section 801(a) of the National Security Act of 1947 (50 U.S.C. 3161(a)); and

(B) establishing reciprocity pursuant to Security Executive Agent Directive 2, or successor directive.

(2) PUBLICATION.—The Director shall publish the standards issued under paragraph (1) in the Federal Register or such other venue as the Director considers appropriate.

(b) IMPLEMENTATION PLAN REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director shall submit to Congress an implementation plan for Federal agencies to meet the standards issued under subsection (a). Such plan shall specify the resources required by Federal agencies to comply with such standards.

SEC. 506. POLICY ON SUBMITTAL OF APPLICATIONS FOR ACCESS TO CLASSIFIED INFORMATION FOR CERTAIN PERSONNEL.

Not later than 180 days after the date of the enactment of this Act, the Director of the National Intelligence shall, in the Director’s capacity as the Security Executive Agent pursuant to section 806 of the National Security Act of 1947 (50 U.S.C. 3162(a)), issue a policy that allows a private person to submit a certain proportion of applications, on a nonimpeachable basis, for employee access to classified information for personnel who perform key management and oversight functions who may not merit an application due to their work under any one contract.

SEC. 507. TECHNICAL CORRECTION REGARDING PENALTIES FOR SHARING OF COVERED INSIDER THREAT INFORMATION.

Section 1020(h)(2) of the Intelligence Authorization Act for Fiscal Year 2022 (Public Law 117–110) is amended by striking ‘‘contracting agency’’ and inserting ‘‘contractor that employs the contractor employee’’.

SEC. 508. ESTABLISHING PROCESS PARITY FOR ADVERSE SECURITY CLEARANCE AND ACCESS DETERMINATIONS.

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

‘‘(c) PAYMENT FOR DETERMINATION.—

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

‘‘(ii) CIRCUMSTANTIAL EVIDENCE.—An individual under clause (i) may demonstrate that the disclosure described in paragraph (1) was a contributing factor in the adverse security clearance or access determination taken against the individual through circumstantial evidence, such as evidence that—

(1) the official making the determination knew of the disclosure; and

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

SEC. 509. ELIMINATION OF CAP ON COMPENSATORY DAMAGES FOR RETALIATORY SECURITY CLEARANCE AND ACCESS DETERMINATIONS.

Section 3001(i)(4)(B) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(i)(4)(B)) is amended, in the second sentence, by striking ‘‘not to exceed $300,000’’.

SEC. 510. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON USE OF GOVERNMENT AND INDUSTRY SPACE CERTIFIED AS SENSITIVE COMPARTMENTED INFORMATION FACILITIES.

Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the average annual utilization of Federal Government and industry space certified as a sensitive compartmented information facility under intelligence community programs of the Department of Defense.

TITLE VI—INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY

SEC. 601. SUBMITTAL OF COMPLAINTS AND INFORMATION BY WHISTLEBLOWERS IN THE INTELLIGENCE COMMUNITY TO CONGRESS.

(a) AMENDMENTS TO INSPECTOR GENERAL ACT OF 1978—

(1) APPOINTMENT OF SECURITY OFFICERS.—Section 8(h) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(A) in paragraph (1), by redesignating subsection (b) as subsection (a); and

(B) by inserting after subsection (a) the following:

‘‘(B) APPOINTMENT OF SECURITY OFFICERS.—Each Inspector General under this section, including the designee of the Inspector General of the Department of Defense pursuant to section 8(h)(3), shall appoint within their offices security officers to provide, on a permanent basis, confidential, security-related guidance and direction to an employee of their respective entity, em-
information and notice of the employee’s intent to contact an intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives directly.

‘‘(ii)(D) obtains and follows from the Director, through the Inspector General, a statement of the employee’s complaint or information and notice of the employee’s intent to contact an intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives directly; and

‘‘(iii)(D) obtains and follows from the Director, through the Inspector General, procedural direction on how to contact a congressional intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives in accordance with appropriate security practices; or

‘‘(BB) obtains and follows from the applicable security officer appointed under subsection (h).

‘‘(BB) obtains and follows such procedural direction from the applicable security officer appointed under section 8H(h) of the Inspector General Act of 1978 (5 U.S.C. App.).

‘‘(II) If an employee seeks procedural direction under subclause (1)(bb) and does not receive such procedural direction within 30 days, or receives insufficient direction to report to Congress a complaint or information, the employee may contact a congressional intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives directly without obtaining or following the procedural direction otherwise required under such subparagraph.”; and

(C) by redesigning paragraph (3) as paragraph (2) complete.

(D) by inserting after paragraph (2) the following:

‘‘(3) An employee of an element of the intelligence community who intends to report to Congress a complaint or information may report such complaint or information to the Chairman and Vice Chairman or Ranking Member, as the case may be, of an intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives, a nonpartisan member of the committee designated for purposes of receiving complaints or information under this section, or a member of the majority staff and a member of the minority staff of the committee.”.

(3) CLARIFICATION OF RIGHT TO REPORT DIRECTLY TO CONGRESS.—Subparagraph (A) of such section is amended by adding at the end the following:

‘‘(4) Subject to paragraphs (2) and (3) of subsection (d), an employee of an element of the intelligence community who intends to report a complaint or information may report such complaint or information directly to Congress, regardless of whether the complaint or information is with respect to an urgent concern—

‘‘(A) in lieu of reporting such complaint or information under paragraph (1); or

‘‘(B) in addition to reporting such complaint or information under paragraph (1).”

(b) AMENDMENTS TO NATIONAL SECURITY ACT OF 1947.—

(1) APPOINTMENT OF SECURITY OFFICERS.—Section 103H(i) of the National Security Act of 1947 (50 U.S.C. 3033(i)) is amended by adding at the end the following:

‘‘(5) The Inspector General shall appoint within the Inspector General or the Director, as the case may be, of the Inspector General or the Director, a supervisor of the employing agency with responsibility for the subject matter of the disclosure,” after “chair of command.”;”.

(2) PROCEDURES.—Subparagraph (D) of such section is amended—

(A) in clause (i), by inserting “or any other committee of jurisdiction of the Senate or the House of Representatives” after “either or both of the congressional intelligence committees”;

(B) by amending clause (ii) to read as follows:

‘‘(ii)(D) Except as provided in subclause (II), an employee may contact a congressional intelligence committee or another committee of jurisdiction directly as described in clause (i) only if the employee—

‘‘(aa) before making such a contact, furnishes to the Director, through the Inspector General, a statement of the employee’s complaint or information and notice of the employee’s intent to contact an intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives directly; and

‘‘(bb)(AA) obtains and follows such procedural direction from the applicable security officer appointed under section 8H(h) of the Inspector General Act of 1978 (5 U.S.C. App.).

‘‘(BB) obtains and follows from the applicable security officer appointed under section 8H(h) of the Inspector General Act of 1978 (5 U.S.C. App.).

‘‘(II) If an employee seeks procedural direction under subclause (1)(bb) and does not receive such procedural direction within 30 days, or receives insufficient direction to report to Congress a complaint or information, the employee may contact a congressional intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives directly without obtaining or following the procedural direction otherwise required under such subparagraph.”; and

(C) by redesigning clause (iii) as clause (iv); and

(D) by inserting after clause (ii) the following:

‘‘(iii) An employee of the Agency who intends to report to Congress a complaint or information may report such complaint or information to the Director, through the Inspector General, a statement of the employee’s intent to contact an intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives, a nonpartisan member of the committee staff designated for purposes of receiving complaints or information under this section, or a member of the majority staff and a member of the minority staff of the committee.”.

(3) CLARIFICATION OF RIGHT TO REPORT DIRECTLY TO CONGRESS.—Subparagraph (A) of such section is amended—

(A) by inserting “(i)” before “An employee of”; and

(B) by adding at the end the following:

‘‘(ii) Subject to clauses (ii) and (iii) of subparagraph (D), an employee of an element of the intelligence community who intends to report a complaint or information may report such complaint or information directly to Congress, regardless of whether the complaint or information is with respect to an urgent concern—

‘‘(I) in lieu of reporting such complaint or information under clause (i); or

‘‘(II) in addition to reporting such complaint or information under clause (i).”.

(c) AMENDMENTS TO THE CENTRAL INTELLIGENCE AGENCY ACT OF 1949.—

(1) APPOINTMENT OF SECURITY OFFICERS.—Section 17(d)(5) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3517(d)(5)) is amended by adding at the end the following:

‘‘(d) Rule of Construction.—Nothing in this section or an amendment made by this section shall be construed to revoke or diminish any right of an individual provided by section 2603 of title 5, United States Code.”

SEC. 602. MODIFICATION OF WHISTLEBLOWER PROTECTION FOR DIRECTOR EMPLOYEES IN INTELLIGENCE COMMUNITY.

Section 1104(c)(1)(A) of the National Security Act of 1947 (50 U.S.C. 3246(c)(1)(A)) is amended by inserting “a supervisor of the employing agency with responsibility for the subject matter of the disclosure,” after “chain of command.”; “
SEC. 603. PROHIBITION AGAINST DISCLOSURE OF WHISTLEBLOWER IDENTITY AS REPRISAL AGAINST WHISTLEBLOWER DISCLOSURE BY EMPLOYEES OF CONTRACTORS IN INTELLIGENCE COMMUNITY.

(a) In General.—Section 1104 of the National Security Act of 1947 (50 U.S.C. 3234) is amended—

(1) in subsection (a)(3) of such section—

(A) by striking "(I)" and, by striking "or;" and inserting a semicolon;

(B) by redesignating subparagraph (J) as subparagraph (K); and

(C) by inserting after subparagraph (K) the following:

"(L) a knowing and willful disclosure revealing the identity of any individual, including but not limited to—";

and

(2) by redesigning subsections (f) and (g) as subsections (g) and (h), respectively; and

(3) by inserting after subsection (e) the following:

"(i) Personnel Actions Involving Disclosures of Whistleblower Identity.—A personnel action described in subsection (a)(3)(J) shall not be considered in violation of subsection (b) or (c) under the following circumstances:

(1) The personnel action was taken with the express consent of the employee or contractor employee;

(2) An Inspector General with oversight responsibility for a covered intelligence community element determines that—


(B) the personnel action was made to an official of the Department of Justice responsible for determining whether a prosecution should be undertaken; or

(C) the personnel action was required by statute or an order from a court of competent jurisdiction.

(b) Applicability to Detailees.—Subsection (a) of section 1104 of such act (50 U.S.C. 3234) is amended by adding at the end the following:

"(5) Employee.—The term 'employee,' with respect to an intelligence community element, includes an individual who has been detailed to such agency or covered intelligence community element by—";

and

SEC. 604. DEFINITIONS REGARDING WHISTLEBLOWER COMPLAINTS AND INFORMATION OF CONCERN RECEIVED BY INSPECTORS GENERAL OF THE INTELLIGENCE COMMUNITY.

(a) National Security Act of 1947.—Section 1202(a) of the National Security Act of 1947 (50 U.S.C. 3033(k)(v)(G)(1)(I)) is amended by striking "within the" and all that follows through "matters," and inserting the following: "of the Federal Government that is—";

"(aa) a matter of national security; and

"(bb) not a difference of opinion concerning public policy matters.";

(b) Inspector General Act of 1978.—Section 8H(a)(1)(A)(i) of the Inspector General General Act of 1978 (5 U.S.C. App.) is amended by striking "involving" and all that follows through "matters," and inserting the following: "of the Federal Government that is—";

"(I) a matter of national security; and

"(II) not a difference of opinion concerning public policy matters.";

(c) Central Intelligence Agency Act of 1949.—Section 17(f)(5)(G)(1)(a)(a) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3517(d)(5)(G)(1)(a)(a)) is amended by striking "invoking" and all that follows through "matters," and inserting the following: "of the Federal Government that is—";

"(AA) a matter of national security; and

"(BB) not a difference of opinion concerning public policy matters.";

(d) Improvements Relating to Continuity of Privacy and Civil Liberty Oversight Board Membership.

Paragraph (4) of section 1061(h) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3000e(h)) is amended to read as follows:

"(4) Term.—

(A) Each member of the Board shall serve a term of 8 years, commencing on the date of the appointment of the member to the Board.

(B) Reappointment.—A member may be reappointed to one or more additional terms.

(C) Vacancy.—A vacancy on the Board shall be filled in the manner in which the original appointment was made.

(D) Extension.—In an instance where the expiration of the term of office of a member, the member may continue to serve, at the election of the member—

(i) during the period preceding the reappointment of the member pursuant to subparagraph (B); or

(ii) until the member's successor has been appointed and qualified.

SEC. 702. MODIFICATION OF REQUIREMENT FOR OPCON TO ADDRESS UNIDENTIFIED AEROSPACE-UNDERSEA PHENOMENA.

(a) In General.—Section 1683 of the National Authorization Act for Fiscal Year 2022 (50 U.S.C. 3373) is amended to read as follows:

"SEC. 1683. ESTABLISHMENT OF UNIDENTIFIED AEROSPACE-UNDERSEA PHENOMENA JOINT PROGRAM OFFICE.

(a) Establishment of Office.——

(1) In General.—Not later than 120 days after the date of the enactment of the American Security Drone Act of 2022, the Secretary of Defense, in coordination with the Director of National Intelligence, shall establish an office within a component of the Office of the Secretary of Defense, or within a joint organization of the Department of Defense and the Office of the Director of National Intelligence, to carry out the duties of the Unidentified Aerial Phenomena Task Force, as in effect on December 26, 2021, and such other duties as are required by this section, including those pertaining to—

(A) transmedium objects or devices and unidentified aerospace-underssea phenomenad;

(B) space, atmospheric, and water domains; and

(C) currently unknown technology and other domains;

(2) Designation.—The office established under paragraph (1) shall be known as the ‘Unidentified Aerospace-Undersea Phenomena Joint Program Office’ (in this section referred to as the ‘Office’).

(b) Director and Deputy Director of the Office.——

(1) Appointment of Director.—The head of the Office shall be the Director of the Unidentified Aerospace-Undersea Phenomena Joint Program Office (in this section referred to as the ‘Director’), who shall be appointed by the Secretary of Defense.

(2) Appointment of Deputy Director.—There shall be in the Office a Deputy Director of the Unidentified Aerospace-Undersea Phenomena Joint Program Office (in this section referred to as the ‘Deputy Director’), who shall be appointed by the Director of National Intelligence.
leadership on the activities of the Director under this paragraph.

(\(g\) Science Plan.—The Director of the Office, on behalf of the Secretary and the Director of National Intelligence, shall supervise the development and execution of a science plan to develop and test, as practicable, scientific theories to—

(1) account for characteristics and performance of unidentified aerospace-undersea phenomena that exceed the known state of the art in science or technology, including in the areas of propulsion, aerodynamic control, signatures, structures, materials, sensors, countermeasures, weapons, electronics, and power generation; and

(2) provide the foundation for potential future investments to replicate or otherwise better understand any such advanced characteristics and performance.

(h) Assignment of Priority.—The Director of National Intelligence, in consultation with the Secretary, shall assign an appropriate level of priority within the National Intelligence Priorities Framework to the requirement to understand, characterize, and respond to unidentified aerospace-undersea phenomena.

(1) Core Goal.—Not later than 180 days after the date of the enactment of the American Security Drone Act of 2022, the Director of the Office, the Secretary of Defense, and the Director of National Intelligence shall jointly establish a core group within the Office that shall include, at a minimum, representatives with all relevant and appropriate security clearances from the following:

(1) The Central Intelligence Agency.

(2) The National Security Agency.

(3) The Department of Defense.

(4) The National Reconnaissance Office.


(6) The Space Force.

(7) The National Intelligence Agency.

(8) The National Geospatial-Intelligence Agency.


(i) Annual Reports.—

(1) Reports from Director of National Intelligence.—

(A) Requirement.—Not later than 180 days after the date of the enactment of the American Security Drone Act of 2022, and annually thereafter for 4 years, the Director of National Intelligence shall, in consultation with the Secretary, submit to the appropriate congressional committees a report on unidentified aerospace-undersea phenomena.

(B) Elements.—Each report under subparagraph (A) shall include, with respect to the year covered by the report, the following information:

(i) All reported unidentified aerospace-undersea phenomena that occurred during the one-year period.

(ii) An analysis of data and intelligence received through each reported unidentified aerospace-undersea phenomena-related event.

(iii) An analysis of data relating to unidentified aerospace-undersea phenomena collected through—

(A) geospatial intelligence;

(B) signals intelligence;

(C) human intelligence; and

(D) measurement and signature intelligence.

(iv) The number of reported incidents of unidentified aerospace-undersea phenomena over restricted airspace of the United States during the one-year period.

(v) An analysis of such incidents identified under clause (v).

(vi) An identification of potential aerospace or other threats posed by unidentified aerospace-undersea phenomena to the national security of the United States.

(vii) An assessment of any activity regarding unidentified aerospace-undersea phenomena that can be attributed to one or more adversarial foreign governments.

(viii) An identification of any nonroutine operational patterns regarding unidentified aerospace-undersea phenomena that indicate a potential threat to foreign governments.

(VIII) In consultation with the Chairman of the Nuclear Regulatory Commission, the number of reported incidents, and descriptions thereof, of unidentified aerospace-undersea phenomena associated with stationary nuclear power plants, strategic nuclear weapons and nuclear-powered ships and submarines.

(2) Reports from Elements of Intelligence Community.—

(A) Requirement.—Not later than one year after the date of enactment of the American Security Drone Act of 2022, and annually thereafter, each element of the intelligence community shall submit to the congressional committees specified in subparagraphs (A), (B), (D), and (E) of section (o)(1) and congressional leadership a report on the activities of the element of the Office that undertook the in the past year to support the Office, including a section prepared by the Office that includes a detailed description of the coordination between the Office and the element of the intelligence community, any concerns with such coordination, and any recommendations for improving such coordination.

(K) Semiannual Briefings.—

(1) Requirement.—Not later than December 31, 2022, and annually thereafter, the Director of the Office shall provide to the congressional committees specified in subparagraphs (A), (B), (D), and (E) of section (o)(1) classified briefings on unidentified aerospace-undersea phenomena.
“(2) FIRST BRIEFING.—The first briefing provided under paragraph (1) shall include all incidents involving unidentified aerospace-undersea phenomena that were reported to the Unidentified Aerial Phenomena Task Force or to the Office established under subsection (a) after June 24, 2021, regardless of the date of occurrence of the incident.

(3) Subparagraphs.Each briefing provided subsequent to the first briefing described in paragraph (2) shall include, at a minimum, all events relating to unidentified aerospace-undersea phenomena that occurred during the previous 180 days, and events relating to unidentified aerospace-undersea phenomena that were not included in an earlier briefing.

“(4) INSTANCES IN WHICH DATA WAS NOT SHARED.—For each briefing period, the Director of the Office shall jointly provide to the chairman or chair and the ranking member or vice chairman of the congressional committees specified in subparagraphs (A) and (B) of subsection (a) an enumeration of any instances in which data relating to unidentified aerospace-undersea phenomena was not provided to the Office because of classification or restrictions on that data or for any other reason.

“(1) QUARTERLY BRIEFINGS.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of the American Security Drone Act of 2022, and not less frequently than once every 90 days thereafter, the Director of the Office shall provide the annual and periodic comprehensive reports and congressional leadership briefings on unidentified aerospace-undersea phenomena events.

(2) ELEMENTS.—The briefings provided under paragraph (1) shall include the following:

(A) A continuously updated compendium of unidentified aerospace-undersea phenomena events.

(B) Details about each sighting that has occurred within the past 90 days and the status of each sighting’s resolution.

(C) Updates on the Office’s collection activities and posture, analysis, and research.

(m) AUTHORIZATION OF APPROPRIATIONS.—

There is authorized to be appropriated such sums as may be necessary to carry out the work of the Office, including with respect to—

(1) general intelligence gathering and intelligence analysis; and

(2) strategic defense, space defense, defense of the United States, and activities and posture, performance characteristics, analysis, and research.

(n) TASK FORCE TERMINATION.—Not later than 180 days after the date on which the Secretary establishes the Office under subsection (a), the Secretary shall terminate the Unidentified Aerial Phenomena Task Force.

(o) DEFINITIONS.—In this section:

(1) The term ‘appropriate congressional committees’ means the following:

(A) The Committees on Appropriations of the Senate and the House of Representatives.

(B) The Committees on Appropriations of the Senate and the House of Representatives.

(C) The Select Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(D) The Select Committee on Intelligence of the Senate and the Select Committee on Intelligence of the House of Representatives.

(E) The Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives.

(2) The term ‘congressional defense committees’ has the meaning given such term in section 101(a) of title 10, United States Code.

(3) The term ‘congressional intelligence committees’ has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3000).

(4) The term ‘congressional leadership’ means—

(A) the majority leader of the Senate;

(B) the minority leader of the Senate;

(C) the chairman of the House of Representatives; and

(D) the minority leader of the House of Representatives.

(E) The term ‘intelligence community’ has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3000).

(F) The term ‘line organization’ means, with respect to a department or agency of the Federal Government, an organization that executes programs and activities to directly advance the core functions and missions of the department or agency to which the organization is subordinate, but, with respect to the Department of Defense, does not include a component of the Office of the Secretary of Defense.

(G) The term ‘transmission of the identification of the reporting date on which the Secretary establishes the Unidentified Aerial Phenomena Task Force or the Office.

(4) SHARING OF INFORMATION.—The system established under paragraph (1) shall provide for the immediate sharing with Office personnel and supporting analysts and scientists of information that is prohibited from reporting under any nondisclosure written or oral agreement, or other instrumentality or means, except in cases where the Secretary determines that sharing activities likely relate to a special access program or compartmented access program that, as of the date of the reporting, has been explicitly and clearly reported to the congressional defense committees and congressional intelligence committees, and is documented as meeting those criteria.

(5) INITIAL REPORT AND PUBLICATION.—Not later than 180 days after the date of the enactment of this Act, the head of the Office, on behalf of the Secretary and the Director, shall—

(A) submit to the congressional intelligence committees, the congressional defense committees, and congressional leadership a report detailing the system established under paragraph (1); and

(B) make available to the public on a website of the Department of Defense information about such system, including clear public guidance for accessing and using such system and providing feedback about the expected timeline to protect information or activities that likely relate to a special access program or compartmented access program that, as of the date of the reporting, has been explicitly and clearly reported to the congressional defense committees and congressional intelligence committees, and is documented as meeting those criteria.

(6) ANNUAL REPORTS.—Subsection (j)(1) of section 1683 of the National Defense Authorization Act for Fiscal Year 2022 (50 U.S.C. 3373), as amended by section 763, is further amended—

(A) in subparagraph (A), by inserting ‘‘and congressional leadership’’ after ‘‘appropriate congressional committees’’; and

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

‘‘(viii) A summary of the reports received under this system established under section 763(b)(1) of the American Security Drone Act of 2022.’’

(7) RECORDS OF NONDISCLOSURE AGREEMENTS.—

(1) IDENTIFICATION OF NONDISCLOSURE AGREEMENTS.—The Secretary of Defense, the Director of National Intelligence, the Secretary of Homeland Security, the heads of such other departments and agencies of the Federal Government that have supported investigations of the types of events covered by subparagraph (A) of subsection (b)(1) and activities and programs described in subparagraph (B) of such subsection, and congressional defense committees shall conduct comprehensive searches of all
records relating to nondisclosure orders or agreements or other obligations relating to the types of events described in subsection (a) and provide copies of all relevant documents.

SEC. 704. COMPTROLLER GENERAL OF THE UNITED STATES COMPILATION OF UNIDENTIFIED AEROSPACE-UNDERSEA PHENOMENA RECORDS.

(a) DEFINITION OF UNIDENTIFIED AEROSPACE-UNDERSEA PHENOMENA.—In this section, the term ‘unidentified aerospace-undersea phenomena’ means the meaning given such term in section 1683(o) of the National Defense Authorization Act for Fiscal Year 2022 (50 U.S.C. 3373(o)), as amended by section 763.

(b) COMPILATION REQUIRED.—No later than one year after the date of the enactment of this Act, the Comptroller General shall—

(1) commence a review of the records and documents of the intelligence community, oral history interviews, open source analytic analysis, interviews of current and former government officials, classified and unclassified national archives (including those records any third party obtained pursuant to section 552 of title 5, United States Code (commonly known as the ‘Freedom of Information Act’ or ‘FOIA’)), and such other relevant historical sources as the Comptroller General considers appropriate; and

(2) for the period beginning on January 1, 1947, and ending on the date on which the Comptroller General completes activities under this subsection, compile and itemize a complete historical record of the intelligence community’s involvement with unidentified aerospace-undersea phenomena, and any intelligence community efforts to track, study, investigate, compile, manipulate public opinion, hide, or otherwise provide unclassified or classified misinformation about unidentified aerospace-undersea phenomena or related activities conducted under paragraph (1).

(c) REPORT.—The report submitted under paragraph (1) shall include citations to the resources used in conducting the review conducted under paragraph (1).

(d) C OOPERATION OF INTELLIGENCE COMMUNITY.—The heads of elements of the intelligence community shall provide to the Comptroller General such information as the Comptroller General deems necessary to conduct an assessment of the compliance with the requirements of this section and the operation and efficacy of the system established under subsection (b); and

(e) A CCESS TO RECORDS OF THE NATIONAL SECURITY AGENCIES.—Not later than one year after the date of the enactment of this Act, the Inspector General of the Department of Defense and the Inspector General of the Intelligence Community shall each—

(1) conduct an assessment of the compliance with the requirements of this section and the operation and efficacy of the system established under subsection (b); and

(2) submit to the congressional intelligence committees, the congressional defense committees, and congressional leadership a report on their respective findings with respect to the assessments they conducted under paragraph (1).

(f) DEFINITIONS.—In this section:

(1) ‘Congressional defense committees’ means—

(A) the majority leader of the Senate;

(B) the minority leader of the Senate;

(C) the Speaker of the House of Representatives; and

(D) the minority leader of the House of Representatives.

(2) The term ‘Office’ means the office established under section 1683(a) of the National Defense Authorization Act for Fiscal Year 2022 (50 U.S.C. 3373(a)), as amended by section 763.

(G) The term ‘personnel action’ has the meaning given such term in section 1104(a) of the National Security Act of 1947 (50 U.S.C. 3224(a)).

(h) The term ‘unidentified aerospace-undersea phenomena’ means the meaning given such term in section 1683(o) of the National Defense Authorization Act for Fiscal Year 2022 (50 U.S.C. 3373(o)), as amended by section 763.

SEC. 705. OFFICE OF GLOBAL COMPETITION ANALYSIS.

(a) DEFINITIONS.—In this section:

(1) EXECUTIVE AGENCY.—The term ‘Executive agency’ shall be defined such term in section 105 of title 5, United States Code.

(2) OFFICE.—The term ‘Office’ means the Office of Global Competition Analysis established under subsection (b).

(b) ESTABLISHMENT.—Not later than one year after the date of the enactment of this Act, the President shall establish an office for analysis of global competition.

(1) PURPOSES.—The purposes of the Office are as follows:

(A) To carry out a program of analysis relevant to United States leadership in technology and innovation sectors critical to national security and economic prosperity relative to other countries, particularly those countries that are strategic competitors of the United States.

(B) To support policy development and decisionmaking across the Federal Government to ensure United States leadership in technology and innovation sectors critical to national security and economic prosperity relative to other countries, particularly those countries that are strategic competitors of the United States.

(2) ACTIVITIES.—In accordance with the purposes determined under subsection (b), the Office shall—

(1) subject to subsection (f), acquire, access, use, and handle data or other information, including information concerning activities of the Office to be conducted under subsection (b);

(2) conduct long- and short-term analyses regarding—

(A) United States policies that enable technological competitiveness relative to other countries, particularly with respect to countries that are strategic competitors of the United States;

(B) United States science and technology ecosystem elements, including technology innovation, development, advanced manufacturing, supply chain, defense, and production, relative to those of other countries, particularly with respect to countries that are strategic competitors of the United States;

(C) United States competitiveness in technology and innovation sectors critical to national security and economic prosperity relative to other countries, including the availability and scalability of United States technology in such sectors abroad, particularly with respect to countries that are strategic competitors of the United States;

(D) trends and trajectories, including rate of change in technologies, related to technology and innovation sectors critical to national security and economic prosperity; and

(E) threats to United States’ national security interests as a result of any foreign country’s dependence on technologies of strategic competitors of the United States; and

(F) threats to United States interests based on dependencies on foreign technology critical to national security and economic prosperity;

(g) A CCESS TO RECORDS OF THE NATIONAL SECURITY AGENCIES.—Not later than one year after the date of the enactment of this Act, the Director of National Intelligence, the Under Secretary of Defense for Intelligence and Security, and the Director of the National Geospatial Intelligence Agency shall fully cooperate with the Comptroller General and provide to the Comptroller General such information as the Comptroller General deems necessary to carry out subsections (b) and (c).

(h) A CCESS TO RECORDS OF THE NATIONAL SECURITY AGENCIES.—Not later than one year after the date of the enactment of this Act, the Inspector General of the Department of Defense shall fully cooperate with the Comptroller General and provide to the Comptroller General such information as the Comptroller General deems necessary to carry out subsections (b) and (c).

(i) SEC. 706. DETERMINATION OF PRIORITIES.—Notwithstanding section 162(a)(5) of the Office of Science and Technology Policy, the Assistant to the President for Economic Policy, the Assistant to the President for National Security Affairs, the Secretary of Commerce, the Director of National Intelligence, the Secretary of Defense, the Secretary of...
energy, the Secretary of State, and the Secretary of Homeland Security shall, in coordination with such heads of Executive agencies as such Directors, Assistants, and Secretaries may determine, in consultation with applicable provisions of law and policy and subject to any restrictions required by the source of the information,

(1) shall acquire, access, use, and handle data or information in a manner consistent with applicable provisions of law and policy and subject to any restrictions required by the source of the information;

(2) shall have access to all information, data, or reports of any Executive agency that the Office determines necessary to carry out this section, including any document, report, or finding pursuant to paragraph (2) of that section, consistent with due regard for the protection from unauthorized disclosure of classified information relating to sensitive intelligence sources and methods or other exceptionally sensitive matters; and

(3) may obtain commercially available information that may not be publicly available.

(g) ADDITIONAL SUPPORT.—A head of an Executive agency may provide to the Office such support, in the form of financial assistance and the use of personnel, as the head of such agency considers appropriate to assist the Office in carrying out any activity under subsection (c), consistent with the priorities determined under subsection (d).

(h) ANNUAL REPORT.—Not less frequently than once each year, the Office shall submit to Congress a report on the activities of the Office under this section, including a description of the priorities of the Office under subsection (d) and any support, disaggregated by Executive agency, provided to the Office consistent with subsection (g) in order to advance those priorities.

(I) PLANS.—Before establishing the Office under this section, the Office shall submit to the appropriate committees of Congress a report detailing plans for—

(1) the administrative structure of the Office,

(A) a detailed spending plan that includes administrative costs; and

(B) a disaggregation of costs associated with carrying out subsection (e); (2) ensuring consistent and sufficient funding for the Office; and

(3) coordination between the Office and relevant agencies.

(j) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $20,000,000 for fiscal year 2023.

SEC. 706. REPORT ON TRACKING AND COLLECTING PRECURSOR CHEMICALS AND THE PRODUCTION OF SYNTHETIC OPIOIDS.

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

(1) the congressional intelligence committees;

(2) the Committee on the Judiciary and the Committee on Appropriations of the Senate; and

(3) the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives.

(b) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Director of the Central Intelligence Agency shall submit to the appropriate committees of Congress a report on—

(1) any gaps or challenges related to tracking licit precursor chemicals that are bound for illicit use in the production of synthetic opioids; and

(2) any gaps in authorities related to the collection of licit precursor chemicals that have been routed toward illicit supply chains.

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

SEC. 707. ASSESSMENT AND REPORT ON MASS MIGRATION IN THE WESTERN HEMISPHERE.

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

(1) the congressional intelligence committees;

(2) the Committee on Foreign Relations, the Committee on the Judiciary, and the Committee on Appropriations of the Senate; and

(3) the Committee on Foreign Affairs, the Committee on the Judiciary, and the Committee on Appropriations of the House of Representatives.

(b) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Director of National Intelligence shall assess, and submit to the congressional intelligence committees a report on—

(1) the interests of the United States created or enhanced by, or associated with, the mass migration of people within the Western Hemisphere, particularly to the southern border of the United States;

(2) the use of or the threat of using mass migration in the Western Hemisphere by the regime of Nicolás Maduro in Venezuela and the regime of Miguel Díaz-Canel and Raúl Castro in Cuba—

(A) to effectively curate populations so that people who remain in those countries are powerless to meaningfully dissent;

(B) to extract diplomatic concessions from the United States; and

(C) to enable the increase of remittances from migrants to United States as a result of the mass migration to help finance the regimes in Venezuela and Cuba; and

(3) any gaps in resources, collection capabilities, or authorities relating to the ability of the intelligence community to timely identify the threats described in paragraphs (1) and (2) and recommendations for addressing those gaps.

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

SEC. 708. NOTIFICATIONS REGARDING TRANSFERS OF DETAINES AT UNITED STATES NAVY STATION, GUANTANAMO BAY, CUBA.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE MEMBERS OF CONGRESS.—The term ‘‘appropriate Members of Congress’’ means—

(A) the majority leader and the minority leader of the Senate;

(B) the Chairman and Ranking Member of the Committee on Armed Services of the Senate;

(C) the Chairman and Vice Chairman of the Select Committee on Intelligence of the Senate; and

(D) the Chairman and Vice Chairman of the Committee on Appropriations of the Senate;

(E) the Chairman and Ranking Member of the Committee on Foreign Relations of the Senate;

(F) the Speaker of the House of Representatives;

(G) the minority leader of the House of Representatives;

(H) the Chairman and Ranking Member of the Committee on Armed Services of the House of Representatives;

(I) the Chairman and Ranking Member of the Permanent Select Committee on Intelligence of the House of Representatives; and

(K) the Chairman and Ranking Member of the Committee on Foreign Affairs of the House of Representatives.

(2) EXECUTIVE ORDER 13567.—The term ‘‘Executive Order 13567’’ means Executive Order 13567 (10 U.S.C. 801 note; relating to periodic review of individuals detained at Guantánamo Bay Naval Station pursuant to the Authorization for Use of Military Force). ‘‘Periodic Review Board’’ means—

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

(II) the Committee on the Judiciary and the Select Committee on Intelligence of the Senate;

(III) the Committee on Appropriations of the House of Representatives; and

(IV) the Committee on Appropriations of the Senate.

(b) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Director of National Intelligence and the Secretary of State, in coordination with the
Secretary of Defense, the Secretary of Commerce, the Administrator of the National Aeronautics and Space Administration, and the heads of any other agencies as the Director considers necessary, shall jointly submit to Congress a report on international norms, rules, and principles applicable in space.

(b) ELEMENTS.—The report submitted under subsection (a) shall include:

(1) identify threats to the interests of the United States in space that may be mitigated by international norms, rules, and principles applicable in space, including through bilateral and multilateral engagement;

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

SEC. 710. ASSESSMENTS OF THE EFFECTS OF SANCTIONS IMPOSED WITH RESPECT TO THE RUSSIAN FEDERATION'S INVASION OF UKRAINE.

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

(1) the congressional intelligence committees;

(2) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Appropriations of the Senate; and

(3) the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Appropriations of the House of Representatives.

(b) ASSESSMENTS.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, and every 30 days thereafter for 3 years, the Director of National Intelligence shall submit to the appropriate committees of Congress an assessment of the cumulative and material effects of the sanctions imposed by the United States, European countries, and the international community with respect to the Russian Federation in response to the February 24, 2022, invasion of Ukraine and subsequent actions by the Russian Federation.

(c) ELEMENTS.—Each assessment submitted under subsection (b) shall include the following:

(1) A description of efforts by the Russian Federation to evade or circumvent sanctions imposed by the United States, European countries, or the international community through direct or indirect engagement or direct or indirect assistance from—

(A) Venezuela and Nicaragua and the regime of Nicolás Maduro in Venezuela;

(B) the People’s Republic of China;

(C) the Islamic Republic of Iran; and

(D) any other country the Director considers appropriate.

(2) An assessment of the cumulative effect of the efforts described in paragraph (1), including on the Russian Federation’s strategic relationship with the regimes and countries described in such paragraph.

(3) A description of the material effect of the sanctions described in subsection (b), including the effect of those sanctions on senior leadership, senior military officers, state-sponsored actors, and other state-affiliated actors in Russia, and the effect of those sanctions on any person or entity who may be responsible for such sanctions.

(4) A description of any developments by other countries that may alter existing international norms, rules, and principles applicable in space as a result of the invasion of Ukraine.

(5) A description of efforts by the Russian Federation to evade sanctions using digital assets and a description of any related intelligence gaps.

(6) An assessment of how countries have assessed the risk of holding reserves in United States dollars since the February 24, 2022, invasion of Ukraine.

(7) An assessment of the cumulative impact of any general licenses issued in relation to the sanctions described in subsection (b), including the extent to which authorizations for international commerce have enabled continued monetization by Russian influence actors.

(d) FORM OF ASSESSMENTS.—Each assessment submitted under subsection (b) shall be submitted in unclassified form and include a classified annex.

SEC. 711. ASSESSMENTS AND BRIEFINGS ON IMPLICATIONS OF FOOD INSECURITY THAT MAY RESULT FROM THE RUSSIAN FEDERATION'S INVASION OF UKRAINE.

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

(1) the congressional intelligence committees;

(2) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(3) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

(b) ASSESSMENTS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter for 3 years, the Director of National Intelligence shall conduct a comprehensive assessment of the implications of food insecurity that may result from the Russian Federation’s invasion of Ukraine.

(c) ELEMENTS.—Each assessment conducted under paragraph (1) shall address the following:

(A) The projected timeline for indicators of any food insecurity described in paragraph (1) to manifest.

(B) The potential for political instability and security crises that may occur as a result of any food insecurity, disaggregated by region.

(C) Factors that could minimize the potential effects of any such food insecurity on political instability described in subparagraph (B), disaggregated by region.

(D) Opportunities for the United States to prevent or mitigate any such food insecurity, disaggregated by region.

(e) BRIEFIGNS.—Not later than 30 days after the date on which an assessment conducted under subsection (b) is completed, the Director of National Intelligence shall brief the appropriate committees of Congress on the findings of the assessment.

SEC. 712. PILOT PROGRAM FOR DIRECTOR OF FEDERAL BUREAU OF INVESTIGATION TO UNDERTAKE AN EFFORT TO IDENTIFY INTERNATIONAL MOBILE SUBSCRIBER IDENTITY CATCHERS AND DEVELOP COUNTERMEASURES.

Section 5725 of the Damon Paul Nelson and ANDREW M. GIBBON Flood Protection Act of 2020 (50 U.S.C. 3024 note; Public Law 116–92) is amended—

(1) in subsection (a), in the matter before paragraph (1)—

(A) by striking “The Director of National Intelligence” and inserting “the Director of the Federal Bureau of Investigation”; and

(B) by striking “the Under Secretary”; and

(C) by striking “Directors determine” and inserting “Director of the Federal Bureau of Investigation determines”;

(2) by redesigning subsections (b) and (c) as subsections (c) and (d), respectively.

(3) by inserting after subsection (a) the following:

“(b) PILOT PROGRAM.—

(1) IN GENERAL.—The Director of the Federal Bureau of Investigation, in collaboration with the Director of National Intelligence, the Under Secretary of Homeland Security for Intelligence and Analysis, and the heads of such other federal agencies, or local agencies as the Director of the Federal Bureau of Investigation determines appropriate, and in accordance with applicable law and policy, shall conduct a pilot program designed to implement subsection (a) with respect to the National Capital Region.

(2) COMMENCEMENT; COMPLETION.—The Director of the Federal Bureau of Investigation shall—

“(A) commence carrying out the pilot program required by paragraph (1) not later than 180 days after the date of the enactment of the American Security Drone Act of 2022; and

(B) complete the pilot program not later than 2 years after the date on which the Director commences carrying out the pilot program under subparagraph (A).”;

and

(4) in subsection (c), as redesignated by paragraph (2)—

(A) in the matter before paragraph (1), by striking “Prior” and all that follows through “Investigation” and inserting “Not later than 180 days after the date on which the Director of the Federal Bureau of Investigation determines that the pilot program required by paragraph (1) is operational, the Director and the Director of National Intelligence”; and

(B) in paragraph (1), by striking “within the United States”;

and

(C) in paragraph (2), by striking “by the” and inserting “deployed by the Federal Bureau of Investigation and other elements of the”;

SEC. 713. DEPARTMENT OF STATE BUREAU OF INTELLIGENCE AND RESEARCH ASSESSMENT OF ANOMALOUS HEALTH INCIDENTS.

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

(1) the congressional intelligence committees;

(2) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(3) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

(b) ASSESSMENT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Assistant Secretary of State for Intelligence and Research shall submit to the appropriate committees of Congress an assessment of the findings relating to the events that have been collectively labeled as “anomalous health incidents”.

(c) CONTENTS.—The assessment submitted under subsection (b) shall include the following:

(1) Any diplomatic reporting or other relevant information, including sources and reliability of respective sources, on the causation of anomalous health incidents.

(2) Any diplomatic reporting or other relevant information, including sources and reliability of respective sources, on any person or entity who may be responsible for such incidents.

October 11, 2022
Section 5104. Notification to Congress for United States nationals unlawfully or wrongfully detained

Section 5010. Modernizing the Bureau of Arms Control, Verification, and Compliance and the Bureau of International Security and Nonproliferation

It is the sense of Congress that—

(1) the Secretary should take steps to address staffing shortfalls in the chemical, biological, and nuclear weapons issue areas in the Bureau of Arms Control, Verification, and Compliance and in the Bureau of International Security and Nonproliferation;

(2) maintaining a fully staffed and resourced Bureau of Arms Control, Verification, and Compliance and Bureau of International Security and Nonproliferation is necessary to effectively confront the threat of increased global proliferation; and

(3) the Bureau of Arms Control, Verification, and Compliance and the Bureau of International Security and Nonproliferation should, in consultation with the Department of Defense, the Nuclear Threat Initiative, and the nonproliferation and arms control elements of the intelligence community, develop a comprehensive strategy for countering threats from transnational terrorist networks.

Section 5105. Ensuring Geographic Diversity and Accessibility of Passport Agencies

(a) Sense of Congress.—It is the sense of Congress that Department initiatives to expand passport services and accessibility, including through online modernization projects, should include the construction of new physical passport facilities.

(b) Review.—The Secretary shall conduct a review of the geographic diversity and accessibility of existing passport agencies to identify—

(1) the geographic areas in the United States that are farther than 6 hours' driving distance from the nearest passport agency;

(2) the per capita demand for passport services in the areas described in paragraph (1); and

(3) a plan to ensure that in-person services at physical passport agencies are accessible to all eligible Americans, including Americans living in large population centers, in rural areas, and in States with a high per capita demand for passport services.

(c) Considerations.—The Secretary shall consider the metrics identified in paragraphs (1) and (2) of subsection (b) when determining locations for the establishment of new physical passport agencies.

(d) Report.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to the Committee on Foreign Relations of the Senate, the Committee on Appropriations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Appropriations of the House of Representatives that contains the findings of the review conducted pursuant to subsection (b).

Section 5106. Cultural Antiquities Task Force

The Secretary is authorized to spend up to $1,000,000 for grants to carry out the activities of the Cultural Antiquities Task Force.

Section 5107. Briefing on "China House"

(a) In General.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall brief the appropriate congressional committees regarding the organizational structure, personnel, resources, and mission of the Department of State's "China House" team.

Section 5108. Office of Sanctions Coordination

(a) Extension of Authorities.—Section 1 of the State Department Basic Authorities Act of 1996 (22 U.S.C. 2708) is amended, in subsection (b)(2)(B) of such section, by striking "Foreign Policy and the Realization of United States foreign policy objectives" and inserting "the conduct of United States foreign policy and the realization of United States foreign policy objectives;" and

(b) Eligibility.—An applicant is eligible to participate in the Program if the applicant—

(1) is enrolled at least half-time at—

(A) an institution of higher education (as such term is defined in section 102(a) of the Higher Education Act of 1965 (20 U.S.C. 102(a))); or

(B) a university or other institution of higher education based outside the United States, as determined by the Secretary of State; and

(2) is eligible to receive and hold an appropriate degree at a university or other institution of higher education.

(c) Application.—The Secretary shall establish a selection criteria for students to be admitted into the Program that includes a demonstrated interest in a career in foreign affairs.

(d) Outreach.—The Secretary shall—

(1) widely advertise the Program, including—

(A) through the Internet; and

(B) through the Department's Diplomats in Residence program; and

(2) conduct targeted outreach to encourage participation in the Program from—

(3) Detailed plans, including metrics, timelines, and measurable goals, for the Bureau of Intelligence and Research to understand anomalous health incidents and share findings with other elements of the intelligence community.

DIVISION G—DEPARTMENT OF STATE AUTHORIZATIONS

Title 5001. Department of State Authorization

This division may be cited as the "Department of State Authorization Act of 2022."
(A) individuals belonging to an underrepresented group; and
(B) students enrolled at minority-serving institutions (which shall include any institution described in section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a)).

(4) Compensation.—

(1) HOUSING ASSISTANCE.—

(A) In general.—The Secretary shall provide housing assistance to any student participating in the Program whose permanent address is within the United States if the location of the internship in which such student is participating is outside of the United States.

(B) Domestic.—The Secretary may provide housing assistance to a student participating in the Program whose permanent address is within the United States if the location of the internship in which such student is participating is more than 50 miles away from such student’s permanent address.

(2) TRAVEL ASSISTANCE.—The Secretary shall provide a student participating in the Program whose permanent address is within the United States with financial assistance that is sufficient to cover the travel costs of a single round trip by air, train, bus, or other appropriate form of public transportation between the student’s permanent address and the location of the internship in which such student is participating if such location is—

(A) the headquarters of the Department; or

(B) outside of the United States.

(f) WORKING WITH INSTITUTIONS OF HIGHER EDUCATION.—The Secretary, to the maximum extent practicable, shall structure internships to ensure that such internships satisfy criteria for academic credit at the institutions of higher education in which participants in such internships are enrolled.

(g) TRANSITION PERIOD.—

(1) IN GENERAL.—Except as provided in paragraph (2), beginning on the day before the date of the enactment of this Act—

(A) the Secretary shall convert unpaid internship programs of the Department, in its discretion, to internship programs that offer compensation; and

(B) upon selection as a candidate for entry into an unpaid internship program of the Department, a participant in such internship program may refuse compensation, including if doing so would require the participant to receive college or university curricular credit.

(2) EXCEPTION.—The transition required under paragraph (1) shall not apply to unpaid internships of the Department that are part of the Virtual Student Federal Service internship program.

(i) WAIVER.—

(A) IN GENERAL.—The Secretary may waive the requirement under paragraph (1)(A) with respect to a particular unpaid internship program if the Secretary, not later than 30 days after making a determination that the conversion of such internship program to a compensated internship program would not be consistent with effective management goals, submits a report explaining such determination to—

(i) the appropriate congressional committees; and

(ii) the Committee on Appropriations of the Senate; and

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

(2) REPORT.—The report required under subparagraph (A) shall—

(i) describe the reasons why converting an unpaid internship program of the Department, after making a determination that offering compensation would not be consistent with effective management goals; and

(ii) provide justification for maintaining such unpaid status indefinitely; or

(iii) identify any additional authorities or resources that would be necessary to convert such unpaid internship program to offer compensation in the future.

(h) REPORTS.—Not later than 18 months after the date of the enactment of this Act, the Secretary shall submit a report to the committees referred to in subsection (g)(3)(A) that includes—

(1) data, to the extent the collection of such information is reasonable by law, regarding the number of students who applied to the Program, were offered a position, and participated, respectively, disaggregated by race, ethnicity, sex, institution of higher education, home State, State where each student graduated from high school, and disability status;

(2) data regarding the number of security clearance investigations initiated for the students described in paragraph (1), including the timeline of such investigations, whether such investigations were completed, and when an interim security clearance was granted;

(3) information on Program expenditures; and

(4) information regarding the Department’s compliance with subsection (g).

(i) VOLUNTARY PARTICIPATION.—

(1) IN GENERAL.—Nothing in this section may be construed to compel any student who is a participant in an internship program of the Department in the collection of the data or divulge any personal information. Such students shall be informed that their participation in the data collection under this subsection.

(2) PRIVACY PROTECTION.—Any data collected under this section shall be subject to the relevant privacy protection statutes and regulations governing federal employees.

(2) SPECIAL HIRING AUTHORITY.—Notwithstanding any other provision of law, the Secretary, in consultation with the Director of the Office of Personnel Management, with respect to the number of intern to be hired each year, may—

(1) select, appoint, and employ individuals for up to 1 year through compensated internships in the excepted service; and

(2) remove any compensated intern employed pursuant to paragraph (1) without regard to the provisions governing appointments in the competitive excepted service.

SEC. 5202. IMPROVEMENTS TO THE PREVENTION OF, AND THE RESPONSE TO, HARASSMENT, DISCRIMINATION, SEXUAL ASSAULT, AND RELATED RETALIATION.

(a) POLICIES.—The Secretary should develop and strengthen policies regarding harassment, discrimination, sexual assault, and related retaliation, including policies for—

(1) addressing, reporting, and providing transitionary support;

(2) advocating, making referrals, and travel accommodations; and

(3) disciplining anyone who violates Department policies regarding harassment, discrimination, sexual assault, or related retaliation occurring between covered individuals and noncovered individuals.

(b) DISCIPLINARY ACTION.—

(1) SEVERE CAUSE.—Section 610a(a)(1) of the Foreign Service Act of 1980 (22 U.S.C. 4010a(a)(1)), is amended—

(A) by striking “decide to”; and

(B) by inserting “by investigating notification from the Bureau of Diplomatic Security that such member has engaged in criminal misconduct, such as murder, rape, or other sexual assaults; or” after “in any period of the end."

(2) UPDATE TO MANUAL.—The Director of Global Talent shall—

(3) WAIVER.—

(A) update the “Grounds for Disciplinary Action” and “List of Disciplinary Offenses and Penalties” sections of the Foreign Affairs Manual to reflect the amendments made by paragraph (1); and

(B) communicate such updates to Department staff through publication in Department Notices.
laws in effect as of the date of the enactment of this Act, the Department and the Foreign Service Institute may accept funds and other resources from foundations, not-for-profit corporations, and other appropriate sources to help the Department and the Institute enhance the quantity and quality of training and professional development offerings, especially those that may be a part of innovative, new, interactive, and pilot model courses.

(b) DEFINED TERMS.—In this section, the term 'appropriate committees of Congress' means—

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

(2) the Committee on Appropriations of the Senate;

(3) the Committee on Foreign Affairs of the House of Representatives; and

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

(c) TRAINING AND PROFESSIONAL DEVELOPMENT PRIORITIZATION.—In order to provide the Civil Service of the Department and the Foreign Service with the level of professional development and training needed to effectively advance United States interests across the world, the Secretary shall—

(1) increase relevant offerings provided by the Department;

(A) interactive virtual instruction to make training and professional development more accessible and useful to personnel deployed throughout the world; and

(B) offer courses using computer-based or computer-assisted simulations, allowing civil officers to lead decision making in a crisis environment, and encourage officers of the Department, and reciprocal officers of other Federal departments to participate in similar exercises held by the Department or other government organizations and the private sector;

(ii) composed of 12 members, of whom—

(A) 2 members shall be appointed by the Secretary of the Treasury;

(B) 2 members shall be appointed by the Secretary of Defense; and

(C) not later than 180 days after the date of the enactment of this Act, the Secretary shall—

(i) submit to the Committee on Appropriations of the House of Representatives; and

(ii) report to the Committee on Appropriations of the House of Representatives; and

(B) an assessment of the options for making congressional fellowships for both the Foreign Service and Civil Services more career-enhancing;

(e) BOARD OF VISITORS OF THE FOREIGN SERVICE INSTITUTE.—

(1) ESTABLISHMENT.—Not later than 1 year after the date of the enactment of this Act, the Secretary of State shall establish a Board of Visitors of the Foreign Service Institute (referred to in this subsection as the "Board").

(2) DUTIES.—The Board shall—

(A) oversee, review, evaluate, and coordinate the instructional programs of the Foreign Service Institute, including regular observations about how well the Department is integrating training and professional development into the work of the Bureau for Global Talent Management.

(3) MEMBERSHIP.—

(A) IN GENERAL.—The Board shall be—

(i) nonpartisan; and

(ii) composed of 12 members, of whom—

(I) 2 members shall be appointed by the Chairperson of the Committee on Foreign Relations of the Senate;

(II) 2 members shall be appointed by the Chairperson of the Committee on Foreign Relations of the House of Representatives;

(III) 2 members shall be appointed by the Chairperson of the Committee on Foreign Affairs of the House of Representatives; and

(IV) 2 members shall be appointed by the Secretary of State;

(B) APPOINTMENT; REPORTING.—The Provost shall—

(1) be appointed by the Secretary; and

(2) report to the Secretary of State;

(C) QUALIFICATIONS.—The Provost shall—

(A) be a member of the Foreign Service with at least 20 years of relevant experience;

(B) be a member of a governing board of an accredited university;

(C) have a record of working with Congress; and

(D) have experience in the fields of diplomacy, national security, management, leadership, economics, trade, technology, or advanced international relations education.

(3) OUTSIDE EXPERTISE.—

(A) The Board shall—

(i) be composed of members with appropriate qualifications and expertise in the fields of diplomacy, national security, management, leadership, economics, trade, technology, or advanced international relations education.

(B) At least one member of the Board shall have expertise in the field of diplomacy.

(C) At least one member of the Board shall have at least 10 years of relevant experience outside the field of diplomacy.

(D) At least one member of the Board shall have expertise in the field of academic disciplines.

(4) TERMS.—The Board shall serve for a term of 3 years, except that a member of the Board shall be replaced at the discretion of the official who made the original appointment.

(5) APPOINTMENT; REPLACEMENT.—A member of the Board may be replaced in whole or in part.

(6) CHAIRPERSON; CO-CHAIRPERSON.—

(A) APPROVAL.—The Chairperson and Vice Chairperson of the Board shall be approved by the Secretary of State based upon a recommendation from the members of the Board.

(B) SERVICE.—The Chairperson and Vice Chairperson shall serve at the discretion of the Secretary.

(F) MEETINGS.—The Board shall meet—

(A) at the call of the Director of the Foreign Service Institute and the Chairperson; and

(B) not fewer than 2 times per year.

(8) COMPENSATION.—Each member of the Board shall serve without compensation, except that a member of the Board shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of service for the Board. Notwithstanding section 1342 of title 31, United States Code, the Secretary may accept the voluntary and uncompensated service of members of the Board.

(9) APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Board established under this subsection.

(10) ESTABLISHMENT OF PROVOST OF THE FOREIGN SERVICE INSTITUTE.—

(1) ESTABLISHMENT.—There is established in the Foreign Service Institute the position of Provost.

(2) APPOINTMENT; REPORTING.—The Provost shall—

(A) be appointed by the Secretary; and

(B) report to the Director of the Foreign Service Institute.

(D) QUALIFICATIONS.—The Provost shall—

(A) be an eminent authority in the field of diplomacy, national security, education, management, leadership, economics, trade, adult education, or technology; and

(B) have significant experience outside the Department, whether in other national security agencies or in the private sector, and preferably in positions of authority in educational institutions or the field of professional development and mid-career training with oversight for the evaluation of academic programs.

(4) DUTIES.—The Provost shall—

(A) oversee, review, evaluate, and coordinate the academic curriculum for all courses taught and administered by the Foreign Service Institute;

(B) coordinate the development of an evaluation system to ascertain how well participants in Foreign Service Institute courses have absorbed and utilized the information, ideas, and skills imparted by each such course; and

(C) technology assessments can be included in the personnel records maintained by the Bureau of Global Talent Management and utilized in Foreign Service Institute courses.

(5) The implementation of a letter or numerical grading system; and
(ii) assessments done after the course has concluded; and
(C) report not less frequently than quarterly to the Board of Visitors regarding the development of curriculum and the performance of Foreign Service officers.

5. Term.—The Provost shall serve for a term of not fewer than 5 years and may be reappointed for 5-year terms.

6. Compensation.—The Provost shall receive a salary commensurate with the rank and experience of a member of the Senior Foreign Service or the Senior Executive Service, as determined by the Secretary.

(g) Other Agency Responsibilities and Opportunities for Congressional Staff.—

(i) Agencies other than the Department should be afforded the ability to increase the enrollment of their personnel in courses at the Foreign Service Institute and other training and professional development facilities of the Department to promote a whole-of-government approach to mitigating national security challenges.

(ii) Congressional Staff.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate committees of Congress that describes—

(A) the training and professional development opportunities at the Foreign Service Institute and other Department facilities available to congressional staff;

(B) the benefits of offering such opportunities to congressional staff; and

(C) potential course offerings.

(b) Strategy for Adapting Training Requirements for Modern Diplomatic Needs.—

(1) In General.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate committees of Congress that includes—

(A) a strategy for adapting and evolving training requirements to meet the Department’s current and future needs for 21st century diplomacy;

(B) the process used and resources needed to implement the strategy referred to in subparagraph (A) throughout the Department; and

(C) the results and impact of the strategy on the Department, particularly the relationship between professional development and training and promotions for Department personnel, and the measurement and evaluation methods used to evaluate such results.

(2) Briefing.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate committees of Congress a briefing on the information required to be included in the report.

(f) Foreign Language Maintenance Incentive Program.—

(1) Authorization.—The Secretary is authorized to establish and implement an incentive program, with a similar structure as the Foreign Language Proficiency Bonus offered by the Department of Defense, to encourage members of the Foreign Service who possess language proficiency in any of the languages that qualify for additional incentive pay, as determined by the Secretary, to maintain critical foreign language skills.

(2) Report.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate committees of Congress that includes a detailed plan for implementing the program authorized under paragraph (1), including anticipated resource requirements to carry out such program.

(m) Report on Public Diplomacy.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit the report described in subparagraph (A) for each of the fiscal years 2016 through 2022.

(n) Other Reports.—(1) Authorization.—The Secretary is authorized to publish a report that includes a detailed plan for implementing the program authorized under paragraph (1), including anticipated resource requirements to carry out such program.

(2) DEPARTMENT OF STATE WORKFORCE PLANNING AND BUSINESS RESULTS:—It is the sense of Congress that since the vacancy in the position of Under Secretary for Public Diplomacy and Public Affairs is detrimental to the national security interests of the United States, the President should expeditiously nominate a qualified individual to such position whenever such vacancy occurs to ensure that the resources provided to the Secretary are able to fulfill their mission of supporting to such position whenever such vacancy occurs to ensure that the resources provided to the Secretary are able to fulfill their mission of—

(i) expanding and strengthening relationships between the people of the United States and citizens of other countries; and

(ii) engaging, informing, and understanding the perspectives of foreign publics.

(O) OTHER REPORTS.—The Secretary shall submit reports to the appropriate committees of Congress that includes—

(i) the number of individuals under active contracts; and

(ii) the distribution of these individual contracts, including a breakdown of the number of personnel in geographic and functional bureaus, and the number of individual contractors supporting overseas missions, disaggregated by region.

(B) Initial Report.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit the report described in subparagraph (A) for each of the fiscal years 2016 through 2022.

(C) Other Reports.—Not later than December 31, 2021, and annually thereafter for the following 5 years, the Secretary shall submit the report described in subparagraph (A) for the most recently concluded fiscal year.

(D) Use of Report Data.—The data in each of the reports required under this paragraph shall be used by Congress, in coordination with the Secretary, to inform recommendations on the appropriate size and composition of the Department.

(E) Sense of Congress on the Importance of Filling the Position of Undersecretary for Public Diplomacy and Public Affairs.—It is the sense of Congress that since a vacancy in the position of Under Secretary for Public Diplomacy and Public Affairs is detrimental to the national security interests of the United States, the President should expeditiously nominate a qualified individual to such position whenever such vacancy occurs to ensure that the resources provided to the Secretary are able to fulfill their mission of—

(i) expanding and strengthening relationships between the people of the United States and citizens of other countries; and

(ii) engaging, informing, and understanding the perspectives of foreign publics.
(1) an evaluation of the May 2019 merger of the Bureau of Public Affairs and the Bureau of International Information Programs into the Bureau of Global Public Affairs with respect to—
(a) the efficacy of the current configuration of the bureaus reporting to the Under Secretary for Public Diplomacy and Public Affairs in achieving the mission of the Department;
(b) the metrics before and after such merger, including personnel data, disaggregated by position; content production, opinion polling, program evaluations, and media appearances;
(c) the results of a survey of public diplomacy specialists to determine their perceptions of the efficacy of such merger and any adjustments that still need to be made;
(d) a plan for evaluating and monitoring, not less frequently than once every 2 years, the programs, activities, messaging, professional development efforts, and structure of the Bureau of Global Public Affairs, and submitting a summary of each such evaluation to the appropriate committees of Congress;
and
(2) a review of recent outside recommendations and reports to the President and the Department with respect to public diplomacy efforts, including—
(A) efforts in each of the bureaus reporting to the Under Secretary for Public Diplomacy and Public Affairs to address issues of diversity and inclusion in their work, structure, data collection, programming, and personnel, including any collaboration with the Chief Officer for Diversity and Inclusion;
(B) proposals to collaborate with think tanks and academic institutions working on public diplomacy to implement recent outside recommendations; and
(C) additional authorizations and appropriations necessary to implement such recommendations.

SEC. 5206. SECURITY CLEARANCE APPROVAL PROCESS.

(a) Recommendations.—Not later than 270 days after the date of the enactment of this Act, the Secretary, in coordination with the Director of National Intelligence, shall submit recommendations to the appropriate congressional committees for streamlining the security clearance approval process within the Bureau of Diplomatic Security so that the security clearance approval process for Civilian Foreign Service employees is completed within 6 months, on average, and within 1 year, in the vast majority of cases.

(b) Report.—Not later than 90 days after the recommendations are submitted pursuant to subsection (a), the Secretary shall submit a report to the Committee on Foreign Relations of the Senate, the Select Committee on Intelligence of the Senate, the Committee on Foreign Relations of the House of Representatives, and the Permanent Select Committee on Intelligence of the House of Representatives that—
(1) describes the status of the efforts of the Department to streamline the security clearance approval process; and
(2) identifies any remaining obstacles preventing security clearances from being completed within the time frames set forth in subsection (a), including lack of cooperation or other actions by other Federal departments and agencies.

SEC. 5207. ADDENDUM FOR STUDY ON FOREIGN SERVICE ALLOWANCES.

(a) In General.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees an addendum to the report required under section 5302 of the Department of State Authorization Act of 2021 (division E of Public Law 117–81), which shall be entitled the “Report on Bidding for Domestic and Overseas Posts and Filling Unfilled Positions”. The addendum shall—
(1) provide an update from the (a) report prepared using input from the (a) federal funds research and development center that prepared the analysis conducted for the purposes of such report.
(b) Recommendations required under subsection (a) shall include—
(1) the total number of domestic and overseas positions available during the most recent summer bidding cycle;
(2) the total number of bids each position received;
(3) the number of unfilled positions at the conclusion of the most recent summer bidding cycle, disaggregated by bureau; and
(d) detailed recommendations and a timeline for—
(A) increasing the number of qualified bidders for underbid positions; and
(B) minimizing the number of unfilled positions at the end of the bidding season.

SEC. 5208. CURTAILMENTS, REMOVALS FROM POST, AND WAIVERS OF PRIVILEGES AND IMMUNITIES.

(a) Curtailments Report.—

(1) In General.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary shall submit to the appropriate congressional committees regarding curtailments of Department personnel from overseas posts.

(2) Contents.—The Secretary shall include in the report required under paragraph (1)—
(A) relevant information about any post that, during the 6-month period preceding the report—
(i) had more than 5 curtailments; or
(ii) had curtailments representing more than 5 percent of Department personnel at such post; and
(B) for each post referred to in subparagraph (A), the number of curtailments, disaggregated by month of occurrence.

(b) Removal of Diplomats.—Not later than 5 days after the date on which any United States personnel under Chief of Mission authority is declared persona non grata by a host government, the Secretary shall—
(1) notify the Committee on Foreign Relations of the Senate, the Select Committee on Intelligence of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Permanent Select Committee on Intelligence of the House of Representatives of such declaration; and
(2) include with such notification—
(A) the official reason for such declaration (if provided by the host government);
(B) the date of the declaration; and
(C) whether the Department responded by declaring a host government’s diplomat in the United States persona non grata.

(c) Waivers of Privileges and Immunities.—Not later than 15 days after any waiver of privileges and immunities pursuant to the Vienna Convention on Diplomatic Relations, done at Vienna April 18, 1961, that is applicable to an entire diplomatic post or to the majority of United States personnel under Chief of Mission authority, the Secretary shall notify the appropriate congressional committees of such waiver and the reason for such waiver.

(d) Termination.—This section shall terminate on the date that is 5 years after the date of the enactment of this Act.

SEC. 5209. REPORT ON WORLDWIDE AVAILABILITY.

(a) In General.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees an addendum to the report required under section 5302 of the Department of State Authorization Act of 2021 (division E of Public Law 117–81), which shall be entitled the “Report on Bidding for Domestic and Overseas Posts and Filling Unfilled Positions”. The addendum shall—
(1) provide an update from the (a) report prepared using input from the (a) federal funded research and development center that prepared the analysis conducted for the purposes of such report.
(b) Recommendations required under subsection (a) shall include—
(1) the feasibility of a worldwide availability requirement for all members of the Foreign Service;
(c) considerations if such a requirement were to be implemented, including the potential effect on recruitment and retention; and
(d) recommendations for exclusions and limitations, including exemptions for medical reasons, disability, and other circumstances.

SEC. 5210. PROFESSIONAL DEVELOPMENT.

(a) Requirements.—The Secretary shall strongly encourage that Foreign Service officers seeking entry into the Senior Foreign Service participate in professional development described in subsection (c).

(b) Requirements.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit recommendations requiring that Foreign Service officers complete professional development described in subsection (c) to be eligible for entry into the Senior Foreign Service.

(c) Professional Development Described.—Professional development described in this subsection is not less than 6 months of training at the Department, including time spent—
(1) as a detailee to another government agency, including Congress or a State, Tribal, or local government;
(2) in Department-sponsored and funded university training that results in an advanced degree, excluding time spent at a university that is fully funded or operated by the Federal Government.

(d) Promotions Precepts.—The Secretary shall instruct promotion boards to consider positively long-term diplomatic and out-of-agency detail assignments.

SEC. 5211. MANAGEMENT ASSESSMENTS AT DIPLOMATIC AND CONSULAR POSTS.

(a) In General.—Beginning not later than 1 year after the date of the enactment of this Act, the Secretary shall annually conduct, at each diplomatic and consular post, a voluntary survey, which shall be offered to all staff assigned to that post who are citizens of the United States (excluding the Chief of Mission) to assess the management and leadership quality of the post by the Deputy Chief of Mission, and the Charge d’Affaires.

(b) Anonymity.—All responses to the survey shall be—
(1) fully anonymized; and
(2) made available to the Director General of the Foreign Service.

(c) Survey.—The survey shall seek to assess—
(1) the general morale at post;
(2) the presence of any hostile work environment;
(3) the presence of any harassment, discrimination, retaliation, or other mistreatment; and
(4) the effective leadership and collegial work environment.

(d) Director General Recommendations.—Upon compilation and review of the surveys, the Director General of the Foreign Service shall issue recommendations to posts, as appropriate, based on the findings of the surveys.

(e) Referral.—If the surveys reveal any action that is grounds for referral to the Inspector General of the Department of State and the Foreign Service, the Director General shall refer the matter to the Inspector General of the Department of State and the Foreign Service,
SEC. 5212. INDEPENDENT REVIEW OF PROMOTION POLICIES.

Not later than 18 months after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a comprehensive review of the policies, personnel, organization, and processes related to promotions within the Department, including—

(1) a review of—

(A) the selection and oversight of Foreign Service National promotions; and

(B) the use of quantitative data and metrics in such panels;

(2) an assessment of the promotion practices and processes, including how promotion processes are communicated to the workforce and appeals processes; and

(3) recommendations for improving promotion panels and promotion practices.

SEC. 5213. THIRD PARTY VERIFICATION OF PERMANENT CHANGE OF STATION (PCS) ORDERS.

Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish a mechanism for third parties to verify the employment of, and the validity of permanent change of station (PCS) orders received by, members of the Foreign Service, in a manner that protects the safety, security, and privacy of sensitive employee information.

SEC. 5214. POST-EMPLOYMENT RESTRICTIONS ON SENATE-CONFIRMED OFFICIALS AT TITLE DEPARTMENT OF STATE.

(a) SENATE OF CONGRESS.—It is the sense of Congress that—

(1) Congress and the executive branch have recognized the importance of preventing and mitigating the potential for conflicts of interest following government service, including with respect to senior United States officials working on behalf of foreign governments; and

(2) Congress and the executive branch should jointly evaluate the status and scope of post-employment restrictions;

(b) RESTRICTIONS.—Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a) is amended by adding at the end the following:

"(m) EXTENDED POST-EMPLOYMENT RESTRICTIONS FOR CERTAIN SENATE-CONFIRMED OFFICIALS.—

"(1) DEFINITIONS.—In this subsection:

(A) COUNTRY OF CONCERN.—The term 'country of concern' means—

(i) the People's Republic of China;

(ii) the Russian Federation;

(iii) the Islamic Republic of Iran;

(iv) the Democratic People's Republic of Korea;

(v) the Republic of Cuba; and

(vi) the Syrian Arab Republic.

(B) FOREIGN GOVERNMENT ENTITY.—The term 'foreign government entity' includes—

(i) any person employed by—

(1) any department, agency, or other entity of a foreign government at the national, regional, or local level;

(2) any governing party or coalition of a foreign government at the national, regional, or local level;

(3) any entity majority-owned or majority-controlled by a foreign government at the national, regional, or local level; and

(iv) in the case of a person who is a client or representative of a foreign governmental entity before an officer or employee of the executive branch of the United States at any time after the termination of that person's service as Secretary of State or Deputy Secretary of State, the restrictions described in section 207(f)(1) of title 18, United States Code, shall apply to any such person who knowingly represents, advises, or assists—

(A) a foreign governmental entity before an officer or employee of the executive branch of the United States for 3 years after the termination of that person's service in a position described in this paragraph, or the duration of the term or terms of the President who appointed that person to their position, whichever is longer;

(B) a foreign governmental entity of a country of concern before an officer or employee of the executive branch of the United States at any time after the termination of that person's service in a position described in this paragraph.

(4) PENALTIES AND INJUNCTIONS.—Any violation of the restrictions under paragraphs (2) or (3) shall be subject to the penalties and injunctive provisions provided for under section 216 of title 18, United States Code.

(5) NOTICE OF RESTRICTIONS.—Any person subject to the restrictions under this subsection shall provide notice of these restrictions to the Department of State.

(A) upon appointment by the President; and

(B) upon termination of service with the Department of State.

(6) EFFECTIVE DATE.—The restrictions under this subsection shall apply only to persons who are appointed by the President to the positions referenced in this subsection on or after 120 days after the date of the enactment of the Department of State Authorization Act of 2022.

(7) SUNSET.—The restrictions under paragraph (2) shall terminate on the earlier of—

(A) the later of 7 years after the date of the enactment of this Act; and

(B) the date on which the person holds a position in the Federal Government.

(8) REPRESENTATION.—The term 'representation' does not include representation by an attorney, who is duly licensed and authorized to provide legal advice in a United States jurisdiction, of a person or entity in a legal capacity or for the purposes of rendering legal advice.

(2) SECRETARY OF STATE AND DEPUTY SECRETARY OF STATE.—With respect to a person serving as the Secretary of State or Deputy Secretary of State, the restrictions described in section 207(f)(1) of title 18, United States Code, shall apply to any such person who knowingly represents, advises, or assists—

(A) a foreign governmental entity or a person serving as the Secretary of State or Deputy Secretary of State, the restrictions described in section 207(f)(1) of title 18, United States Code, shall apply to any such person who knowingly represents, advises, or assists—

(1) any person employed by—

(i) the People's Republic of China;

(ii) the Russian Federation;

(iii) the Democratic People's Republic of Korea;

(iv) the Islamic Republic of Iran;

(v) the Republic of Cuba; or

(vi) the Syrian Arab Republic.

(2) the United States at any time after the termination of that person's service as Secretary of State or Deputy Secretary of State, the restrictions described in section 207(f)(1) of title 18, United States Code, shall apply to any such person who knowingly represents, advises, or assists—

(A) a foreign governmental entity, a political entity, including—

(i) any person employed by—

(ii) any department, agency, or other entity of a foreign government at the national, regional, or local level;

(3) any government party or coalition of a foreign government at the national, regional, or local level; and

(iv) any entity majority-owned or majority-controlled by a foreign government at the national, regional, or local level; and

(B) the locations of such posts have become less desirable, creating an extremely stressful, difficult, or dangerous work environment, resulting in a high turnover rate of personnel; and

(C) the recruitment and retention of United States diplomats has been, and will continue to be, extremely challenging and costly.

(3) EFFECTIVE DATE.—The restrictions described in this section shall be provided no later than 7 years after the date of the enactment of this Act.

(4) REPRESENTATION.—The term 'representation' does not include representation by an attorney, who is duly licensed and authorized to provide legal advice in a United States jurisdiction, of a person or entity in a legal capacity or for the purposes of rendering legal advice.

(5) NOTICE OF RESTRICTIONS.—Any person subject to the restrictions under this subsection shall provide notice of these restrictions to the Department of State.

(A) upon appointment by the President; and

(B) upon termination of service with the Department of State.

(6) EFFECTIVE DATE.—The restrictions described in this section shall apply only to persons who are appointed by the President to the positions referenced in this subsection on or after 120 days after the date of the enactment of the Department of State Authorization Act of 2022.

(7) SUNSET.—The restrictions described in this section shall terminate on the earlier of—

(A) the later of 7 years after the date of the enactment of this Act; and

(B) the date on which the person holds a position in the Federal Government.

(8) REPRESENTATION.—The term 'representation' does not include representation by an attorney, who is duly licensed and authorized to provide legal advice in a United States jurisdiction, of a person or entity in a legal capacity or for the purposes of rendering legal advice.

SEC. 5301. AMENDMENTS TO SECURE EMBASSY CONSTRUCTION AND COUNTERTERRORISM ACT OF 1999.

(a) Short Title.—This section may be cited as the "Secure Embassy Construction and Counterterrorism Act of 2022."
that can evade walls and other such static barriers; (2) the Department should focus on creating performance security standards that—(A) fully utilize the waiver process provided under paragraphs (2)(B) and (3)(B) of section 606(a) of the Secure Embassy Construction and Counterterrorism Act of 1999 (22 U.S.C. 4865(a)); and (B) appropriately exercise such waiver process as a tool to right-size the appropriate security footing at each diplomatic post and replace waivers in approving waivers in extreme circumstances; (5) the return of great power competition requiring increased support for American interests; (A) United States diplomats to do all they can to outperform our adversaries; and (B) the Department to better optimize use of taxpayer funding to advance United States national interests; and (6) this section will better enable United States diplomats to compete in the 21st century, while saving United States taxpayers millions of dollars and providing property and maintenance costs at embassies and consulates abroad.

3: DEFINITION OF UNITED STATES DIPLOMATIC FACILITY.—Section 606 of the Secure Embassy Construction and Counterterrorism Act of 1999 (title VI of division A of appendix G of Public Law 109-110) is amended to read as follows:

[S6337]

**SEC. 603. UNITED STATES DIPLOMATIC FACILITY.**

In this title, the terms ‘United States diplomatic facility’ and ‘diplomatic facility’ mean any chancery, consulate, or other office that—

(1) is considered by the Secretary of State to be diplomatic or consular premises, consistent with the Vienna Convention on Diplomatic relations (Vienna, April 24, 1963), and the Vienna Convention on Consular Relations, done at Vienna April 18, 1961, and the Vienna Convention on Consular Relations, done at Vienna April 24, 1963, and was notified to the host government as such; or

(2) is otherwise subject to a publicly available bilateral agreement with the host government (contained in the records of the United States diplomatic department) that recognizes the official status of the United States Government personnel present at the facility.

**GUIDANCE AND REQUIREMENTS FOR DIPLOMATIC FACILITIES.—**

(1) GUIDANCE FOR CLOSURE OF PUBLIC DIPLOMATIC FACILITIES.—Section 606(a) of the Public Diplomacy Modernization Act of 2021 (Public Law 117-81; 22 U.S.C. 1475g note) is amended to read as follows:

(2) CLOSING A DIPLOMATIC FACILITY.—The Secretary of State shall—

(a) by striking the Secretary in his or her discretion considers relevant, which may include security conditions; and

(b) in paragraph (1) (I) in subparagraph (A)—

(i) by inserting ‘‘in a location that has certain minimum ratings under the Security Environment Threat List as determined by the Secretary in his or her discretion’’ after ‘‘abroad’’;

(ii) by inserting ‘‘diplomatic or consular premises, consisting of a new diplomatic compound or a new consular compound’’ after ‘‘embassy compound or new consulate compound’’;

(c) in paragraph (3)—

(1) by amending clause (i) to read as follows:

(ii) CHANCERY OR CONSULATE BUILDING.— —Prior; and

(c) in paragraph (3)—

(1) by amending clause (i) to read as follows:

(ii) CHANCERY OR CONSULATE BUILDING.— —Prior; and

(d) in paragraph (4)—

(1) by striking subsection (B) and inserting the following:

(xx) by striking ‘‘security considerations permit and’’; and

(1) in paragraph (1)—

(3) EFFECTIVE DATE.—Section 603 of the Secure Embassy Construction and Counterterrorism Act of 1999 (22 U.S.C. 4865(a)) is amended—

(1) in paragraph (1)—

(ii) CHANCERY OR CONSULATE BUILDING.— —Prior; and

(2) SECURITY REQUIREMENTS FOR UNITED STATES DIPLOMATIC FACILITIES.—Section 606(a) of the Secure Embassy Construction and Counterterrorism Act of 1999 (22 U.S.C. 4865(a)) is amended—

(1) in paragraph (1)(A)—

(i) by striking ‘‘security considerations’’ after ‘‘military commander’’; and

(2) in subparagraph (B)—

(i) in clause (I)—

(3) PERIODIC REPORTS.—The Secretary of State shall—

(B) the Department to better optimize use of taxpayer funding to advance United States national interests; and

(C) the Department to provide diplomats access to local populations as appropriate, the head of each agency employing personnel that would not be located at the site, if applicable, determines that it is in the national interest of the United States after taking account of any considerations the Secretary in his or her discretion considers relevant, which may include security conditions; and

(II) in clause (I), by striking ‘‘diplomatic or consular premises, consisting of a new diplomatic compound or a new consular compound’’ after ‘‘embassy compound or new consulate compound’’; and

(III) in clause (ii), by striking ‘‘an annual’’ and inserting ‘‘a quarterly’’.

**SEC. 5302. DIPLOMATIC SUPPORT AND SECURITY.**

(a) SHORT TITLE.—This section may be cited as the ‘‘Diplomatic Support and Security Act of 2022’’.

(b) FINDINGS.—Congress makes the following findings:

(1) A robust overseas diplomatic presence is part of an effective foreign policy, particularly in volatile environments where a flexible and timely diplomatic response can be decisive in preventing and addressing conflict.

(2) Diplomats routinely put themselves and their families at great personal risk to serve their country overseas where they face threats related to international terrorism, violent conflict, and public health.

(3) The Department has a remarkable record of protecting personnel while enabling an enormous amount of global diplomatic activity, often in insecure and remote places and facing a variety of evolving risks and threats. With support from Congress, the Department of State has revised policy, improved physical security through retrofitting embassies or replacing old facilities with additional security personnel and armored vehicles, and greatly enhanced training requirements and training facilities, including the Foreign Affairs Security Training Center in Blackstone, Virginia.

(4) Diplomatic missions rely on robust staffing and ambitious external engagement to advance United States interests as diverse as competing with China’s malign influence around the world, fighting terrorism and transnational organized crime, preventing and addressing violent conflict and humanitarian disasters, promoting United States businesses and trade, protecting the rights of marginalized groups, addressing climate change and preventing pandemic disease.

(5) Efforts to protect personnel overseas have often resulted in inhibiting diplomatic activity and limiting engagement between embassy personnel and local governments and populations.

(6) Given that Congress currently provides annual appropriations in excess of $10,000,000,000 for embassy security, construction, and maintenance, the Department should be able to ensure a robust overseas presence without inhibiting the ability of diplomats to—

(A) meet outside United States secured facilities with foreign leaders to explain, defend, and advance United States priorities; and

(B) understand and report on foreign political, social, and economic conditions through meeting and interacting with community officials outside of United States facilities.

(C) provide United States citizen services; and

(D) collaborate and, at times, compete with other diplomatic missions, particularly those, such as that of the People’s Republic of China, that do not have restrictions on meeting locations.

(7) Given these stakes, Congress has a responsibility to empower, support, and hold the Department accountable for implementing an aggressive strategy to ensure a robust overseas presence that mitigates potential risks and adequately considers the myriad direct and indirect consequences of a lack of diplomatic presence.

**ENCOURAGING EXPEDITIONARY DIPLOMACY.—**

(1) PURPOSE.—Section 102(b) of the Diplomatic Security Act of 1986 (22 U.S.C. 4801(b)) is amended—

(A) by amending paragraph (3) to read as follows:
“(3) to promote strengthened security measures, institutionalize a culture of learning, and, in the case of apparent gross negligence or breach of duty, recommend that the Secretary investigate accountability for United States Government personnel with security-related responsibilities under chief of mission authority;”;

(B) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and

(C) by inserting after paragraph (3) the following:

“(4) to support a culture of risk management, instead of risk avoidance, that enables the Department of State to pursue its vital goals and acknowledges that it is neither desirable nor possible for the Department to avoid all risks;”.

(2) BRIEFINGS ON EMBASSY SECURITY.—Section 301 of the Diplomatic Security Act of 1986 (22 U.S.C. 4804(a)) is amended—

(A) by striking “any plans to open or re-open a high risk, high threat post” and inserting “progress towards opening or reopening a high risk, high threat post, and the risk to national security of the continued closure or any suspension of operations that is neither desirable nor possible for the Department to avoid all risks;”;

(B) in subparagraph (A), by inserting “the risk to United States national security of the post’s continued closure or suspension of operations, the national security of the United States,”; and

(C) in subparagraph (B), by inserting “the type and level of security threats such post could encounter, and” before “security tripwires”;

(d) SECURITY REVIEW COMMITTEES;—

(1) IN GENERAL.—Section 301 of the Diplomatic Security Act of 1986 (22 U.S.C. 4831) is amended—

(A) in the section heading, by striking “ACCOUNTABILITY REVIEW BOARDS” and inserting “SECURITY REVIEW COMMITTEES”;

(B) in subsection (a)—

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

“(1) CONVENING THE SECURITY REVIEW COMMITTEE.—In any case of a serious security incident involving loss of life, serious injury, or significant destruction of property at, or related to, a United States Government diplomatic mission abroad (referred to in this title as a ‘Security Incident’), and in any case of a serious breach of security involving intelligence activities of a foreign government directed at a United States Government department or agency, or involving a violation of the law by a United States Government department or agency, the Secretary shall convene a Security Review Committee, which shall issue a report providing a full account of what occurred, consistent with section 303;”;

(C) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(D) by inserting after paragraph (1) the following:

“(2) COMMITTEE COMPOSITION.—The Secretary shall designate a Chairperson and may designate additional personnel of the Department to serve on the Secretary’s Security Review Committee, which shall include—

(A) the Director of the Office of Management Strategy and Solutions;

(B) the Assistant Secretary for Intelligence and Research;

(C) the Assistant Secretary of State for Diplomatic Security;

(D) the Assistant Secretary of State for Intelligence and Research; and

(E) other personnel determined to be necessary or appropriate;”;

(i) in paragraph (3), as redesignated by clause (iii), by striking “DEPARTMENT OF DEFENSE FACILITIES AND PERSONNEL.”; and inserting “EXCEPTIONS TO CONVENING A SECURITY REVIEW COMMITTEE”;

(ii) by striking “The Secretary of State is not required to convene a Board in the case” and inserting the following:

“(A) IN GENERAL.—The Secretary of State is not required to convene a Security Review Committee if the Secretary determines that the incident involves only causes unrelated to security, such as when the security at issue is outside of the scope of the Secretary of State’s security responsibilities under section 103;”;

“(ii) if operational control of overseas security functions has been delegated to another agency in accordance with section 106;”;

“(iii) if the incident is a cybersecurity incident and is covered by other review mechanisms;”;

“(iv) in the case;” and

“(III) by striking “in any such case” and inserting the following:

“(B) DEPARTMENT OF DEFENSE INVESTIGATIONS.—In the case of an incident described in subparagraph (A)(IV)”;

(C) by adding at the end the following:

“(5) RULES.—The Secretary of State shall promulgate regulations defining the membership, operating procedures and other guidance to ensure an independent examination of the facts surrounding an incident, the investigative team to avoid such an outcome.

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

“(1) IN GENERAL.—The Secretary of State shall convene a Security Review Committee not later than 60 days after the occurrence of an incident described in subsection (a)(1), or 60 days after the Department first becomes aware of such an incident, whichever is earlier, except that the 60-day period for convening a Security Review Committee may be extended for one additional 60-day period if the Secretary determines that the additional period is necessary.”;

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

“(c) CONGRESSIONAL NOTIFICATION.—When the Secretary of State convenes a Security Review Committee, the Secretary shall promptly inform the chair and ranking member of—

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

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

(3) the Committee on Foreign Affairs of the House of Representatives; and

(4) the Permanent Select Committee on Intelligence of the House of Representatives.”;

(e) TECHNICAL AND CONFORMING AMENDMENTS.—Section 302 of the Diplomatic Security Act of 1986 (22 U.S.C. 4832) is amended—

(1) in the section heading, by striking “ACCOUNTABILITY REVIEW BOARD” and inserting “SECURITY REVIEW COMMITTEE”;

(2) by striking “a Board” each place such term appears and inserting “a Security Review Committee”;

(f) SECURITY INCIDENT INVESTIGATION PROCESS.—Section 303 of the Diplomatic Security Act of 1986 (22 U.S.C. 4833) is amended—

(1) INITIATION UPON REPORTED INCIDENT.—A United States mission shall submit an initial report of a Serious Security Incident not later than 3 days after such incident occurs, whenever feasible, at which time an investigation of the incident shall be initiated.

(2) INVESTIGATION.—Not later than 10 days after submission of the initial report, the Secretary shall direct the Diplomatic Security Service to assemble an investigative team to investigate the incident and determine whether an investigation is warranted.

(3) INVESTIGATIVE TEAM.—The investigative team assembled pursuant to paragraph (2) shall consist of individuals from the Diplomatic Security Service who shall provide an independent examination of a Serious Security Incident, the investigative team investigating the incident shall prepare and submit a Report of Investigation to the Security Review Committee that includes—

(1) a detailed description of the matters set forth in subparagraphs (A) through (D) of subsection (a)(2), including all related findings;

(2) a complete and accurate account of the casualties, injuries, and damage resulting from the incident; and

(3) a review of security procedures and directives in place at the time of the incident.

(4) CONFIDENTIALITY.—The investigative team investigated a Serious Security Incident, the investigative team investigating the incident shall not release any part of the report to the public after expiration of the temporary report of a Serious Security Incident, the investigative team investigating the incident shall provide the Secretary with a classification proposal for the final report, the Secretary shall approve or disapprove the classification proposal, the Secretary shall approve or disapprove the classification proposal, the Secretary shall adopt such procedures with respect to confidentiality as determined necessary, including procedures relating to the collection, processing, and dissemination of information and use of evidence in camera, to ensure in particular the protection of classified information relating to national defense, law enforcement, foreign policy, or intelligence matters. The Director of National Intelligence shall establish the level of protection required for intelligence information and for information relevant to intelligence gathering; and

(g) FINDINGS AND RECOMMENDATIONS OF THE SECURITY REVIEW COMMITTEE.—Section 304 of
the Diplomatic Security Act of 1986 (22 U.S.C. 4834) is amended to read as follows:

SEC. 304. SECURITY REVIEW COMMITTEE FINDINGS AND REPORT.

(a) FINDINGS.—The Security Review Committee shall—

(1) review the Report of Investigation prepared pursuant to section 303(b), and all other evidence, reporting, and relevant information relating to a Serious Security Incident at a United States mission abroad, including an examination of the facts and circumstances surrounding any serious injuries, loss of life, or significant destruction of property resulting from the incident; and

(2) determine, in writing—

(A) whether the incident was security related and constituted a Serious Security Incident;

(B) if the incident involved a diplomatic compound, motorcade, residence, or other mission facility—

(i) whether the security systems, security countermeasures, and security procedures operated as intended; and

(ii) whether such systems worked to materially mitigate the attack or were found to be inadequate to mitigate the threat and attack;

(C) if the incident involved an individual or group conducting an approved operation outside the mission, whether a valid process was followed that determined whether an operation involving the Secretary of State from convening a follow-up public board of inquiry to investigate any security incident if the incident was of such magnitude or from a material or internal or international process is deemed insufficient to understand and investigate the incident. All materials gathered during the procedures provided under this section shall be shared with any related board of inquiry convened by the Secretary.''.

SEC. 5303. ESTABLISHMENT OF UNITED STATES EMBASSIES IN VANUATU, KIRIBATI, AND TONGA.

(a) FINDINGS.—Congress makes the following findings:

(1) The Pacific Islands are vital to United States national security and national interests in the Indo-Pacific region and globally.

(2) The Pacific Islands region spans 15 percent of the world’s surface area and controls access to open waters in the Central Pacific, sea lanes to the Western Hemisphere, supply lines to United States forward-deployed forces in East Asia, and economically important fisheries.

(3) The Pacific Islands region is home to the State of Hawaii, 11 United States territories, United States Naval Base Guam, and United States Andersen Air Force Base.

(4) Pacific Island countries cooperate with the United States and United States partners on maritime efforts to stop illegal, unreported, and destructive fishing.

(5) The Pacific Islands are rich in biodiversity and are on the frontlines of environmental challenges and climate change.

(6) The People’s Republic of China (PRC) seeks to increase its influence in the Pacific Islands region, including through infrastructure development under the PRC’s One Belt, One Road Initiative and its new security agreement with the Solomon Islands.

(7) The United States Embassy in Papua New Guinea manages diplomatic affairs of the United States to the Republic of Vanuatu, and the United States Embassy in Fiji manages the diplomatic affairs of the United States to the Republic of Kiribati and the Kingdom of Tonga.

(8) The United States seeks to establish physical embassies in the Republic of Vanuatu, the Republic of Kiribati, and the Kingdom of Tonga.

(b) RELATION TO OTHER PROCEEDINGS.—Section 305 of the Diplomatic Security Act of 1986 (22 U.S.C. 4835) is amended—

(1) by inserting "(a) NO EFFECT ON EXISTING REMEDIES OR DEFENSE.—" before ‘Nothing in this title’; and

(2) by adding at the end the following:

"(b) FUTURE INQUIRIES.—Nothing in this title may be construed to preclude the Secretary of State from convening a follow-up public board of inquiry to investigate any security incident if the incident was of such magnitude or from a material or internal or international process is deemed insufficient to understand and investigate the incident. All materials gathered during the procedures provided under this section shall be shared with any related board of inquiry convened by the Secretary.’’.

SEC. 5401. REPORT ON BARRIERS TO APPLYING FOR EMPLOYMENT WITH THE DEPARTMENT OF STATE.

Not later than 120 days after the date of enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report that includes—

(A) a description of the status of activities carried out to achieve the objectives described in this section;

(B) an estimate of when embassies and a physical presence will be fully established pursuant to paragraph (1); and

(C) an update on events in the Pacific Islands region relevant to the establishment of United States embassies, including activities by the People’s Republic of China.

SEC. 5402. REPORT ON FINAL DISPOSITION.

Not later than 2 years after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate committees of Congress that—

(A) confirms the establishment of the 2 embassies and the physical presence required under subsection (b)(1); or

(B) if the embassies and physical presence required in subsection (b)(1) have not been established, a justification for such failure to comply with such requirement.

TITLE LIV—A DIVERSE WORKFORCE: RETENTION, TENSION, AND PROMOTION

SEC. 5401. REPORT ON BARRIERS TO APPLYING FOR EMPLOYMENT WITH THE DEPARTMENT OF STATE.

Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees that—

(1) identifies any barriers for applicants applying for employment with the Department;

(2) provides demographic data of online applicants during the most recent 3 years disaggregated by race, ethnicity, sex, age, veteran status, disability, geographic region;

(3) assesses any barriers that exist for applying online for employment with the Department, disaggregated by race, ethnicity, sex, age, veteran status, disability, geographic region; and
that includes disaggregated demographic data and other information regarding the diversity of the workforce of the Department.

(b) Data.—The report required under subsection (a) shall describe—

(1) demographic data on each element of the workforce of the Department during the 5-year period ending on the date of the enactment of this Act, disaggregated by rank or grade, or grade equivalent.

(2) an assessment of agency compliance with section (a) which includes, without compromising the confidentiality of individuals and is otherwise permissible by law—

(A) disaggregated demographic data, to the maximum extent that the collection and dissemination of such data can be done in a way that protects the confidentiality of individuals and is otherwise permissible by law;

(B) recruiting women's colleges, historically Black colleges and universities, minority-serving institutions, and other institutions serving a significant percentage of minority students;

(C) placing job advertisements in newspapers, magazines, and job sites oriented toward women and minorities;

(D) sponsoring and recruiting at job fairs in urban and rural communities and at land grant colleges or universities;

(E) providing opportunities through the Foreign Service Internship Program under chapter 12 of the Foreign Service Act of 1980 (22 U.S.C. 4141 et seq.), and other hiring initiatives;

(F) recruiting mid-level and senior-level professionals through programs designed to increase representation in international affairs of people belonging to traditionally under-represented groups;

(G) offering the Foreign Service written and oral assessment examinations in several language or location based offices or via online platforms to reduce the burden of applicants having to travel at their own expense to take either or both such examinations;

(H) expanding the use of paid internships;

(I) supporting recruiting and hiring opportunities through—

(i) the Charles B. Rangel International Affairs Fellowship Program;

(ii) the Thomas R. Pickering Foreign Affairs Fellowship Program;

(iii) other initiatives, including agency-wide policy initiatives,

(J) disaggregated demographic data related to recruitment, hiring, evaluation, assignments, promotion, retention, and training.

(b) DATA.—The report required under subsection (a) shall describe—

(1) recruitment of women, persons with disabilities, and minorities;

(2) recruiting women's colleges, historically Black colleges and universities, minority-serving institutions, and other institutions serving a significant percentage of minority students;

(3) placing job advertisements in newspapers, magazines, and job sites oriented toward women and minorities;

(4) sponsoring and recruiting at job fairs in urban and rural communities and at land grant colleges or universities;

(5) providing opportunities through the Foreign Service Internship Program under chapter 12 of the Foreign Service Act of 1980 (22 U.S.C. 4141 et seq.), and other hiring initiatives;

(6) recruiting mid-level and senior-level professionals through programs designed to increase representation in international affairs of people belonging to traditionally under-represented groups;

(7) offering the Foreign Service written and oral assessment examinations in several language or location based offices or via online platforms to reduce the burden of applicants having to travel at their own expense to take either or both such examinations;

(8) expanding the use of paid internships;

(9) supporting recruiting and hiring opportunities through—

(i) the Charles B. Rangel International Affairs Fellowship Program;

(ii) the Thomas R. Pickering Foreign Affairs Fellowship Program;

(iii) other initiatives, including agency-wide policy initiatives;

(10) an assessment of agency compliance with section (a) which includes, without compromising the confidentiality of individuals and is otherwise permissible by law—

(A) disaggregated demographic data, to the maximum extent that the collection and dissemination of such data is permissible by law; relating to the workforce and to graduate of diversity and inclusion efforts of the Department;

(B) an analysis of applicant flow data, to the maximum extent that the collection of such data is permissible by law;

(C) disaggregated demographic data relating to participants in professional development programs of the Department and the extent to which the workforce of the Department is disaggregated demographic data and other information regarding the diversity of the workforce of the Department.

(2) COMBINATION WITH OTHER ANNUAL REPORT.—The report required under paragraph (1) may be combined with another annual report required by law, to the extent practicable.
the Institute for Transatlantic Engagement (referred to in this section as the “Institute”).

(b) PURPOSE. —The purpose of the Institute shall be to strengthen national security by highlighting, to a geographically diverse set of populations from the United States, Canada, and European nations, the importance of the transatlantic relationship and the threats posed by adversarial countries, such as the Russian Federation and the People’s Republic of China; to promote democratic, free-market economic principles, and human rights, with the aim that lessons learned from the Institute will be shared across the United States and Europe.

(c) DIRECTOR.—The Institute shall be headed by a Director, who shall have expertise in transitional and development issues and diverse populations in the United States and Europe.

(d) SCOPE AND ACTIVITIES.—The Institute shall—

(1) strengthen knowledge of the formation and implementation of transatlantic policies critical to national security, including the threats posed by the Russian Federation and the People’s Republic of China;

(2) increase awareness of the roles of government and nongovernmental actors, such as multinational corporations, businesses, civil society actors, academia, think tanks, and philanthropic institutions, in transatlantic policy development and execution;

(3) encourage the broad participation in diverse backgrounds and perspectives of the development of transatlantic policies;

(4) enhance the skills, abilities, and effectiveness of government officials at national and international levels;

(5) increase awareness of the importance of, and interest in, international public service careers;

(6) annually invite not fewer than 30 individuals to participate in programs of the Institute;

(7) not less than 3 times annually, convene representatives of the Government of the United States, the Government of Canada, and of governments of European nations for a program offered by the Institute that is not less than 2 days in duration; and

(8) develop metrics to track the success and efficacy of the program.

(e) ELIGIBILITY TO PARTICIPATE.—Participants in the programs of the Institute shall include government officials—

(1) serving at national, regional, or local levels in the United States, Canada, and European nations;

(2) who represent geographically diverse backgrounds or constituencies in the United States, Canada, and Europe.

(f) SELECTION OF PARTICIPANTS.—

(1) UNITED STATES PARTICIPANTS.—Participants from the United States shall be appointed in an equally divided manner by—

(A) the Chair and ranking members of the appropriate congressional committees;

(B) the Speaker of the House of Representatives and the Minority Leader of the House of Representatives;

(C) the Majority Leader of the Senate and the Minority Leader of the Senate.

(2) CANADIAN PARTICIPANTS.—Participants from Canada shall be appointed by the Secretary, in consultation with—

(A) the Chair and ranking members of the appropriate congressional committees;

(B) the Speaker of the House of Representatives and the Minority Leader of the House of Representatives;

(C) the Majority Leader of the Senate and the Minority Leader of the Senate.

(3) RESTRICTIONS.—

(A) the Chair and ranking members of the appropriate congressional committees;

(B) the Speaker of the House of Representatives and the Minority Leader of the House of Representatives;

(C) the Majority Leader of the Senate and the Minority Leader of the Senate.

(g) DIRECTOR.—The Institute shall be head-
(xix) to support efforts by the Global Engagement Center to counter cyber-enabled information operations against the United States or its allies and partners; and

(xx) to retain in place other departments as the Secretary of State may assign.

(3) QUALIFICATIONS.—The head of the Bureau should be an individual of demonstrated competency in the fields of—

(A) cybersecurity and other relevant cyberspace and information and communications technology issues; and

(B) international diplomacy.

(4) ORGANIZATIONAL PLACEMENT.

(A) INITIAL PLACEMENT.—Except as provided in subparagraph (B), the head of the Bureau shall report to the Deputy Secretary of State.

(B) SUBSEQUENT PLACEMENT.—The head of the Bureau may report to an Under Secretary of State or to an official holding a higher position than Under Secretary if, not later than 15 days before any change in such reporting structure, the Secretary of State—

(i) consults with the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives; and

(ii) submits a report to such committees that—

(I) indicates that the Secretary, with respect to the reporting structure of the Bureau, has consulted with and solicited feedback from—

(aa) other relevant Federal entities with a role in international aspects of cyber policy; and

(bb) the elements of the Department of State with responsibility for aspects of cyber policy, including the elements reporting to—

(1) the Under Secretary of State for Political Affairs;

(2) the Under Secretary of State for Economic Growth, Energy, and the Environment;

(3) the Under Secretary of State for Arms Control and International Security Affairs;

(4) the Under Secretary of State for Management and Resources;

(5) the Under Secretary of State for Public Diplomacy and Public Affairs;

(6) the Under Secretary for Cyber Affairs; and

(7) the National Cyber Director;

(ii) to reduce the frequency and severity of cyberattacks on United States individuals, businesses, government agencies, and other organizations;

(iii) to reduce cybersecurity risks to United States and allied critical infrastructure;

(iv) to improve allies’ and partners’ collaboration with the United States on cybersecurity issues, including information sharing, regulatory coordination, improvement, and joint investigatory and law enforcement operations related to cybercrime; and

(v) to share best practices and advance proposals to strengthen civilian and private sector resiliency to threats and access to opportunities in cyberspace; and

(vi) in consultation with the United States Cyberspace National Security Advisor and the United States National Cyber Director, reassess the status of existing efforts in relevant multilateral fora, as appropriate, to obtain commitments on international norms regarding cyberspace;

(vii) to review the basis for the existence and legal requirements of the Department of State, and to develop recommendations to the President on the appropriate role of the Department of State in cyberspace policy.

(viii) to encourage the development and adoption of internationally recognized standards, policies, and best practices;

(ix) to promote an open, interoperable, reliable, and secure information and communication technology infrastructure globally; and

(x) to support the representation of the United States in interagency efforts to develop and advance Federal Government cyber priorities and activities, including efforts to develop credible national capabilities, strategies, and policies to deter and counter cyber adversaries, and carry out the purposes of title V of the Department of State Authorization Act of 2022.

(xi) to promote, unreasonable requirements on and combat international initiatives seeking to impose unreasonable requirements on United States businesses, and other public and private entities on relevant international cyberspace and international information and communication technology issues.

(xii) to support the development and support the implementation of a multi-stakeholder model for an open, interoperable, secure, and reliable internet governed by the multi-stakeholder model.

(xiii) to promote cross-border flow of data and combat international initiatives seeking to impose unreasonable requirements on United States businesses.

(xiv) to promote international policies to protect the integrity of United States and international telecommunications infrastructure from foreign-based threats, including cyber-enabled threats.

(xv) to lead engagement, in coordination with relevant Federal agencies and other public and private entities, with foreign governments on relevant international cyberspace, cybersecurity, and digital economy issues described in title V of the Department of State Authorization Act of 2022.

(xvi) to promote international policies to secure radio frequency spectrum in the best interests of the United States.

(xvii) to promote and protect the exercise of human rights, including freedom of speech and religion, through the internet.

(xviii) to build capacity of United States diplomatic officials to engage on cyberspace issues.

(xix) to encourage the development and adoption of internationally recognized standards, policies, and best practices;
(C) whether such tools have been effective deterrents;
(6) a review of resources required to conduct activities to build responsible norms of international cyber behavior;
(7) a review, in coordination with the Office of the National Cyber Director and the Office of Management and Budget, to determine in light of the relevant priorities, technical expertise, legal authorities, and personnel available to the Department are adequate to achieve the actions and activities described in paragraph (1);
(8) a review to determine whether the Department is properly organized and coordinated, and the objectives described in section 5501(b); and
(9) a plan of action, developed in consultation with relevant Federal departments and agencies as the President may direct, to guide the diplomacy of the Department with respect to the inclusion of cyber issues in mutual defense agreements.

(c) FORM OF STRATEGY.—
(1) PUBLIC AVAILABILITY.—The strategy required under subsection (a) shall be available to the public and included in any revision of the strategy through publication in the Federal Register.
(2) CLASSIFIED ANNEX.—The strategy required under subsection (a) may include a classified annex.

d) BRIEFING.—Not later than 30 days after the completion of the strategy required under subsection (a), the Secretary shall brief the Committee on Foreign Relations of the Senate, the Select Committee on Intelligence of the Senate, the Committee on Armed Services of the Senate, the Committee on Foreign Affairs of the House of Representatives, the Permanent Select Committee on Intelligence of the House of Representatives, and the Committee on Armed Services of the House of Representatives regarding the strategy, including any material contained in a classified annex.
(e) UPDATES.—The strategy required under subsection (a) shall be updated—
(1) not later than 90 days after any material change to United States policy described in such strategy; and
(2) not later than that year after the inauguration of each new President.

SEC. 5506. GOVERNMENT ACCOUNTABILITY OFFICE REPORT ON CYBER DIPLOMACY.

Not later than 18 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to the appropriate congressional committees in such strategy—
(1) an assessment of the extent to which United States diplomatic processes and other efforts with foreign countries, including through multilateral fora, bilateral engagements, and negotiated cyber space agreements, advance the full range of United States interests regarding cyberspace, including the policy described in section 5501(a); and
(2) an assessment of the Department's organizational structure and approach to managing its diplomatic efforts to advance the full range of United States interests regarding cyberspace, including a review of—
(A) the establishment of a Bureau within the Department to lead the Department's international cyber mission;
(B) the current or proposed diplomatic mission, structure, staffing, funding, and activities of such Bureau;
(C) how the establishment of such Bureau has impacted or is likely to impact the structure and organization of the Department; and
(D) what challenges, if any, the Department has faced or will face in establishing such Bureau; and
(2) any other matters that the Comptroller General determines to be material.

SEC. 5505. REPORT ON DIPLOMATIC PROGRAMS TO DETECT AND RESPOND TO CYBER THREATS AGAINST ALLIES AND PARTNERS.

Not later than 180 days after the date of the enactment of this Act, the Secretary, in coordination with other relevant Federal agencies, shall submit a report to the appropriate congressional committees that assesses the capabilities of the Department to provide support for acute cyber incident response in ally and partner countries that includes—
(1) a description and assessment of the Department's coordination with cyber programs and operations of the Department of Defense and the Department of Homeland Security;
(2) recommendations on how to improve coordination and executive of Department involvement in programs or operations to support allies and partners in responding to acute cyber incidents; and
(3) the budgetary resources, technical expertise, legal authorities, and personnel needed for the Department to formulate and implement the programs described in this section.

SEC. 5508. ESTABLISHMENT AND EXPANSION OF REGIONAL TECHNOLOGY OFFICER PROGRAM.

(a) REGIONAL TECHNOLOGY OFFICER PROGRAM.

(1) ESTABLISHMENT.—The Secretary shall establish a program, which shall be known as
the “Regional Technology Officer Program” (referred to in this section as the “Program”); (2) GOALS.—The goals of the Program shall include the following: (A) Promoting United States leadership in technology abroad; (B) Working with partners to increase the deployment and adoption of critical and emerging technology in support of democratic values; (C) Shaping diplomatic agreements in regional and international fora with respect to critical and emerging technologies; (D) Building diplomatic capacity for handling critical and emerging technology issues; (E) Facilitating the role of critical and emerging technology in advancing the foreign policy objectives of the United States through engagement with research labs, incubators, and venture capitalists; (F) Maintaining the advantages of the United States with respect to critical and emerging technologies.

(2) ANNUAL REPORTS.—Not later than 180 days after the date of the establishment of the VDP pursuant to paragraph (1), and annually thereafter for the following 5 years, the Secretary shall submit a report on the VDP to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Foreign Affairs of the House of Representatives, the Committee on Homeland Security of the House of Representatives, and the Select Committee on Intelligence of the House of Representatives that includes information relating to— (A) the number and severity of all security vulnerabilities reported; (B) the number of previously unidentified security vulnerabilities remediated as a result; (C) the current number of outstanding previously unidentified security vulnerabilities and Department of State remediation plans; (D) the average time between the reporting of security vulnerabilities and remediation of such vulnerabilities; (E) the resources, agency staffing, roles, and responsibilities within the Department used to implement the VDP and complete security vulnerability remediation; (F) how the identified security vulnerabilities are incorporated into existing Department vulnerability prioritization and management processes; (G) any challenges in implementing the VDP and plans for expansion or contraction in the scope of the VDP across Department information systems; and (H) any other topic that the Secretary determines to be relevant.

(b) IMPLEMENTATION PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit an implementation plan to the appropriate congressional committees that outlines strategies for— (1) advancing the goals described in subsection (a); (2) hiring Regional Technology Officers and increasing the competitiveness of the Program within the Foreign Service bidding process; (3) expanding the Program to include a minimum of 15 Regional Technology Officers; and (4) assigning not fewer than 2 Regional Technology Officers to posts within— (A) each regional bureau of the Department; and (B) the Bureau of International Organization Affairs.

(c) ANNUAL BRIEFING REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall brief the appropriate congressional committees regarding the status of the implementation plan required under subsection (b).

(d) AUTHORIZATION OF APPROPRIATIONS.— There is authorized to be appropriated up to $25,000,000 for each of the fiscal years 2023 through 2027 to carry out this section.

SEC. 5509. VULNERABILITY DISCLOSURE POLICY AND BUG BOUNTY PROGRAM REPORT.

(a) DEFINITIONS.—In this section: (1) BUG BOUNTY PROGRAM.—The term “bug bounty program” means a program under which an approved individual, organization, or company is temporarily authorized to identify and report vulnerabilities of internet-facing information technology of the Department in exchange for compensation.

(2) INFORMATION TECHNOLOGY.—The term “information technology” has the meaning given in section 1101 of title 40, United States Code.

(b) VULNERABILITY DISCLOSURE POLICY.— (1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a Vulnerability Disclosure Policy (referred to in this section as the “VDP”) to improve Department cybersecurity by— (A) creating Department policy and infrastructure to receive reports of and remediate discovered vulnerabilities in line with existing policies of the Office of Management and Budget and the Department of Homeland Security Binding Operational Directive 20-01 or any successor directives; and (B) providing a report on such policy and infrastructure to Congress.

(2) ANNUAL REPORTS.—Not later than 180 days after the date of the enactment of the VDP pursuant to paragraph (1), and annually thereafter for the following 5 years, the Secretary shall submit a report on the VDP to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Foreign Affairs of the House of Representatives, the Committee on Homeland Security of the House of Representatives, and the Select Committee on Intelligence of the House of Representatives that includes information relating to— (A) the number and severity of all security vulnerabilities reported; (B) the number of previously unidentified security vulnerabilities remediated as a result; (C) the current number of outstanding previously unidentified security vulnerabilities and Department of State remediation plans; (D) the average time between the reporting of security vulnerabilities and remediation of such vulnerabilities; (E) the resources, agency staffing, roles, and responsibilities within the Department used to implement the VDP and complete security vulnerability remediation; (F) how the identified security vulnerabilities are incorporated into existing Department vulnerability prioritization and management processes; (G) the lessons learned from such program; (H) the public accessibility of contact information for the Department regarding the bug bounty program; (I) the incorporation of bug bounty program identified vulnerabilities into existing Department vulnerability prioritization and management processes; and (J) any other topic that the Secretary determines to be relevant.

(b) IMPLEMENTATION PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit an implementation plan to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Foreign Affairs of the House of Representatives, the Committee on Homeland Security of the House of Representatives, and the Select Committee on Intelligence of the House of Representatives that includes information relating to— (A) the number and severity of all security vulnerabilities reported; (B) the number of previously unidentified security vulnerabilities remediated as a result; (C) the current number of outstanding previously unidentified security vulnerabilities and Department of State remediation plans; (D) the average time between the reporting of security vulnerabilities and remediation of such vulnerabilities; (E) the resources, agency staffing, roles, and responsibilities within the Department used to implement the VDP and complete security vulnerability remediation; (F) how the identified security vulnerabilities are incorporated into existing Department vulnerability prioritization and management processes; (G) the lessons learned from such program; (H) the public accessibility of contact information for the Department regarding the bug bounty program; (I) the incorporation of bug bounty program identified vulnerabilities into existing Department vulnerability prioritization and management processes; and (J) any other topic that the Secretary determines to be relevant.

(c) ANNUAL BRIEFING REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to Congress that describes any ongoing efforts by the Department or a third-party vendor under contract with the Department to establish or carry out a bug bounty program that identifies security vulnerabilities in internet-facing information technology of the Department.

(d) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Homeland Security of the House of Representatives regarding such program, including information relating to— (A) the number of approved individuals, organizations, or companies involved in such program; (B) the number and severity of all security vulnerabilities reported as part of such program; (C) the number of previously unidentified security vulnerabilities remediated as a result of such program; (D) the current number of outstanding previously unidentified security vulnerabilities and Department of State remediation plans for such outstanding vulnerabilities; (E) the average length of time between the reporting of security vulnerabilities and remediation of such vulnerabilities; and (F) any other topic that the Secretary determines to be relevant.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated up to $20,000,000 to the Department for United States participation in international fairs and expositions abroad, including for construction and operation of pavilions or other major exhibits.

SEC. 5601. UNITED STATES PARTICIPATION IN INTERNATIONAL FAIRS AND EXPOSITIONS.

(a) IN GENERAL.—Notwithstanding section 294 of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2020 and 2021 (22 U.S.C. 2452b), and subject to subsection (b), amounts available under title I of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2022 (division K of Public Law 117–103), or under prior such Acts, may be made available to pay for services related to United States participation in international fairs and expositions abroad, including for construction and operation of pavilions or other major exhibits.

(b) LIMITATION ON SOLICITATION OF FUNDS.—Senior employees of the Department, in their official capacity, may not solicit funds to pay expenses for a United States pavilion or other major exhibit at any international exposition or world's fair registered by the Bureau of International Expositions.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated up to $20,000,000 to the Department for United States participation in international fairs and expositions abroad, including for construction and operation of pavilions or other major exhibits.

SEC. 5602. PRESS FREEDOM CURRICULUM.

The Secretary shall ensure that there is a press freedom curriculum for the National Foreign Affairs Training Center that enables Foreign Service officers to better understand issues of press freedom and the tools that are available to help journalists and promote freedom of the press norms, which may include— (1) the historic and current issues facing press freedom, including countries of specific concern; (2) the Department’s role in promoting press freedom as an American value, a human rights issue, and a national security imperative; (3) ways to incorporate press freedom promotion into other aspects of diplomacy; and (4) existing tools to assist journalists in distress and methods for engaging foreign governments and institutions on behalf of individuals engaged in journalistic activity abroad.

SEC. 5603. GLOBAL ENGAGEMENT CENTER.

(a) IN GENERAL.—Section 1287(j) of the National Defense Authorization Act for Fiscal Year 2017 (22 U.S.C. 2658 note) is amended by striking “the date that is 8 years after the date of the enactment of this Act” and inserting “December 31, 2027”.

(b) HIRING AUTHORITY FOR GLOBAL ENGAGEMENT CENTER.—Notwithstanding any other provision of law, the Secretary, during the 5-year period beginning on the date of the enactment of this Act, may— (1) appoint employees without regard to appointment in the competitive service; and
Section 1(b)(3) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a) is amended—

(B) by striking “a” at the end; and

(C) by inserting “and” after the date of the enactment of this Act,

(b) professional programs in an international organization.

(c) professional programs in an international organization.

The United Nations Participation Act of 1945 (22 U.S.C. 287 et seq.) is amended by adding at the end the following:

SEC. 7505. LIMITATION ON UNITED STATES CONTRIBUTIONS TO PEACEKEEPING OPERATIONS NOT AUTHORIZED BY THE UNITED NATIONS SECURITY COUNCIL.

None of the funds authorized to be appropriated or otherwise made available to pay assessed and other expenses of international peacekeeping operations under this Act may be made available for an international peacekeeping operation that has not been expressly authorized by the United Nations Security Council.

SEC. 7504. BOARDS OF RADIO FREE EUROPE/ RADIO LIBERTY, RADIO FREE ASIA, THE DOWNEAST BROADCASTING NETWORKS, AND THE OPEN TECHNOLOGY FUND.

SEC. 7507. BROADCASTING ENTITIES NO LONGER REQUIRED TO CONSOLIDATE INTO A SINGLE PRIVATE, NONPROFIT CORPORATION.

SEC. 7506. INTERNATIONAL BROADCASTING ACTIVITIES.

SEC. 7507. GLOBAL INTERNET FREEDOM.

SEC. 7508. OPEN SOURCE Tools AND TECHNIQUES.

SEC. 7509. REPORTS TO CONGRESS.

SEC. 7550. UNITED STATES AGENCY FOR GLOBAL MEDIA ACTIVITIES.
USAGM or the OTF, but may share any re- 
search and development with relevant Fed- 
eral departments and agencies for the exclu- 
sive purposes of— 
(A) sharing information, technologies, and 
best practices; and 
(B) assessing the effectiveness of such tech- 
nologies.

3. UNITED STATES AGENCY FOR GLOBAL 
MEDIA.—The Chief Executive Officer of the 
USAGM, in consultation with the President 
of the USAGM, shall—
(A) coordinate international broadcasting 
programs and incorporate such programs 
into country broadcasting strategies, as ap- 
propriate;
(B) solicit project proposals through an 
open, transparent, and competitive applica-
tion process, including by seeking input from

tech and subject matter experts; and
(C) support internet circumvention tools 
and techniques for audiences in countries
that are strategic priorities for the OTF, in
accordance with USAGM’s annual language
service prioritization review.

(e) USAGM REPORT.—Not later than 120 
days after the date of the enactment of this 
Act, the Chief Executive Officer of the 
USAGM shall submit a report to the appro- 
priate congressional committees that de- 
scribes— 
(i) as of the date of the report— 
(A) the full scope of internet freedom pro-
grams within the USAGM, including— 
(1) reports of the Office of Internet
Freedom; and
(B) the efforts of the Open Technology 
Fund;
(C) the capacity of internet censorship cir-
cumvention tools supported by the Office 
of Internet Freedom and grantees of the 
Open Technology Fund that are available for 
use by individuals in foreign countries seeking 
to counteract censors; and
(D) any barriers to the provision of the ef-
forts described in clauses (i) and (ii) of sub-
paragraph (A), including access to surge 
funding; and
(ii) successful examples from the Office 
of Internet Freedom and Open Technology
Fund involving— 
(A) responding rapidly to internet shut-
downs in closed societies; and
(B) ensuring uninterrupted circumvention 
services that can be utilized to promote 
internet freedom within repressive regimes.
(f) JOINT REPORT.—Not later than 60 
days after the date of the enactment of this 
Act, the Secretary of State and the Adminis-
trator of USAID shall jointly submit a report, 
which may include a classified annex, to the approp-
riate congressional committees that de-
scribes— 
(Sec. 5708. ARMS EXPORT CONTROL ACT 
ALIGNMENT WITH THE EXPORT CONTROL 
REFORM ACT OF 2018)
Section 38(e) of the Arms Export Control 
Act (22 U.S.C. 3788(c)(6)) is amended— 
(1) by striking “subsections (c), (d), (e), and 
(g) of section 11 of the Export Administra-
tion Act of 1979, and by subsections (a) and 
(c) of section 12 of such Act’’ and inserting
“subsections (c) and (d) of section 1760 of 
the Export Control Reform Act of 2018 (50 U.S.C. 
4819), and by subsections (a)(1), (a)(2), (a)(3), 
(a)(4), (a)(7), (c), and (h) of section 1761 of 
such Act (50 U.S.C. 4820)”;
(2) by striking “(B) the capacity of inter-
net censorship circum-
vention tools supported by the Federal 
Government that are available for use by 
individuals in foreign countries seeking 
to counteract censors; and
(C) any barriers to the provision of the ef-
forts described in clauses (i) and (ii) of sub-
paragraph (A), including access to surge 
funding; and
(ii) successful examples from the Office 
of Internet Freedom and Open Technology
Fund involving— 
(A) responding rapidly to internet shut-
downs in closed societies; and
(B) ensuring uninterrupted circumvention 
services that can be utilized to promote 
internet freedom within repressive regimes.

D E F I N I T I O N S.—In this section:
(1) DEFINED TERM.—In this section, the term
“internet circumvention tool’’ means a software application or other 
tool that an individual can use to evade 
foreign government restrictions on internet ac-
cess.

(a) SENSE OF CONGRESS.—It is the sense 
that—
(1) the One Belt, One Road Initiative (re-
ferred to in this section as “OBOR’) exploits 
gaps in infrastructure in developing coun-
tries to advance the People’s Republic of 
China’s own foreign policy objectives; and
(2) although OBOR may meet many 
countries’ short-term strategic infrastruc-
ture needs, OBOR— 
(A) frequently places countries in debt to 
the PRC; 
(B) contributes to widespread corruption; 
(C) often fails to maintain the infrastruc-
ture that is built; and
(D) rarely takes into account human 
rights, labor standards, or the environment;
and
(b) SUPPORT INTERNET CIRCUMVENTION 
TOOLS AND SERVICES.—The State De-
partment, in consultation with the
Secretary of State, shall—
(1) AUTHORIZATION OF APPROPRIATIONS.— 
Subject to paragraph (2), there is authorized 
by this Act— 
(A) to respond rapidly to internet shut-
downs in closed societies; and
(B) to provide internet connectivity to for-
egners who are subject to a prohibition by 
the Federal Government to build a robust supply 
chain for critical minerals necessary to manu-
facture clean energy technologies.

SEC. 5710. REPORT ON UNITED STATES AC-
CESS TO CRITICAL MINERAL RESOURCES
ABROAD.
Not later than 120 days after the date of the 
enactment of this Act, the Secretary
shall submit a report to the appropriate con-
gressional committees that details, with re-
gard to the Department—
(1) diplomatic efforts to ensure United
States access to critical minerals acquired from 
outside of the United States that are used in 
manufacture clean energy tech-
nologies; and
(2) collaboration with other parts of 
the Federal Government to build a robust supply 
chain for critical minerals necessary to manu-
facture clean energy technologies.
United States partners and allies to more directly finance and otherwise support foreign strategic infrastructure projects, including an assessment of the authorities and capabilities of United States agencies, departments, public-private partnerships, and international or multilateral organizations to support such projects without undermining United States businesses to support foreign, large-scale, strategic infrastructure projects, such as roads, power grids, and ports; and (G) 5 strategic infrastructure projects, with one each in the Western Hemisphere, Africa, and Asia, that are needed, but have not yet been initiated.

(3) In this section—

(C) the term "nonforeign area" means any geographic location that is not in—

(A) the continental United States; or

(B) a nonforeign area.

SEC. 5719. MODIFICATIONS TO SANCTIONS WITH RESPECT TO HUMAN RIGHTS VIOLATIONS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the President should establish and regularize information sharing and sanctions-related decision making with like-minded governments possessing human rights and anti-corruption standards that are comparable to those authorized under this subtitle."

(b) CLERICAL AMENDMENT.—The table of contents in section 2(b) and in title XII of division A of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) are each amended by inserting after section 1282 the following:

"SEC. 1282A. SENSE OF CONGRESS.

It is the sense of Congress that the President should establish and regularize information sharing and sanctions-related decision making with like-minded governments possessing human rights and anti-corruption standards that are comparable to those authorized under this subtitle.

(b) IMPOSITION OF SANCTIONS.—
(1) IN GENERAL.—Section 1263(a) of the Global Magnitsky Human Rights Accountability Act (22 U.S.C. 10102) is amended by striking paragraphs (2) through (4) and inserting the following:

“(2) is or has been a leader or official of—

(A) an entity, including a government entity, that has engaged in, or whose members have engaged in, any of the activities described in paragraph (1) or (2) related to the tenure of the leader or official;

(B) an entity whose property and interests in property are blocked pursuant to this section as a result of activities related to the tenure of the leader or official;

(C) an entity, including a government entity, that has engaged in, or whose members have engaged in, an activity described in paragraphs (1) or (2) conducted by a foreign person; or

(D) is owned or controlled by, or has acted or been purposed to act for or on behalf of, directly or indirectly, a person whose property and interests in property are blocked pursuant to this section;”.

(2) CONSIDERATION OF CERTAIN INFORMATION.—Subsection (c)(2) of such section is amended by inserting “corruption and” after “monitor”.

(3) REQUESTS BY CONGRESS.—Subsection (d)(2) of such section is amended to read as follows:

“(2) REQUIREMENTS.—A request under paragraph (1) with respect to whether a foreign person or an entity in appropriate jurisdiction in subsection (a) shall be submitted to the President in writing jointly by the chairperson and ranking member of one of the appropriate congressional committees.”

(c) REPORTS TO CONGRESS.—Section 1263(a) of the Global Magnitsky Human Rights Accountability Act (22 U.S.C. 10103(a)) is amended—

(1) in paragraph (5), by striking “; and” and inserting a semicolon;

(2) by striking by the end and inserting a semicolon; and

(3) by adding at the end the following:

“(7) a description of additional steps taken by the President through diplomacy, international engagement, and assistance to foreign or security sectors to address persistent underlying causes of conduct giving rise to the imposition of sanctions under this section, as amended on or after the date of the enactment of this paragraph, in each country in which foreign persons with respect to which such sanctions have been imposed are located; and

“(8) a description of additional steps taken by the President to ensure the pursuit of judicial accountability in appropriate jurisdiction with respect to foreign persons subject to sanctions under this section.”.

SEC. 5720. REPORT ON COUNTERING THE ACTIVITIES OF MALIGN ACTORS.

(a) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary, in consultation with the Secretary of State, and the Administrator, shall submits to the Committee on Foreign Relations of the Senate, the Select Committee on Intelligence of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Permanent Select Committee on Intelligence of the Senate, a report on the activities of malign actors, pursuant to this section.”

(b) ELEMENTS.—The report required under paragraph (1) shall include—

(1) a case study of the misappropriation of state assets, and the Permanence Select Committee on Intelligence of the House of Representatives concerning United States diplomatic tools in Africa in achieving United States policy goals and countering the activities of malign actors.

(2) ELEMENTS.—The report required under paragraph (1) shall include—

(a) case studies from Mali, Sudan, the Central African Republic, the Democratic Republic of the Congo, and South Sudan, with the goal of assessing the effectiveness of diplomatic tools during the 5-year period ending on the date of the enactment of this Act; and

(b) an assessment of—

(i) the extent and effectiveness of certain diplomatic tools to advance United States priorities in the respective case study countries, including—

(A) in-country diplomatic presence;

(B) humanitarian and development assistance;

(C) support for increased 2-way trade and investment; and

(iv) corruption related to government priorities in the respective case study countries.

(3) USAID CIVIL SERVICE ANNUITANT WAIVER AUTHORITY.—Section 5801(c)(1)(B) of the Supplemental Appropriations Act, 2010 (Public Law 111–321) is amended by inserting “September 30, 2024.”

(4) INSPECTOR GENERAL ANNUITANT WAIVER.—The authorities provided in section 1015(b) of the Supplemental Appropriations Act, 2010 (Public Law 111–212) are hereby extended to the Inspector General of the Department of State.”

(b) ANNUAL FOREIGN MILITARY TRAINING REPORT.

SEC. 5801. CONSULTING SERVICES.

Any consulting services through procurement contracts shall be submitted to contracts in which such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive orders issued pursuant to existing law.

SEC. 5802. DIPLOMATIC FACILITIES.

For the purposes of calculating the costs of providing diplomatic facilities in any fiscal year, in a manner that is proportional to the contribution of the Department of State for this purpose.

SEC. 5803. EXTENSION OF EXISTING AUTHORITY.

(a) EXTENSION OF AUTHORITIES.—

(1) PASSPORT FEES.—Section 1(b)(2) of the Passport Act of June 4, 1920 (22 U.S.C. 2384) is amended by striking “September 30, 2010” and inserting “September 30, 2024.”

(b) INSIGNIA OF MALIGN ACTORS.

(1) IN GENERAL.—The authorities provided by section 1113 of the Supplemental Appropriations Act, 2009 (Public Law 111–32) shall remain in effect through September 30, 2024.

(c) INCENTIVES FOR CRITICAL POSTS.

SEC. 5804. WAR RESERVES STOCKPILE AND MILITARY TRAINING REPORT.

(a) EXTENSION OF WAR RESERVES STOCKPILE AUTHORITY.—Section 12001(d) of the Department of Defense Appropriations Act, 2009 (Public Law 111–8) is amended by striking—

(4) I NSPECTOR GENERAL ANNUITANT WAIV -

(5) INFORMAL BRIEFING REQUIRED.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and the Select Committee on Intelligence of the Senate, the Select Committee on Intelligence of the House of Representatives, the Committee on Foreign Affairs of the House of Representatives, and the Permanent Select Committee on Intelligence of the Senate, a report on the activities of malign actors, pursuant to this section.”

(b) EXTENSION OF PROCUREMENT AUTHORITY.—Section 7077 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012 (division I of Public Law 112–74) shall remain in effect until September 30, 2024.

(c) ANNUAL FOREIGN MILITARY TRAINING REPORT.

SEC. 5805. WAR RESERVES STOCKPILE AND MILITARY TRAINING REPORT.

(a) EXTENSION OF WAR RESERVES STOCKPILE AUTHORITY.—Section 12001(d) of the Department of Defense Appropriations Act, 2009 (Public Law 111–8) is amended by striking—

(4) I NSPECTOR GENERAL ANNUITANT WAIV -

(5) INFORMAL BRIEFING REQUIRED.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and the Select Committee on Intelligence of the Senate, the Select Committee on Intelligence of the House of Representatives, the Committee on Foreign Affairs of the House of Representatives, and the Permanent Select Committee on Intelligence of the Senate, a report on the activities of malign actors, pursuant to this section.”

(b) EXTENSION OF PROCUREMENT AUTHORITY.—Section 7077 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012 (division I of Public Law 112–74) shall remain in effect until September 30, 2024.

(c) ANNUAL FOREIGN MILITARY TRAINING REPORT.
deemed to include all military training provided by foreign governments with funds appropriated to the Department of Defense or the Department of State, except for training provided by the Department of State designated under section 571(b) of such Act (22 U.S.C. 2321k(b)) as a major non-North Atlantic Treaty Organization ally. Such third-country training shall be clearly identified in the report submitted pursuant to such section 566.

(2) DISTRIBUTION OF REPORT.—section 656(e) of the Defense Appropriations Act, 2023 (22 U.S.C. 2416(e)) is amended to read as follows:

"(e) DEFINED TERM.—In this section, the term 'appropriate congressional committees' means—

"(1) the Committee on Foreign Relations of the Senate; "(2) the Committee on Appropriations of the Senate; "(3) the Committee on Armed Services of the Senate; "(4) the Committee on Foreign Affairs of the House of Representatives; "(5) the Committee on Appropriations of the House of Representatives; and "(6) the Committee on Armed Services of the House of Representatives;".

SEC. 5805. COMMISSION ON REFORM AND MODERNIZATION OF THE DEPARTMENT OF STATE AND OTHER FOREIGN SERVICE AGENCIES

(a) SHORT TITLE.—This section may be cited as the "Commission on Reform and Modernization of the Department of State Act".

(b) ESTABLISHMENT OF COMMISSION.—There is established, in the legislative branch, the Commission on Reform and Modernization of the Department of State (referred to in this section as the "Commission").

(c) PURPOSES.—The purposes of the Commission are—

(1) to examine the changing nature of diplomacy in the 21st century and the ways in which the Department and its personnel can modernize to advance the interests of the United States; and

(2) to offer recommendations to the President and Congress relative to—

(A) the organizational structure of the Department, including a review of the jurisdictional responsibilities of all of the Department’s regional bureaus (the Bureau of African Affairs, the Bureau of African Affairs, and Pacific Affairs, the Bureau of European and Eurasian Affairs, the Bureau of Near Eastern Affairs, the Bureau of South and Central Asian Affairs, and the Bureau of Western Hemisphere Affairs);

(B) personnel-related matters, including recruitment, promotion, training, and retention of the Department’s workforce in order to retain the best and brightest personnel and foster effective diplomatic work, including measures to strengthen diversity and inclusion to ensure that the Department’s workforce represents all of America;

(C) the Department of State’s infrastructure (domestic and overseas), including infrastructure relating to information technology, transportation, and security;

(D) the link among diplomacy and defense, intelligence, development, commercial, health, law enforcement, and other core United States interests;

(E) core legislation that authorizes United States diplomacy, including the Foreign Service Act of 1980 (Public Law 96–465);

(F) related regulations, rules, and processes that define United States diplomatic efforts, including the Foreign Affairs Manual; and

(G) treaties that impact United States overseas presence.

(d) COMPOSITION.—The Commission shall be composed of 10 members, of whom—

(A) 2 members shall be appointed by the President;

(B) 1 member shall be appointed by the chairperson of the Committee on Foreign Relations of the Senate;

(C) 1 member shall be appointed by the ranking member of the Committee on Foreign Relations of the Senate;

(D) 1 member shall be appointed by the chairperson of the Commission on Foreign Affairs of the House of Representatives;

(E) 1 member shall be appointed by the ranking member of the House of Representatives;

(F) 1 member shall be appointed by the majority leader of the House of Representatives;

(G) 1 member shall be appointed by the Speaker of the House of Representatives;

(H) 1 member shall be appointed by the minority leader of the Senate, who shall serve as co-chair of the Commission; and

(I) 1 member shall be appointed by the minority leader of the House of Representatives.

(2) QUALIFICATIONS; MEETINGS.—

(A) MEMBERSHIP.—The members of the Commission shall be appointed from nominees designated recognition and significant depth of experience in international relations and with the Department.

(B) POLITICAL PARTY AFFILIATION.—Not more than 4 members of the Commission may be from the same political party.

(C) MEETINGS.—

(i) INITIAL MEETING.—Not later than 45 days after the date of the enactment of this Act, the Commission shall hold its first meeting and begin operations as soon as practicable.

(ii) FREQUENCY.—The Commission shall meet at the call of the co-chairs.

(iii) QUORUM.—Six members of the Commission shall constitute a quorum for purposes of conducting business, except that 2 members of the Commission shall constitute a quorum for purposes of receiving testimony.

(D) VACANCIES.—Any vacancy in the Commission shall not affect the powers of the Commission, but shall be filled in the same manner as the original appointment.

(e) FUNCTIONS OF COMMISSION.—

(1) IN GENERAL.—The Commission shall act by resolution agreed to by a majority of the members of the Commission voting and present.

(2) PANELS.—The Commission may establish panels composed of less than the full membership of the Commission for purposes of carrying out the duties of the Commission. No action taken by such a panel shall subject the panel to the review and control of the Commission. Any findings and determinations made by such a panel may not be considered the findings and determinations of the Commission unless such findings and determinations are approved by the Commission.

(3) DELEGATION.—Any member, agent, or staff of the Commission, if authorized by the co-chairs of the Commission, may, for the purpose of carrying out this section—

(f) POWERS OF COMMISSION.—

(1) HEARINGS AND EVIDENCE.—The Commission or any panel or member of the Commission, as delegated by the co-chairs, may, for the purpose of carrying out this section—

(A) hold such hearings and meetings, take such testimony, receive such evidence, and make such findings and determinations as the Commission or such designated subcommittee or designated member considers necessary;

(B) require the attendance and testimony of such persons, and the production of such correspondence, memoranda, papers, and documents, as the Commission or such designated subcommittee or designated member considers necessary; and

(C) subject to applicable privacy laws and relevant regulations, secure directly from the Department, USAID, the Millennium Challenge Corporation, the Peace Corps, Trade Development Agency, the Millennium Challenge Corporation, and the United States Global Media Information and data necessary to enable it to carry out its mission, which shall be provided not later than 30 days after the request provides a written request for such information and data.

(2) CONTRACTS.—The Commission, to such extent as funds are provided in appropriations Acts, may enter into contracts to enable the Commission to discharge its duties under this section.

(3) INFORMATION FROM FEDERAL AGENCIES.—

(A) IN GENERAL.—The Commission may secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality of the Government, information, suggestions, estimates, and statistics for the purposes of this section.

(B) RECEIVING.—Information may only be received, handled, stored, and disseminated by members of the Commission and its staff in accordance with all applicable statutes, regulations, and Executive orders.

(C) ASSISTANCE FROM FEDERAL AGENCIES.—

(A) SECRETARY OF STATE.—The Secretary shall provide to the Commission, on a non-reimbursable basis, such services, staff, and other support services as are necessary for the performance of the Commission’s duties under this section.

(B) OTHER DEPARTMENTS AND AGENCIES.—Other Federal departments and agencies may provide the Commission such services, staff, other support services, and agencies consider advisable and authorized by law.

(4) ASSISTANCE FROM INDEPENDENT ORGANIZATIONS.—

(A) IN GENERAL.—In order to inform its work, the Commission should review reports that were written during the 15-year period ending on the date of the enactment of this Act by independent organizations and outside experts relative to reform and modernization of the Department.

(B) OTHER DEPARTMENTS AND AGENCIES.—In analyzing the reports referred to in subparagraph (A), the Commission should pay particular attention to any specific reform proposals that have been recommended by 2 or more of such reports.

(6) CONGRESSIONAL CONSULTATION.—Not less frequently than quarterly, the Commission shall provide a briefing to the Committee on Foreign Relations of the Senate, the Committee on Appropriations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Appropriations of the House of Representatives regarding the work of the Commission.

(7) STAFF AND COMPENSATION.—

(A) COMPENSATION.—The co-chairs of the Commission, in accordance with rules established by the Commission, shall appoint and fix the compensation of a staff director and such other personnel as may be necessary to enable the Commission to carry out its duties, without regard to the provisions of title 5, United States Code, governing appointment in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 41 of title 5, United States Code relating to classification and General Schedule pay rates, except that no rate of pay fixed under this subsection may exceed the equivalent rate of pay of an officer occupying a position at level V of the Executive Schedule under section 5316 of such title.
SEC. 10001. SHORT TITLE.

This division may be cited as ‘‘American Security Drone Act of 2022’’.

DIVISION H—MATTERS RELATED TO TAIWAN

SEC. 1001. SHORT TITLE. This division may be cited as ‘‘American Security Drone Act of 2022’’.

TITLE I—IMPLEMENTATION OF AN ENHANCED DEFENSE PARTNERSHIP BETWEEN THE UNITED STATES AND TAIWAN

SEC. 10101. MODERNIZING TAIWAN’S SECURITY CAPABILITIES TO DETERR AND, IF NECESSARY, DEFEND AGAINST AGGRESSION BY THE PEOPLE’S REPUBLIC OF CHINA.

(a) TAIWAN SECURITY PROGRAMS.—The Secretary of State, in consultation with the Secretary of Defense, shall use the authorities under this section to strengthen the United States-Taiwan defense relationship, and to support the acceleration of the modernization of Taiwan’s defense capabilities, consistent with the Taiwan Relations Act (Public Law 95–501).

(b) PURPOSE.—In addition to the purposes otherwise authorized for Foreign Military Financing programs under the Arms Export Control Act (22 U.S.C. 2751 et seq.), a purpose of the Foreign Military Financing Program should be to provide assistance, including equipment and training, and other support, to build the civilian and defensive military capabilities of Taiwan.

(c) REGIONAL CONTINGENCY STOCKPILE.—Of the amounts authorized to be appropriated pursuant to subsection (g), not more than $100,000,000 may be used during each of the fiscal years 2023 through 2025 to maintain a stockpile (if established under section 10002), in accordance with section 514 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321b), as amended by section 10002.

SEC. 10102. EXPEDITIOUS PROCESSING OF SECURITY CLEARANCES.

The Commission shall (1) authorize the Commission to expedite, but may not waive, any security clearance under this section without the appropriate Federal department or agency; and (2) update its policies and procedures annually.

SEC. 10103. SECURITY Clearances.

(a) IN GENERAL.—Not later than 18 months after the enactment of this Act, with the concurrence of the Secretary of Defense, the Commission shall submit a report to the Committee on Appropriations of the House of Representatives, and the Committee on Appropriations of the Senate, and the Committees on Armed Services of the House of Representatives, and the Committee on Armed Services of the Senate, on its efforts, including the efforts of the Department of State, to facilitate the execution of the purposes of this Act.

(b) Report.—The President shall submit to the Congress a report, with the concurrence of the Secretary of Defense, on the efforts of the Department of State to facilitate the execution of the purposes of this Act.

(c) REPORT ON TAIWAN.—Each year, the President shall submit to the Congress a report that identifies to the Committee on Foreign Relations of the Senate and the Committee on Armed Services of the Senate, the Committee on Appropriations of the House of Representatives, and the Committee on Appropriations of the House of Representatives:

(1) a list of all foreign assistance programs of the United States Government and all Foreign Military Financing programs under the Arms Export Control Act (22 U.S.C. 2751 et seq.), that have been completed, or that are being completed, with respect to Taiwan;

(2) a report that identifies the most significant developments since the last report on Taiwan issued under this section, including the impact of such developments on the continued security of Taiwan;

(3) a description of the specific actions the United States is taking to support the citizens of Taiwan;

(4) a description of all foreign assistance programs of the United States Government and all Foreign Military Financing programs under the Arms Export Control Act (22 U.S.C. 2751 et seq.), that are intended to support, in whole or in part, the U.S. Armed Forces and their allies in the Indo-Pacific region; and

(5) a description of the specific actions the United States is taking to support the citizens of Taiwan.

(d) REPORT ON SECURITY CLEARANCES.—Each year, the President shall submit to the Congress a report that identifies to the Committee on Foreign Relations of the Senate and the Committee on Armed Services of the Senate, the Committee on Appropriations of the House of Representatives, and the Committee on Appropriations of the House of Representatives:

(1) a list of all foreign assistance programs of the United States Government and all Foreign Military Financing programs under the Arms Export Control Act (22 U.S.C. 2751 et seq.), that have been completed, or that are being completed, with respect to Taiwan;

(2) a report that identifies the most significant developments since the last report on Taiwan issued under this section, including the impact of such developments on the continued security of Taiwan;

(3) a description of the specific actions the United States is taking to support the citizens of Taiwan;

(4) a description of all foreign assistance programs of the United States Government and all Foreign Military Financing programs under the Arms Export Control Act (22 U.S.C. 2751 et seq.), that are intended to support, in whole or in part, the U.S. Armed Forces and their allies in the Indo-Pacific region; and

(5) a description of the specific actions the United States is taking to support the citizens of Taiwan.

(e) ANNUAL REPORT ON ADVANCING THE DEFENSE PARTNERSHIP WITH TAIWAN.—In each fiscal year beginning after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committee on Appropriations of the House of Representatives, and the Committee on Appropriations of the Senate, the Committee on Armed Services of the House of Representatives, and the Committee on Armed Services of the Senate:

(1) a report that identifies the most significant developments since the last report on Taiwan issued under this section, including the impact of such developments on the continued security of Taiwan;

(2) a description of the specific actions the United States is taking to support the citizens of Taiwan;

(3) a description of all foreign assistance programs of the United States Government and all Foreign Military Financing programs under the Arms Export Control Act (22 U.S.C. 2751 et seq.), that are intended to support, in whole or in part, the U.S. Armed Forces and their allies in the Indo-Pacific region; and

(4) a description of the specific actions the United States is taking to support the citizens of Taiwan.

(f) REPORT ON SECURITY CLEARANCES.—Each year, the President shall submit to the Congress a report that identifies to the Committee on Foreign Relations of the Senate and the Committee on Armed Services of the Senate, the Committee on Appropriations of the House of Representatives, and the Committee on Appropriations of the House of Representatives:

(1) a list of all foreign assistance programs of the United States Government and all Foreign Military Financing programs under the Arms Export Control Act (22 U.S.C. 2751 et seq.), that have been completed, or that are being completed, with respect to Taiwan;

(2) a report that identifies the most significant developments since the last report on Taiwan issued under this section, including the impact of such developments on the continued security of Taiwan;

(3) a description of the specific actions the United States is taking to support the citizens of Taiwan;

(4) a description of all foreign assistance programs of the United States Government and all Foreign Military Financing programs under the Arms Export Control Act (22 U.S.C. 2751 et seq.), that are intended to support, in whole or in part, the U.S. Armed Forces and their allies in the Indo-Pacific region; and

(5) a description of the specific actions the United States is taking to support the citizens of Taiwan.
(B) the Committee on Armed Services of the Senate; (C) the Committee on Foreign Affairs of the House of Representatives; and (D) the Committee on Armed Services of the House of Representatives.

(2) INITIAL REPORT.—Concurrently with the first certification required under subsection (d)(2), the Secretary of State and the Secretary of Defense shall jointly submit a report to the appropriate congressional committees that describes steps taken to enhance the United States-Taiwan defense relationship and Taiwan’s modernization of its defense capabilities.

(iii) Any report required under paragraph (2) shall include—
(A) an assessment of the commitment of Taiwan to implement a military strategy that will ensure, to the extent possible, defenses against cross-Strait military aggression by the People’s Republic of China, including the steps that Taiwan has taken and the steps that Taiwan has not taken towards such implementation;
(B) an assessment of the efforts of Taiwan to acquire and employ within its forces counterterrorism capabilities, including—
(i) its homeland defense forces;
(ii) integrated air and missile defense systems;
(iii) anti-ship missile capabilities:
(iv) land-attack cruise missiles;
(v) coastal defense;
(vi) anti-armor;
(vii) undersea warfare;
(viii) survivivable long-range maritime assets;
(ix) manned and unmanned aerial systems;
(x) mining and countermining capabilities;
(xi) intelligence, surveillance, and reconnaissance capabilities;
(xii) command and control systems; and
(xiii) any other defense capabilities that the United States and Taiwan jointly determine are crucial to the defense of Taiwan;
(C) an evaluation of the balance between conventional and counterintervention capabilities in the defense force of Taiwan as of the date on which the report is submitted;
(D) an assessment of steps taken by Taiwan to enhance the overall readiness of its defense forces, including—
(i) the extent to which Taiwan is requiring and providing regular and relevant training to such defense forces;
(ii) the extent to which such training is realistic to the security environment that Taiwan faces; and
(iii) the sufficiency of the financial and budgetary resources Taiwan is putting toward readiness of such forces;
(E) an assessment of steps taken by Taiwan to ensure that the Taiwan Reserve Command can recruit, train, and equip its forces;
(F) an evaluation of—
(i) the extent to which manpower shortages in the military of Taiwan, including in the reserve forces;
(ii) the impact of such shortages in the event of a crisis or other emergency;
(iii) the efforts made by Taiwan to address such shortages;
(G) an assessment of the efforts made by Taiwan to boost its civil defense, including any informational campaigns to raise awareness among the population of Taiwan of the risks Taiwan faces;
(H) an assessment of the efforts made by Taiwan to secure its critical infrastructure, including in transportation, telecommunications, and energy;
(i) the extent to which the efforts made by Taiwan to enhance its cybersecurity, including the security of civilian government and military networks;
(J) a description of any significant gaps in any of the matters described in subparagraphs (A) through (I) with respect to which the United States assesses that additional action is needed;
(K) a description of cooperative efforts between the United States and Taiwan on the matters described in subparagraphs (A) through (J); and
(L) a description of any resistance in Taiwan to—
(i) implementing the matters described in subparagraphs (A) through (I); or
(ii) United States’ support or engagement with regard to such matters.
(4) SUBSEQUENT REPORTS.—Concurrently with subsequent certifications required under subsection (d)(2), the Secretary of State and the Secretary of Defense shall jointly submit updates to the initial report required under paragraph (2) that provides a description of changes and developments that occurred since the previous report.

(5) FORM.—The reports required under paragraphs (2) and (4) shall be submitted in classified form, but shall include a detailed unclassified summary.

(6) SHARING OF SUMMARY.—The Secretary of State and the Secretary of Defense shall jointly share the unclassified summary required under paragraph (5) with Taiwan, as appropriate.

(7) FOREIGN MILITARY FINANCING LOAN AND LOAN GUARANTEE AUTHORITY.

(A) DIRECT LOANS.—

(i) IN GENERAL.—Notwithstanding section 230(c)(1) of the Arms Export Control Act (22 U.S.C. 2764), beginning fiscal year 2023 through 2027, the Secretary of State is authorized to make direct loans available for Taiwan pursuant to section 23 of such Act.

(ii) EFFECTIVE DATES.—Loans made pursuant to subparagraph (A) may not exceed $2,000,000,000.

(B) MANNED AND UNMANNED AERIAL SYSTEMS.

(i) IN GENERAL.—The Secretary of State is authorized to make direct loans available for Taiwan pursuant to section 23 of such Act.

(ii) LIMITATIONS.—Loans made pursuant to subparagraph (A) may not exceed $2,000,000,000.

(C) SURVIVABLE LONG-RANGE MARITIME ASSETS.

(i) IN GENERAL.—The Secretary of State is authorized to make direct loans available for Taiwan pursuant to section 23 of such Act.

(ii) LIMITATIONS.—Loans made pursuant to subparagraph (A) may not exceed $2,000,000,000.

(8) TREATMENTS OF LOAN GUARANTEES.—

(A) IN GENERAL.—Amounts authorized to be appropriated pursuant to subsection (g) may be made available for the costs of loan guarantees authorized under subparagraph (A), which shall be collected from borrowers, or from third parties on behalf of such borrowers, through a financing account (as defined in section 502(7) of the Congressional Budget Act of 1974 (2 U.S.C. 661a(7))

(B) FEES.—Notwithstanding section 24 of the Arms Export Control Act (22 U.S.C. 2764), the Government of the United States may charge fees for loan guarantees authorized under paragraph (A) which shall be collected from borrowers, or from third parties on behalf of such borrowers, through a financing account (as defined in section 502(7) of the Congressional Budget Act of 1974 (2 U.S.C. 661a(7)).

(C) AUTHORIZATION OF APPROPRIATIONS.

(A) IN GENERAL.—The amounts authorized to be appropriated under paragraph (A) shall not be considered assistance for the purposes of any statutory limitation on assistance to a country.

(B) LOAN GUARANTEES.—

(i) IN GENERAL.—Amounts authorized to be appropriated pursuant to subsection (g) may be made available for the costs of loan guarantees authorized under subparagraph (A).

(ii) LIMITATIONS.—Amounts authorized to be appropriated under paragraph (A) may not be considered assistance for the purposes of any statutory limitation on assistance to a country.

(9) DIRECT COMMERCIAL CONTRACTING.—

(A) IN GENERAL.—The amounts authorized to be appropriated under paragraph (1), the Secretary of State shall, in accordance with such amounts authorized under subparagraph (A), may be charged and charged by the Secretary of State, except that such rate may not be less than the prevailing interest rate on marketable Treasury securities of similar maturity.

(B) TREATMENT OF LOAN AMOUNTS USED TO PAY INTEREST.—Amounts made available under this paragraph for interest costs shall not be considered assistance for the purposes of any statutory limitation on assistance to a country.
Taiwan defense articles and defense services, including research and development, as agreed by the United States and Taiwan.

(b) SUNSET PROVISION.—Assistance may not be provided under this section after September 30, 2032.

SEC. 10102. INCREASE IN ANNUAL REGIONAL CONTINGENCY STOCKPILE ADDITIONAL AUTHORITIES TO SUPPORT TAIWAN.

(a) IN GENERAL.—Section 514(b)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2314(b)(2)) is amended by inserting before “$500,000,000” all that follows the insertion of $500,000,000 for any of the fiscal years 2023, 2024, or 2025.

(b) TAIWAN STOCKPILE.—Subject to section 514 of the Foreign Assistance Act of 1961 (22 U.S.C. 2314b), the President may establish a regional contingency stockpile for Taiwan that consists of munitions and other appropriate defense articles.

(c) INCLUSION OF TAIWAN AMONG OTHER ALLIES ELIGIBLE FOR DEFENSE ARTICLES.—Chapter 2 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2311 et seq.) is amended—

(1) in section 514(c)(2) (22 U.S.C. 2311c(2)), by inserting “Taiwan,” after “Thailand,”; and

(2) in section 516(c)(2) (22 U.S.C. 2316c(2)), by inserting “to Taiwan,” after “major non-NATO allies on such a regional/subregional eastern flank.”

(d) ANNUAL BRIEFING.—Not later than 1 year after the date of enactment of this Act, and annually thereafter for 7 years, the President shall provide a briefing to appropriate committees of Congress regarding the status of a regional contingency stockpile established under subsection (b).

SEC. 10103. INTERNATIONAL MILITARY EDUCATION AND TRAINING COOPERATION WITH TAIWAN.

The Secretary of State is authorized to provide military education and relevant training to appropriate entities in Taiwan through the International Military Education and Training program (22 U.S.C. 2947 et seq).

SEC. 10104. ADDITIONAL AUTHORITIES TO SUPPORT TAIWAN.

(a) DRAWDOWN AUTHORITY.—Section 506(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2316a(a)) is amended, in the following paragraph:

“(3) In addition to amounts already specified in this subsection, the President may direct the drawdown of military articles and related equipment from the stocks of the Department of Defense, defense services of the Department of Defense, and military education and training, of an aggregate value not to exceed $1,000,000,000 per fiscal year, to be provided to Taiwan.”.

(b) EMERGENCY AUTHORITY.—In section 552(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2344a(c)), insert at the end the following:

“In addition to the aggregate value of $25,000,000,000 authorized in paragraph (2) of the preceding sentence, the President may direct the drawdown of commodities and services from the inventory and resources of any agency of the United States Government for the provision of emergency and immediate assistance to Taiwan of a value not to exceed $25,000,000 in any fiscal year.”.

SEC. 10105. MULTI-YEAR PLAN TO FULLFILL DEFENSE CapABILITIES OF MILITARY FORCES OF TAIWAN AND MODIFICATION OF ANNUAL REPORT ON TAIWAN MILITARY CAPABILITIES AND INTELLIGENCE SUPPORT.

(a) MULTI-YEAR PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit a multi-year plan to provide for the acquisition of appropriate defense capabilities by Taiwan and to engage with Taiwan in a series of combined training, exercises, and planning activities consistent with the Taiwan Relations Act (Public Law 85-86; 22 U.S.C. 3303 et seq.).

(b) EXPANDED AUTHORITY.—In section 102(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h), the President may establish a regional contingency stockpile for Taiwan that consists of munitions and other appropriate defense articles.

(c) INCLUSION OF TAIWAN AMONG OTHER ALLIES ELIGIBLE FOR DEFENSE ARTICLES.—Chapter 2 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2311 et seq.) is amended—

(2) in section 516(c)(2) (22 U.S.C. 2316c(2)), by inserting “Taiwan,” after “Thailand,”; and

(d) INTERAGENCY POLICY.—The Secretary of Defense, in coordination with the Secretary of State and the Committee on Foreign Relations of the Senate and the Committee on Foreign Relations of the House of Representatives, shall develop and implement a multi-year plan to fulfill defense capabilities of the Armed Forces of Taiwan and address such capability gaps and capacity shortfalls.

(e) ANNUAL ASSESSMENT.—The assessment under section 10105 shall be updated and submitted to the appropriate committees of Congress, not later than March 1 of each year, as reduced, extended, amended, accelerated, or otherwise modified.

(f) ANNUAL REPORT.—The annual report under section 10105 shall be updated, extended, and supplemented to reflect changes in the strategic environment, given the status of relations between the United States and Taiwan.

SEC. 10106. FAST-TRACKING SALES TO TAIWAN UNDER FOREIGN MILITARY SALES PROGRAM.

(a) PRECLEARANCE OF CERTAIN FOREIGN MILITARY SALES ITEMS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary of State, in coordination with the Secretary of Defense, and in consultation with the Arms Control and Security, shall submit a report to the Committee on Foreign Relations of the Senate and the Committee on Foreign Relations of the House of Representatives that includes—

(A) the capability gaps and capacity shortfalls that are unlikely to be addressed in a sufficient and timely manner by Taiwan; and

(B) a list of authorities that may be used to provide expedited military assistance to Taiwan during a crisis or conflict.

(f) OTHER ITEMS.—The list of military items that may be used to provide expedited military assistance to Taiwan during a crisis or conflict, including—

(i) the feasibility of employing such methods in different scenarios;

(ii) recommendations for improving the ability of the Armed Forces to deliver such assistance to Taiwan; and

(iii) an assessment of challenges in providing such assistance to Taiwan during a crisis or conflict, including—

(A) the capability gaps and capacity shortfalls that could be addressed in a sufficient and timely manner by Taiwan; and

(B) the capability gaps and capacity shortfalls that are unlikely to be addressed in a sufficient and timely manner solely by Taiwan.

(b) SELECTION OF ITEMS.—

(A) RULE OF CONSTRUCTION.—The list compiled pursuant to paragraph (1) shall not be construed as limiting the type, timing, or quantity of items that may be requested by, or sold to, Taiwan under the Foreign Military Sales program.

(b) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to preclude the Secretary of State from exercising his discretion to pre-clear and prioritize requests for sale and release to Taiwan under the Foreign Military Sales program.

(c) REGISTRATION AND PROCESSING OF FOREIGN MILITARY SALES REQUESTS FROM TAIWAN.—

(1) REQUIREMENT.—The Secretary of State shall register and expedite the processing of requests for Taiwan under the Foreign Military Sales program, and may not delay the processing of requests for bundling purposes.

(2) DURATION.—The requirement under paragraph (1) shall continue until the Secretary of State determines and certifies to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that the threat to Taiwan has significantly abated.

(c) INTERAGENCY POLICY.—The Secretary of State and the Secretary of Defense shall...
jointly review and update interagency policies and implementation guidance related to Foreign Military Sales requests from Taiwan, including incorporating the procedures and other provisions of this section.

SEC. 10107. EXPEDITING DELIVERY OF ARMS EXPORTS TO TAIWAN AND UNITED STATES ALLIES IN THE INDO-PACIFIC.

(a) REPORT REQUIRED.—Not later than March 1, 2023, and annually thereafter for a period of 5 years, the Secretary of State, in coordination with the Secretary of Defense, shall transmit to the appropriate committees of Congress a report with respect to the transfer of all defense articles or defense services that have yet to be completed pursuant to the authorities provided by—

(1) section 2760 of the Arms Export Control Act (22 U.S.C. 2786, 2761, or 2776); or

(2) section 516(c)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321i(c)(2)).

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

(1) A list of all approved transfers of defense articles and services authorized by Congress pursuant to sections 25 and 36 of the Arms Export Control Act (22 U.S.C. 2785, 2775, or 2776, with a total value of $25,000,000 or more, to Taiwan, Korea, Japan, the Philippines, Thailand, or New Zealand, that have not been fully delivered by the start of the fiscal year in which the report is being submitted.

(2) The estimated start and end dates of delivery for each approved and incomplete transfer pursuant to paragraphs (1) and (2) above, including additional details and dates for any transfers that involve multiple tranches of deliveries.

(3) With respect to each approved and incomplete transfer listed pursuant to paragraph (1), a detailed description of—

(A) any changes in the delivery dates of defense articles or services relative to the dates anticipated at the time of congressional approval of the transfer, including specific reasons for any delays related to the United States Government, defense suppliers, or a foreign partner;

(B) the feasibility and advisability of providing the partner subject to such delayed delivery defense articles or services, including the mechanisms under consideration for doing so as well as any challenges to implementing such a capability or solution;

(C) authorities, appropriations, or waiver requests that Congress could provide to improve the delivery of defense articles or services relative to the dates anticipated at the time of congressional approval of the transfer.

(4) A description of ongoing interagency efforts to support attainment of operational capabilities in support of defense articles and services once delivered, including advance training with United States or armed forces of partner countries on the systems to be transferred, the description of any such training shall also include an identification of the training implementer.

(5) If a transfer listed pursuant to paragraph (1) has been terminated prior to the date of submission of the report for any reason—

(A) the case information for such transfer, including the date of congressional notification, delivery date of the Letter of Offer and Acceptance (LOA), final signature of the LOA, and information pertaining to delays in delivering such transfers;

(B) a description of the reasons for which the transfer is no longer in effect; and

(C) the impact this termination will have on the intended end-user and the consequent implications for regional security, including the impact on deterrence of military action by countries which and the Department of Defense have taken or are planning to take to maintain the balance in the Taiwan Strait, and other factors.

(6) A separate description of the actions the United States must expedite and prioritize to enhance delivery timelines for defense articles and services to Taiwan, including—

(A) a description of what actions the Department of Defense and the Department of State have taken or are planning to take to expedite and prioritize Taiwan’s Foreign Military Sales cases;

(B) current procedures or mechanisms for determining that a Foreign Military Sales case for Taiwan should be prioritized above a sale to another country of the same or similar item; and

(C) whether the United States intends to divert defense articles from United States stocks to provide an interim capability or an updated delivery to Taiwan and the plan, if applicable, to replenish any such diverted stocks.

(7) A description of other potential actions already under consideration by the Department of State and the Department of Defense to improve delivery timelines for the transfers listed pursuant to paragraph (1).

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term "appropriate committees of Congress" means—

(1) the Committee on Foreign Relations and the Committee on Armed Services of the Senate; and

(2) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives.

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

SEC. 10108. ASSESSMENT OF TAIWAN’S NEEDS FOR CIVILIAN DEFENSE AND RESILIENCE.

(a) ASSESSMENT REQUIRED.—Not later than 120 days after the date of enactment of this section, the Secretary of Defense, in coordination with the Director of National Intelligence, shall submit a written assessment, with a classified annex, of Taiwan’s capacity to protect its territory and the needs for civilian defense and resilience to the appropriate committees of Congress, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives.

(b) MATTERS TO BE INCLUDED.—The assessment required under subsection (a) shall include—

(1) an intelligence assessment regarding the following:

(A) conventional military and nuclear threats to Taiwan from China, including exercises, patrols, and presence intended to intimidate or coerce Taiwan; and

(B) irregular warfare activities, including influence operations, conducted by China to interfere in or undermine the peace and stability of the Taiwan Strait.

(2) The current military capabilities of Taiwan and the ability of Taiwan to defend itself from external conventional and irregular military threats across a range of scenarios.

(3) The interoperability of current and future defensive capabilities of Taiwan with the military capabilities of the United States and its allies and partners.

(4) The plans, tactics, techniques, and procedures underpinning an effective defense strategy for Taiwan, including how addressing identified capability gaps and capacity shortfalls will improve the effectiveness of such strategy.

(5) A description of additional personnel, resources, and authorities in Taiwan or in the United States that may be required to meet any shortcomings in the development of Taiwan’s military capabilities identified pursuant to this section.

(6) With respect to materiel capabilities and capacities the Secretary of Defense and the Secretary of State jointly assess to be most effective in deterring, defeating, or delaying military aggression by the People’s Republic of China, a prioritized list of capability gaps and capacity shortfalls of the military forces of Taiwan, including—

(A) an identification of—

(i) any United States, Taiwan, or ally or partner country defense capability that, if destroyed or incapacitated, could timelapse challenge related to potential material and solutions to such capability gaps;
“(i) the associated investment costs of enabling expanded production for items currently at maximum production; and 
“(ii) the associated investment costs of, or mitigation strategies for, enabling export for items currently not exportable; and 
“(iv) existing stocks of such capabilities in the United States and ally and partner countries; 
“(B) the feasibility and advisability of procuring solutions to such gaps and shortfalls through United States allies and partners, including through co-development or co-production; 
“(C) the feasibility and advisability of assisting Taiwan in the domestic production of solutions to capability gaps, including through— 
“(i) the transfer of intellectual property; and 
“(ii) co-development or co-production arrangements; 
“(D) the estimated costs, expressed in a range of options, of procuring sufficient capabilities and capacities to address such gaps and shortfalls; 
“(E) an assessment of the relative priority assigned by appropriate officials of Taiwan to each such gap and shortfall; and 
“(F) a detailed explanation of the extent to which Taiwan is prioritizing the development, production, or fielding of solutions to such gaps and shortfalls within its overall defense budget. 
“(7) The applicability of Department of State and Department of Defense authorities for improving the defensive military capabilities of Taiwan in a manner consistent with the Taiwan Relations Act. 
“(8) A description of any security assistance provided or Foreign Military Sales and Direct Commercial Sales activity with Taiwan on the past year. 
“(9) A description of each engagement between the United States and Taiwan personnel related to planning over the past year. 
“(10) With respect to each to training and exercises— 
“(A) a description of each such instance over the past year. 
“(B) a description of how each such instance— 
“(i) sought to achieve greater interoperability, improved readiness, joint planning capability, and shared situational awareness between the United States and Taiwan, or among the United States, Taiwan, and other countries; 
“(ii) familiarized the militaries of the United States and Taiwan with each other; and 
“(iii) improved Taiwan’s defense capabilities. 
“(11) A description of the areas and means through which the United States is assisting and supporting training, exercises, and assistance to support Taiwan’s requirements related to civilian defense and resilience, and how these efforts are enabling to assist Taiwan in addressing any critical gaps where capacity falls short of meeting such requirements, including those elements identified in the assessment required by section 10100 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023. 
“(12) An assessment of the implications of current legal appropriate positions war reserve materiel on the ability of the United States to respond to a crisis or conflict involving Taiwan with respect to— 
“(A) providing military or non-military aid to Taiwan; and 
“(B) sustaining military installations and other infrastructure of the United States in the Indo-Pacific region. 
“(13) An assessment of the current intelligence, surveillance, and reconnaissance capabilities of Taiwan, including any existing gaps in such capabilities and investments in such capabilities by Taiwan since the preceding report. 
“(14) A summary of changes to pre-positioned war reserve materiel of the United States in the Indo-Pacific region since the preceding report. 
“(15) Another matter the Secretary of Defense or the Secretary of State considers appropriate. 
“(16) PLAN.—The Secretary of Defense and the Secretary of State shall jointly develop a plan for assisting Taiwan in improving its defensive military capabilities and addressing vulnerabilities identified pursuant to subsection (e) of section 10202 of the National Defense Authorization Act for Fiscal Year 2023, including— 
“(1) recommendations, if any, for new Department of State or Department of Defense authorities, or modifications to existing Department of State or Department of Defense authorities, necessary to improve the defensive military capabilities of Taiwan in a manner consistent 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 authorities, resources, and capabilities outside the Department of Defense and the Department of State to improve the defensive capabilities of Taiwan in accordance with the Taiwan Relations Act. 
“(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter through fiscal year 2027, the Secretary of State and the Secretary of Defense shall submit to the Committees of Congress a report on the results of the assessment required by subsection (a); 
“(d) the proposed response to propaganda and disinformation campaigns by the Government of the People’s Republic of China and the Chinese Communist Party that are directed toward persons or entities in Taiwan; 
“(e) the proposed response to propaganda and disinformation campaigns by the People’s Republic of China and cyber-intrusions targeting Taiwan, including— 
“(1) covert, coercive, and corrupting activities carried out to advance the Chinese Communist Party’s “United Front” work, including activities directed, coordinated, or otherwise supported by the National Center for the United Front or its subordinate or affiliated entities; and 
“(2) information and disinformation campaigns, cyber attacks, and non-military propaganda measures supported by the Government of the People’s Republic of China and the Chinese Communist Party that are directed toward persons or entities in Taiwan. 
“(f) ELEMENTS.—The strategy required under subsection (a) shall include descriptions— 
“(1) the proposed response to propaganda and disinformation campaigns by the People’s Republic of China and cyber-intrusions targeting Taiwan, including— 
“(A) assistance in building the capacity of Taiwan’s public and private-sector entities to document and expose propaganda and disinformation supported by the Government of the People’s Republic of China, the Chinese Communist Party, or affiliated entities; 
“(B) assistance to enhance Taiwan’s ability to develop a holistic strategy to respond to sharp power operations, including election interference; and 
“(C) training for Taiwan officials and other Taiwan entities targeted by disinformation campaigns; 
“(2) the proposed response to political influence operations that target the official or non-official organizations of the extent of influence exerted by the Government of the People’s Republic of China and the Chinese Communist Party in Taipei and local political parties, financial institutions, media organizations, and other entities; 
“(3) support for exchanges and other technical assistance to ensure Taiwan’s legal system’s ability to respond to sharp power operations; and 
“(4) programs carried out by the Global Engagement Center to expose misinformation and disinformation in the Chinese Communist Party’s propaganda. 

SEC. 10202. STRATEGY TO COUNTER ECONOMIC COERCION BY THE PEOPLE’S REPUBLIC OF CHINA TARGETING COUNTRIES AND ENTITIES THAT SUPPORT TAIWAN.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit to the Committees of Congress a description of the strategy being used by the Department of State to respond to the Government of the People’s Republic of China’s increased response, including economic coercion, against countries which have strengthened their ties with, or support for, Taiwan. 

(b) ASSISTANCE FOR COUNTRIES AND ENTITIES TARGETED BY THE PEOPLE’S REPUBLIC OF CHINA FOR ECONOMIC COERCION.—The Department of State, the United States Agency for International Development, and the United States International Development Finance Corporation, the Department of Commerce and the Department of the Treasury shall provide appropriate assistance to countries and entities that are subject to coercive economic practices by the People’s Republic of China. 

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means— 

(1) the Committee on Foreign Relations of the Senate; 
(2) the Committee on Armed Services of the Senate; 
(3) the Committee on Appropriations of the Senate; and 
(4) the Committee on Foreign Affairs of the House of Representatives;
(5) the Committee on Armed Services of the House of Representatives; and
(6) the Committee on Appropriations of the House of Representatives.

SEC. 10903. CHINA CENSORSHIP MONITOR AND ACTION GROUP.

(a) DEFINITIONS.—In this section:
(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘‘appropriate congressional committees’’ means—
(A) the Committee on Foreign Relations and the Committee on Appropriations of the Senate;
(B) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.
(2) QUALIFIED RESEARCH ENTITY.—The term ‘‘qualified research entity’’ means an entity that—
(A) is a nonpartisan research organization or a Federal government-funded research and development center;
(B) has appropriate expertise and analytical capability to write the report required under subsection (c); and
(C) is free from any financial, commercial, or other entanglements, which could undermine the independence of such report or create a conflict of interest or the appearance of a conflict of interest, with—
(i) the Government of the People’s Republic of China;
(ii) the Chinese Communist Party;
(iii) any company incorporated in the People’s Republic of China or a subsidiary of such company; or
(iv) any company or entity incorporated outside of the People’s Republic of China that is believed to have a substantial financial or commercial interest in the People’s Republic of China.
(3) UNITED STATES PERSON.—The term ‘‘United States person’’ means—
(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States;
(B) an entity organized under the laws of the United States or any jurisdiction within the United States, including a foreign branch of such an entity.
(b) CHINA CENSORSHIP MONITOR AND ACTION GROUP.—
(1) IN GENERAL.—The President shall establish an interagency task force, which shall be known as the ‘‘China Censorship Monitor and Action Group’’ (referred to in this subsection as the ‘‘Task Force’’).
(2) MEMBERSHIP.—The President shall take the following actions with respect to the membership of, and participation in, the Task Force:
(A) Appoint the chair of the Task Force from among the staff of the National Security Council.
(B) Appoint the vice chair of the Task Force from among the staff of the National Economic Council.
(C) Direct the head of each of the following executive branch agencies to appoint personnel to participate in the Task Force:
(i) The Department of State.
(ii) The Department of Commerce.
(iii) The Department of the Treasury.
(iv) The Department of Justice.
(v) The Office of the United States Trade Representative.
(vi) The Office of the Director of National Intelligence, and other appropriate elements of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. ch. 310)).
(vii) The United States Agency for Global Media.
(viii) Other agencies designated by the President.
(3) RESPONSIBILITIES.—The Task Force shall—
(A) oversee the development and execution of an integrated Federal Government strategy to monitor and address the impacts of efforts directed, or directly supported, by the People’s Republic of China to censor or intimidate, in the United States or in any of its possessions or territories, any United States person, including United States companies that conduct business in the People’s Republic of China, which are exercising their right to freedom of speech; and
(B) submit the strategy developed pursuant to paragraph (A) to the appropriate congressional committees not later than 120 days after the date of the enactment of this Act.
(4) MEETINGS.—The Task Force shall meet not less frequently than twice per year.
(5) CONSULTATION.—The Task Force should regularly consult, to the extent necessary and appropriate, with—
(A) Federal agencies that are not represented on the Task Force;
(B) independent agencies of the United States Government that are not represented on the Task Force;
(C) relevant stakeholders in the private sector and the media; and
(D) relevant stakeholders among United States allies and partners facing similar challenges related to censorship or intimidation by the Government of the People’s Republic of China.
(6) REPORT REQUIREMENTS.—
(A) ANNUAL REPORT.—The Task Force shall submit an annual report to the appropriate congressional committees that describes, with respect to the reporting period—
(i) the strategic objectives and policies pursued by the Task Force to address the challenges of censorship and intimidation of United States persons while in the United States or any of its possessions or territories, which is directed or directly supported by the Government of the People’s Republic of China;
(ii) the activities conducted by the Task Force in support of the strategic objectives and policies referred to in clause (i); and
(iii) the results of the activities referred to in clause (ii) and the impact of such activities on the national interests of the United States.
(B) FORM OF REPORT.—Each report submitted pursuant to subparagraph (A) shall be unclassified, but may include a classified annex.
(C) CONGRESSIONAL BRIEFINGS.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the Task Force shall provide briefings to the appropriate congressional committees regarding the activities of the Task Force to execute the strategy developed pursuant to paragraph (3)(A).
(c) REPORT ON CENSORSHIP AND INTIMIDATION.—
(1) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit a report to the Committee on Foreign Relations of the Senate; and the Committee on Appropriations of the Senate; and the Committee on Appropriations of the House of Representatives.
(2) QUALIFIED RESEARCH ENTITY.—The term ‘‘qualified research entity’’ means an entity that—
(A) assess major trends, patterns, and methods of the Government of the People’s Republic of China’s efforts to direct or directly support censorship and intimidation of United States persons; and
(B) should identify implications and policy recommendations that are relevant to United States Government, including recommendations regarding collaboration with United States allies and partners, to address censorship and intimidation by the Government of the People’s Republic of China.
(3) U.S. PERSON.—The term ‘‘United States person’’ means—
(A) any United States citizen or an alien lawfully admitted for permanent residence to the United States;
(B) any entity organized under the laws of the United States or any jurisdiction within the United States, including an entity that conducts business in China.
(4) REPORTING REQUIREMENTS.—
(A) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees describing, with respect to the reporting period—
(i) the strategic objectives and policies pursued by the Task Force to address the challenges of censorship and intimidation of United States persons, including United States companies that conduct business in the People’s Republic of China; and
(ii) the results of the activities referred to in clause (i) and the impact of such activities on the national interests of the United States.
(B) FORM OF REPORT.—Each report submitted pursuant to subparagraph (A) shall be unclassified, but may include a classified annex.
(C) CONGRESSIONAL BRIEFINGS.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the Task Force shall provide briefings to the appropriate congressional committees regarding the activities of the Task Force to execute the strategy developed pursuant to paragraph (3)(A).

TITLE III—INCLUSION OF TAIWAN IN INTERNATIONAL ORGANIZATIONS

SEC. 10301. PARTICIPATION OF TAIWAN IN INTERNATIONAL ORGANIZATIONS.

(a) STATEMENT OF POLICY.—It is the policy of the United States to promote Taiwan’s inclusion and meaningful participation in international organizations.

(b) SUPPORT FOR MEANINGFUL PARTICIPATION.—The Permanent Representative of the United States to the United Nations and other relevant United States officials shall actively support Taiwan’s full and equal participation in all appropriate international organizations.

(c) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees of Congress that—
(1) describes the People’s Republic of China’s efforts at the United Nations and
other international bodies to block Taiwan’s meaningful participation and inclusion; and
(2) recommends appropriate responses that should be taken by the United States to carry out the policy described in subsection (a).
(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term "appropriate committees of Congress" means—
(1) the Committee on Foreign Relations of the Senate;
(2) the Committee on Armed Services of the Senate;
(3) the Committee on Appropriations of the Senate;
(4) the Committee on Foreign Affairs of the House of Representatives;
(5) the Committee on Armed Services of the House of Representatives; and
(6) the Committee on Appropriations of the House of Representatives.

SEC. 10302. MEANINGFUL PARTICIPATION OF TAIWAN IN THE INTERNATIONAL CIVIL AVIATION ORGANIZATION.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—
(1) the International Civil Aviation Organization (ICAO) should allow Taiwan to meaningfully participate in the organization, including in ICAO triennial assembly sessions, conferences, technical working groups, meetings, activities, and mechanisms;
(2) Taiwan is a global leader and hub for international aviation, with a range of expertise, information, and resources and the fifth busiest airport in Asia (Taoyuan International Airport), and its meaningful participation in ICAO would significantly enhance the ability of ICAO to ensure the safety and security of global aviation; and
(3) coercion by the Chinese Communist Party and the People’s Republic of China has ensured the systematic exclusion of Taiwan from meaningful participation in ICAO, significantly undermining the ability of ICAO to ensure the safety and security of global aviation.

(b) PLAN FOR TAIWAN’S MEANINGFUL PARTICIPATION IN THE INTERNATIONAL CIVIL AVIATION ORGANIZATION.—The Secretary of State, in coordination with the Secretary of Commerce and the Secretary of Transportation, is authorized—
(1) to initiate a United States plan to secure meaningful participation in ICAO, including in ICAO triennial assembly sessions, conferences, technical working groups, meetings, activities, and mechanisms;
(2) to instruct the United States representative to the ICAO to—
(A) use the voice and vote of the United States to ensure Taiwan’s meaningful participation in ICAO, including in ICAO triennial assembly sessions, conferences, technical working groups, meetings, activities, and mechanisms;
(B) seek to secure a vote at the next ICAO triennial assembly session on the question of Taiwan’s participation in that session.

(c) AUTOMATIC ALLOCATION.—In implementing the plan described in subsection (b), the United States Government who have traveled to Taiwan; and
(2) a list of high-level officials of Taiwan who have entered the United States;
(b) ANNUAL REPORT.—
(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter for the following 5 years, the Secretary of State shall submit a report to the appropriate committees of Congress—
(1) a list of high-level officials of Taiwan who have entered the United States;
(2) a list of high-level officials of the People’s Republic of China who have traveled to Taiwan;
(3) a list of entities that have been blocked from participation in ICAO, including in ICAO triennial assembly sessions, conferences, technical working groups, meetings, activities, and mechanisms;
(4) a list of actions that the United States Government have taken to ensure Taiwan’s meaningful participation in ICAO, including in ICAO triennial assembly sessions, conferences, technical working groups, meetings, activities, and mechanisms;
(5) a list of actions that the United States Government have taken to ensure Taiwan’s meaningful participation in ICAO, including in ICAO triennial assembly sessions, conferences, technical working groups, meetings, activities, and mechanisms;
(6) a list ofactions that the United States Government have taken to ensure Taiwan’s meaningful participation in ICAO, including in ICAO triennial assembly sessions, conferences, technical working groups, meetings, activities, and mechanisms;

(2) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—
(1) the Committee on Foreign Relations of the Senate;
(2) the Committee on Armed Services of the Senate;
(3) the Committee on Appropriations of the Senate;
(4) the Committee on Foreign Affairs of the House of Representatives;
(5) the Committee on Armed Services of the House of Representatives; and
(6) the Committee on Appropriations of the House of Representatives.

SEC. 10402. AMENDMENTS TO THE TAIWAN ALLIES INTERNATIONAL PROTECTION AND ENHANCEMENT INITIATIVE (TAIPEI) ACT OF 2019.

The Taiwan Allies International Protection and Enhancement Initiative (TAIPEI) Act of 2019 (Public Law 116-135) is amended—
(1) in section 2(5), by striking “and Kiribati” and inserting “Kiribati, and Nicaragua;”;
(2) in section 4—
(A) in the matter preceding paragraph (1), by striking “and shall be” and inserting “is;”;
(B) in paragraph (2), by striking “and” at the end of that paragraph;
(C) in paragraph (3), by striking the period at the end and inserting “; and” and “; and”;
(D) by adding at the end of that section the following:
(4) to support Taiwan’s diplomatic relations with governments and countries;” and
(5) in section 5—
(A) in subsection (a)—
(i) in paragraph (2), by striking “and” at the end of that paragraph;
(ii) in paragraph (3), by striking the period at the end and inserting “; and” and “; and”;
(iii) by adding at the end the following:
(4) identify why governments and countries have altered their diplomatic status vis-a-vis Taiwan and make recommendations to mitigate further deterioration in Taiwan’s diplomatic relations with governments and countries.”;
(B) by redesigning subsection (b), by striking “1 year after the date of the enactment of this Act, and annually thereafter for five years,” the Secretary of State shall report” and inserting “1 year after the date of the enactment of this Act, and annually thereafter for five years,” the Secretary of State shall submit an unclassified report, with classified information, to the appropriate congressional committees on the status of progress toward achieving meaningful participation of Taiwan in international aviation, with a range of expertise, information, and resources and the fifth busiest airport in Asia (Taoyuan International Airport), and its meaningful participation in ICAO, significantly undermining the ability of ICAO to ensure the safety and security of global aviation; and
(C) by redesigning subsection (c) as subsection (d); and
(D) by inserting after subsection (b) the following:
“(c) BRIEFINGS.—Not later than 90 days after the date of the enactment of American Security Drone Act of 2022, and annually thereafter for five years, the Secretary of State shall submit a classified briefing to the appropriate congressional committees on the status of progress toward achieving meaningful participation of Taiwan in international aviation, with a range of expertise, information, and resources and the fifth busiest airport in Asia (Taoyuan International Airport), and its meaningful participation in ICAO, significantly undermining the ability of ICAO to ensure the safety and security of global aviation; and
(2) in section 2, after the date of the enactment of this Act, and annually thereafter for five years, the Department of State shall submit briefings to the appropriate congressional committees on the status of progress toward achieving meaningful participation of Taiwan in international aviation, with a range of expertise, information, and resources and the fifth busiest airport in Asia (Taoyuan International Airport), and its meaningful participation in ICAO, significantly undermining the ability of ICAO to ensure the safety and security of global aviation.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Defense and the Director of National Intelligence, shall submit to the appropriate congressional committees a report assessing the role of the increasing nuclear threat of the People’s Republic of China in exacerbating dynamic developments with respect to Taiwan.
(b) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.
(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—
(1) the Committee on Foreign Relations of the Senate;
(2) the Committee on Armed Services of the Senate;
(3) the Select Committee on Intelligence of the Senate;
(4) the Committee on Foreign Affairs of the House of Representatives;
(5) the Committee on Armed Services of the House of Representatives; and
(6) the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 10404. REPORT ON THE IMPACT OF RUSSIA’S WAR AGAINST UKRAINE ON THE ROBUSTNESS OF THE United States’s RELATIONSHIP WITH EFFECTIVE PROTECTION OF CHINA WITH RESPECT TO TAIWAN.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Defense and the Director of National Intelligence, shall submit to the appropriate congressional committees a report analyzing the impact of Russia’s war against Ukraine on the ROC’s diplomatic, military, economic, and propaganda objectives with respect to Taiwan.
(b) ELEMENTS.—The report required under subsection (a) shall describe—
(1) adaptations or known changes to ROC strategies and military doctrine since the commencement of the Russian invasion of Ukraine on February 24, 2022, including changes—
(A) to ROC behavior in international forums;
(B) within the People’s Liberation Army, with respect to the size of forces, the liberation, and equipment upkeep, the doctrine on the use of specific weapons, such as weapons banned...
under the international law of armed conflict, efforts to move weapons supply chains onto mainland PRC, or any other changes in its military strategy with respect to Taiwan; 
(C) in and support planning, such as sanctions evasion, efforts to minimize exposure to sanctions, or moves in support of the protection of currency or other strategic resources; 
(D) to propaganda, disinformation, and other information operations originating in the PRC; and 
(E) to the PRC's strategy for the use of force against Taiwan, including any information on preferred scenarios or operations to secure its objectives in Taiwan, adjustments based on how the Russian military has performed in Ukraine, and other relevant matters; 
(2) United States plans to adapt its policies and military planning in response to the changes referred to in paragraph (1).

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(3) a description of any consultations or agreements with the American Institute in Taiwan and the Taipei Economic and Cultural Representative Office in the United States regarding the establishment and operation of the Center, including—
(A) the role that employees of the Taiwan Centers for Disease Control would play in supporting or coordinating with the Center; and 
(B) the proposed structure and composition of Center personnel, which may include—
(i) infectious disease experts from the Department of Health and Human Services, who are recommended to serve as details to the Center; and 
(ii) additional qualified persons to serve as details to or employees of the Center, including—
(II) qualified foreign service nationals or locally engaged staff who are considered citizens of Taiwan; and 
(III) employees of the Taiwan Centers for Disease Control;
(2) an evaluation, based on the factors in paragraph (1), of whether to establish the Center; and 
(3) a description of any consultations or agreements between the American Institute in Taiwan and the Taipei Economic and Cultural Representative Office in the United States regarding the establishment and operation of the Center, including—
(A) the role that employees of the Taiwan Centers for Disease Control would play in supporting or coordinating with the Center; and 
(B) whether any employees of the Taiwan Centers for Disease Control would be detailed to, or co-located with, the Center.

IV—RULES OF CONSTRUCTION

SEC. 10601. RULE OF CONSTRUCTION.

Nothing in this division may be construed as authorizing the use of military force or the introduction of United States forces into hostilities.

DIVISION I—HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS MATTERS

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CHAPTER 1—COUNTERING WEAPONS OF MASS DESTRUCTION OFFICE

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Sec. 5166. Other resources.
necessary to protect the health, safety, and
SEC. 5102. DEFINITIONS.
necessary to protect the health, safety, and
(1) food;
(11) water;
(13) shelter;
(12) communication services;
(11) basic sanitation and health services; and
(12) public safety.
(2) CATASTROPHIC INCIDENT.—The term "catastrophic incident"—
(A) means any natural or man-made dis-
aster that results in extraordinary levels of
casualties or damage, mass evacuations, or
(1) expert estimates of cumulative global
catastrophic and existential risk in the next
30 years, including separate estimates for the
catastrophic and existential risk in the next
10 years.
(2) CATASTROPHIC INCIDENT.—The term "catastrophic incident"—
(A) means any natural or man-made dis-
aster that results in extraordinary levels of
casualties or damage, mass evacuations, or
disruption severely affecting societal function,
infrastructure, environment, economy, na-
tional morale, or government functions in an
area; and
(B) may include an incident—
(i) with a sustained national impact over
a prolonged period of time;
(ii) that may rapidly exceed resources
available to State and local government
and private sector authorities in the impacted
area; or
(iii) that may significantly interrupt gov-
ernmental operations and emergency serv-
tices to such an extent that national security
could be threatened.
(3) CRITICAL INFRASTRUCTURE.—The term "critical infrastructure" has the mean-
ing given that term in section 1016(e) of the
Critical Infrastructure Protection Act of 2001 (42
(4) EXISTENTIAL RISK.—The term "existen-
tial risk" means the potential for an out-
come that would result in human extinction.
(5) GLOBAL CATASTROPIC RISK.—The term
"global catastrophic risk" means the risk of
the event of events or incidents consequential
to significantly harm, set back, or destroy
human civilization at the global scale.
(6) GLOBAL CATASTROPIC AND EXISTEN-
tIAL THREATS.—The term "global catastrophic
and existential threats" means those threats
that with varying likelihood can produce
consequences severe enough to result in sig-
ificant harm or destruction of human civil-
ization at the global scale, or lead to human
extinction. Examples of global catastrophic
and existential threats include severe global
pandemics, nuclear war, asteroid and comet
impacts, supervolcanoes, sudden and severe
changes to the climate, and intentional or
accidental catastrophic risk.
(7) INDIAN TRIBAL GOVERNMENT.—The term
"Indian Tribal government" has the mean-
ing given that term in section 102 of the Robert T.
Stafford Disaster Relief and Emergency As-
sumption Act (42 U.S.C. 5122).
(8) LOCAL GOVERNMENT.—The term "local
government" and "State" have the mean-
gings given those terms in section 102 of the
Robert T. Stafford Disaster Relief and
(9) NATIONAL EXERCISE PROGRAM.—The term "national
exercise program" means activities carried
out to test and evaluate the national preparedness
government and related plans
and strategies as described in section 648(b)
of the Post-Katrina Emergency Management
(10) SECRETARY.—The term "Secretary" means the Secretary of Homeland Security.
SEC. 5103. ASSESSMENT OF GLOBAL CAT-
ASTROPHIC RISK.
(a) IN GENERAL.—The Secretary shall con-
duct an assessment of global catastrophic
risk.
(b) CONSULTATION.—When conducting
the assessment under subsection (a), the Sec-
retary shall consult with senior representa-
tives of—
(1) the Assistant to the President for Na-
tional Security Affairs;
(2) the Administrator of the Federal Emer-
gency Management Agency;
(3) the Secretary of State and the Under
Secretary of State for Arms Control and
International Security;
(4) the Attorney General and the Director
of the Federal Bureau of Investigation;
(5) the Secretary of Energy, the Under Sec-
retary of Energy for National Security, and
the Director of Science;
(6) the Secretary of Health and Human
Services, the Assistant Secretary for Pre-
paredness and Response, and the Assistant
Secretary of Global Affairs;
(7) the Secretary of Commerce, the Under
Secretary of Commerce for Oceans and At-
mosphere, and the Under Secretary of Com-
merce for Standards and Technology;
(8) the Secretary of the Interior and the
Director of the United States Geological
Survey;
(9) the Administrator of the Environ-
mental Protection Agency and the Assistant
Administrator for Water;
(10) the Administrator of the National Aeron-
autics and Space Administration;
(11) the Director of the National Science
Foundation;
(12) the Secretary of Defense, the Assistant
Secretary of the Army for Civil Works, and
the Chief of Engineers and Commanding
General of the Army Corps of Engineers;
(15) the Secretary of the Army for Civil
Works.
(13) the Chair of the Joint Chiefs of
Staff;
(14) the Chairman of the Joint Chiefs of
Staff;
(15) the Administrator of the United States
Agency for International Development;
(16) the Administrator of the United
States Agency for Global Development;
(17) the Director of the National Science
Foundation;
(18) the Secretary of Transportation;
and
(19) other stakeholders the Secretary de-
termines appropriate.
SEC. 5104. REPORT REQUIRED.
(a) IN GENERAL.—Not later than 1 year
after the date of enactment of this Act, and
every 10 years thereafter, the Secretary shall
submit to Congress a report containing a de-
tailed assessment of global catastrophic and
existential risk.
(b) MATTERS COVERED.—Each report re-
quired under subsection (a) shall include—
(1) expert estimates of cumulative global
catastrophic and existential risk in the next
30 years, including separate estimates for the
likelihood of occurrence and potential con-
sequences;
(2) expert-informed analyses of the risk of
the most concerning global cata-
strophic and existential threats, including
separate estimates, where reasonably fea-
sible and credible, of each threat for its like-
elihood of occurrence and its potential con-
sequences, as well as associated uncertain-
ties;
(3) a comprehensive list of potential cata-
strophic or existential threats, including
even those that may have very low likeli-
hood;
(4) technical assessments and lay explana-
tions of the analysis of global catastrophic
and existential risks, including their quali-
tative character and key factors affecting
their likelihood of occurrence and potential
consequences;
(5) an explanation of any factors that limit
the ability of the Secretary to assess the
risk both cumulatively and for particular
threats, and how those limitations may be
overcome through future research or with
additional resources, programs, or authori-
ties;
(6) a review of the effectiveness of intel-
ligence collection, early warning and detec-
tion systems, or other functions and pro-
grams necessary to evaluate the risk of par-
ticular global catastrophic and existential
threats, if any exist and as applicable for particular threats;
(7) a forecast of if and why global cata-
astrophic and existential risk is likely to in-
crease or decrease significantly in the next 30
years, both qualitatively and quanti-
titatively, shall assess a description of associ-
ated uncertainties;
(8) proposals for how the Federal Gov-
ernment may more adequately assess global
catastrophic and existential risk; and
(9) other matters deemed appropriate by
the Secretary.
(c) CONSULTATION REQUIREMENT.—In pro-
ducing the report required under subsection
(a), the Secretary shall regularly consult with
experts on global catastrophic and exis-
tential risk, including from non-governmental,
academic, and private sector institutions.
SEC. 5105. ENHANCED CATASTROPHIC INCIDENT
ANNEX
(a) In GENERAL.—The Secretary shall sup-
plement each Federal Interagency Oper-
ational Plan to include an annex containing
a strategy for the health, security, and
general welfare of the civilian population af-
ected by catastrophic incidents by—
(1) providing for the basic needs of the ci-
villian population of the United States that is
impacted by catastrophic incidents in the United
States;
(2) coordinating response efforts with State,
local, and Indian Tribal governments,
the private sector, and nonprofit relief orga-
низations;
(3) promoting personal and local readiness and
non-reliance on government relief during
periods of heightened tension or after
catastrophic incidents; and
(4) developing international partnerships with
other nations for the provision of relief
services and goods.
(b) ELEMENTS OF THE STRATEGY.—The strategy required under subsection (a) shall
include a description of—
(1) actions the Federal Government should
take to ensure the basic needs of the civilian
population of the United States in a cata-
strophic incident are met;
(2) how the Federal Government should co-
ordinate with non-Federal entities to mul-
tiply resources and enhance relief capabil-
ities, including—
(A) State and local governments;
(B) Indian Tribal governments;
(C) State disaster relief agencies;
(D) State and local disaster relief man-
agers;
(E) State National Guards;
(F) law enforcement and first response en-
tities; and
(G) nonprofit relief services;
(3) actions the Federal Government should
take to enhance individual resiliency to the
effects of a catastrophic incident, which ac-
tions shall include—
(A) readiness alerts to the public during
periods of elevated threat;
(B) efforts to enhance domestic supply and
availability of critical goods and basic neces-
sities; and
(C) information campaigns to enhance the
public’s awareness of response plans and services
that will be activated when necessary;
(4) efforts the Federal Government should
undertake and agreements the Federal Gov-
ernment should enter into with international ali-
ies to enhance the readiness of the United
States to provide for the general welfare;
(5) how the strategy will be implemented
should multiple levels of critical infrastructure
be taken offline or destroyed by catastro-
phic incidents or the effects of cata-
strophic incidents;
(6) the authorities the Federal Government
should implicate in responding to a cata-
strophic incident.
(c) ASSUMPTIONS.—In designing the strat-
egy under subsection (a), the Secretary shall
account for certain factors to make the strategy operationally viable, including the assumption
that—
(1) multiple levels of critical infrastructure
have been taken offline or destroyed by catastro-
phic incidents or the effects of catastro-
phic incidents;
(2) impacted sectors may include—
(A) the transportation sector;
(B) the communication sector;
(C) the energy sector;
(D) the healthcare and public health sec-
tor;
(E) the water and wastewater sector; and
(F) the financial sector;
(3) State, local, Indian Tribal, and ter-
torial governments have been equally af-
fected or made largely inoperable by cata-
strophic incidents or the effects of cata-
strophic incidents;
(4) the emergency has exceeded the re-
sponse capabilities of State, local, and In-
dian Tribal governments under the Robert T.
Stafford Disaster Relief and Emer-
gency Assistance Act (42 U.S.C. 5121 et seq.)
and other relevant disaster response laws; and
(5) the United States military is suffi-
ciently engaged in armed or cyber conflict
with State or non-State adversaries, or is
otherwise unable to augment domestic re-
sponse capabilities in a significant manner
due to a catastrophic incident.
SEC. 5106. VALIDATION OF THE STRATEGY
THROUGH AN EXERCISE.
Not later than 1 year after the addition of
the annex required under section 5105, the
Secretary shall lead an exercise as part of the national exercise program
program to test and enhance the
operationalization of the strategy required
under section 5105.
SEC. 5107. RECOMMENDATIONS.
(a) IN GENERAL.—The Secretary shall pro-
vide recommendations to Congress for—
(1) actions that should be taken to prepare
the United States to implement the strategy
required under section 5105, increase readi-
iness, and address preparedness gaps for res-
ponding to the impacts of catastrophic inci-
dents on citizens of the United States; and
(2) additional factors that should be con-
sidered for Federal agencies to more ef-
cfectively implement the strategy required
under section 5105.
(b) INCLUSION IN REPORTS.—The Secretary
may include the recommendations required
under subsection (a) in a report submitted
under section 5108.
SEC. 5108. REPORTING REQUIREMENTS.
Not later than 1 year after the date on
which the Department of Homeland Security
leads the exercise under section 5106, the
Secretary shall submit to Congress a report
that includes—
(1) a description of the efforts of the Sec-
tary to develop and update the strategy re-
quired under section 5105; and
(2) an after-action report following the con-
duct of the exercise described in section
5106.
SEC. 5109. RULE OF CONSTRUCTION.
Nothing in this subtitle shall be construed to
supersede the civilian emergency manage-
ment authority of the Administrator of the
Federal Emergency Management Agency
under the Robert T. Stafford Disaster Relief
and Emergency Assistance Act (42 U.S.C.
5121 et seq.) and the Post Katrina Emergency
Management Reform Act (6 U.S.C. 701 et seq.).
security and trade, as such matters relate to the mission and the operations of the Department.

(3) ADDITIONAL RESPONSIBILITIES.—In addition to the duties specified in paragraph (2), the Assistant Secretary for Economic Security, at the direction of the Under Secretary for Strategy, Policy, and Plans, may—

(i) coordination of supply chain policy; and

(ii) assessments and reports to Congress related to critical economic security domains;

(B) serve as the representative of the Under Secretary for Strategy, Policy, and Plans to implement the purposes of representing the Department on—

(i) the Committee on Foreign Investment in the United States; and

(ii) the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector;

(C) coordinate with stakeholders in other Federal departments and agencies and non-governmental entities with trade and economic security interests, authorities, and responsibilities; and

(D) perform such additional duties as the Secretary or the Under Secretary of Strategy, Policy, and Plans may prescribe.

(4) DEFINITIONS.—In this subsection:

(A) CRITICAL SECURITY DOMAIN.—The term ‘critical security domain’ means any infrastructure, industry, technology, or intellectual property (or combination thereof) that is essential for the economic security of the United States.

(B) ECONOMIC SECURITY.—The term ‘economic security’ has the meaning given to that term in section 5122.

(c) RULE OF CONSTRUCTION.—Nothing in this section or the amendments made by this section shall be construed to affect or diminish the authority otherwise granted to any other officer of the Department of Homeland Security.

Subtitle D—Transnational Criminal Investigative Units

SEC. 5121. SHORT TITLE.

This subtitle may be cited as the “Transnational Criminal Investigative Unit Stipend Act.”

SEC. 5122. STIPENDS FOR TRANSNATIONAL CRIMINAL INVESTIGATIVE UNITS.

(a) In General.—Subtitle H of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 541 et seq.) is amended by adding at the end the following:

“SECTION 890C. TRANSNATIONAL CRIMINAL INVESTIGATIVE UNITS.

“(a) In General.—The Secretary, with the concurrence of the Secretary of State, shall operate Transnational Criminal Investigative Units within Homeland Security Investigations.

“(b) COMPOSITION.—Each Transnational Criminal Investigative Unit shall be composed of trained foreign law enforcement officials who shall collaborate with Homeland Security Investigations to investigate and prosecute individuals involved in transnational criminal activity.

“(c) VETTING REQUIREMENT.—

“(1) In General.—Before entry into a Transnational Criminal Investigative Unit, and at periodic intervals while serving in such a unit, foreign law enforcement officials shall be required to pass certain security evaluations, which may include a background check, polygraph examination, a urinalysis test, or other measures that the Secretary determines to be appropriate.

“(2) LEARY VETTING REQUIREMENT.—No member of a foreign law enforcement unit may be a Transnational Criminal Investigative Unit if the Secretary, in coordination with the Secretary of State, has credible information that such foreign law enforcement unit has committed a gross violation of human rights, consistent with the limitations set forth in section 103 of the Foreign Assistance Act of 1961 (22 U.S.C. 2378d).

“(b) APPROVAL AND CONCURRENCE.—The establishment and continued support of the Transnational Criminal Investigative Units who are assigned under paragraph (1)—

“(A) shall be performed with the approval of the chief of mission to the foreign country to which the unit has been assigned;

“(B) shall be consistent with the duties and powers of the Secretary of State and the chief of mission for a foreign country under section 103 of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4902) and section 207 of the Foreign Service Act of 1980 (22 U.S.C. 3972), respectively; and

“(C) shall not be established without the concurrence of the Assistant Secretary of State for International Narcotics and Law Enforcement Affairs.

“(c) REPORT.—The Executive Associate Director of Homeland Security Investigations shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the House of Representatives that describes—

“(A) the procedures used for vetting Transnational Criminal Investigative Unit members to include compliance with the vetting required under paragraph (3); and

“(B) any additional measures that should be implemented to prevent personnel in vetted units from being compromised by criminal organizations.

“(d) MONITORING STIPEND.—The Executive Associate Director of Homeland Security Investigations is authorized to pay vetted members of a Transnational Criminal Investigative Unit a monetary stipend in an amount associated with their duties dedicated to unit activities.

“(e) ANNUAL BRIEFING.—The Executive Associate Director of Homeland Security Investigations, during the 5-year period beginning on the date of enactment of this Act, shall provide an annual briefing to the congressional committees referred to in subsection (c)(3), which may include a classified session, if necessary, that identifies—

“(1) the number of vetted members of Transnational Criminal Investigative Unit in each country;

“(2) the amount paid in stipends to such members, disaggregated by country;

“(3) relevant enforcement statistics, such as arrests and progress made on joint investigations, in each such country; and

“(4) whether any vetted members of the Transnational Criminal Investigative Unit in each country were involved in any unlawful activity, including human rights abuses or significant acts of corruption.

“(f) CLERICAL AMENDMENT.—The table of contents for the Homeland Security Act of 1980 (42 U.S.C. 5121 et seq.) is amended by inserting after the item relating to section 890B the following:

“Section 890C. Transnational Criminal Investigative Units.

Subtitle D—Technological Hazards Preparedness and Training

SEC. 5131. SHORT TITLE.

This subtitle may be cited as the “Technological Hazards Preparedness and Training Act of 2022”.

SEC. 5132. DEFINITIONS.

In this subtitle—

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Federal Emergency Management Agency.

(2) INDIAN TRIBAL GOVERNMENT.—The term “Indian Tribal government” has the mean-
period preceding the date of submission of the report.

(e) CONSULTATION.—The Secretary of Homeland Security may seek continuing input relating to technological hazards and related emerging threats preparedness needs by consulting State, Tribal, territorial, and local emergency services organizations and private sector leaders.

(f) COORDINATION.—The Secretary of Homeland Security shall coordinate with the Secretary of Energy relating to technological hazards and training for a hazard that could result from activities or facilities authorized or licensed by the Department of Energy.

SEC. 5135. SAVINGS PROVISION.

There are authorized to be appropriated to carry out this subtitle $20,000,000 for each of fiscal years 2023 through 2024.

SEC. 5134. AUTHORIZATION OF APPROPRIATIONS.

Nothing in this subtitle shall diminish or divert resources from—

(1) the full completion of federally-led chemical surety material storage missions or chemical demilitarization missions that are underway as of the date of enactment of this Act; or

(2) any transitional activities or other community assistance incidental to the completion of the missions described in paragraph (1).

Subtitle E—Offices of Countering Weapons of Mass Destruction and Health Security

SEC. 5141. SHORT TITLE.

This subtitle may be cited as the “Offices of Countering Weapons of Mass Destruction and Health Security Act of 2022”.

CHAPTER 1—COUNTERING WEAPONS OF MASS DESTRUCTION OFFICE

SEC. 5142. COUNTERING WEAPONS OF MASS DESTRUCTION OFFICE.

(a) HOMELAND SECURITY ACT OF 2002.—Title XIX of the Homeland Security Act of 2002 (6 U.S.C. 590 et seq.) is amended—

(1) in section 1901 (6 U.S.C. 591)—

(A) in subsection (c), by amending paragraphs (1) and (2) to read as follows:

‘‘(1) matters and strategies pertaining to—

‘‘(A) weapons of mass destruction; and

‘‘(B) chemical, biological, radiological, nuclear, and other related emerging threats; and

‘‘(2) coordinating the efforts of the Department to counter—

‘‘(A) weapons of mass destruction; and

‘‘(B) chemical, biological, radiological, nuclear, and other related emerging threats.’’; and

(B) by striking subsection (e); and

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

‘‘SEC. 1921. MISSION OF THE OFFICE.

‘‘The Office shall be responsible for—

‘‘(1) coordinating the efforts of the Department to counter—

‘‘(A) weapons of mass destruction; and

‘‘(B) chemical, biological, radiological, nuclear, and other related emerging threats; and

‘‘(2) enhancing the ability of Federal, State, local, Tribal, and territorial partners to prevent, detect, protect against, and mitigate the impacts of attacks using—

(A) weapons of mass destruction against the United States; and

(B) chemical, biological, radiological, nuclear, and other related emerging threats against the United States.

(B) by redesignating subsection (b) as subsection (b); and

(2) in section 1923 (6 U.S.C. 592)—

(A) by redesignating subsections (a) and (b) as subsections (a) and (b), respectively;

(B) by inserting before subsection (b), as so redesignated, the following:

‘‘(a) OFFICE RESPONSIBILITIES.—

‘‘(1) IN GENERAL.—For the purposes of coordination relating to nuclear, and other related emerging threats, the Office shall—

‘‘(A) provide expertise and guidance to Department leadership and components on chemical, biological, radiological, nuclear, and other related emerging threats, subject to the research, development, testing, and evaluation coordination requirement described in subsection (g);

‘‘(B) in coordination with the Office for Strategy, Policy, and Plans, lead development of policies and strategies to counter weapons of mass destruction and chemical, biological, radiological, nuclear, and other related emerging threats on behalf of the Department;

‘‘(C) identify, assess, and prioritize capability gaps relating to the strategic and mission objectives of the Department for weapons of mass destruction and chemical, biological, radiological, nuclear, and other related emerging threats;

‘‘(D) in coordination with the Office of Intelligence, Surveillance, and Reconnaissance and the Office of Intelligence and Analysis, support components of the Department, the Federal, State, local, Tribal, and territorial partners, provide intelligence and information analysis and reports on weapons of mass destruction and chemical, biological, radiological, nuclear, and other related emerging threats;

‘‘(E) in consultation with the Science and Technology Directorate, assess risk to the United States from weapons of mass destruction and chemical, biological, radiological, nuclear, and other related emerging threats; and

‘‘(F) in coordination with the Office of Intelligence, Surveillance, and Reconnaissance and the Office of Intelligence and Analysis, support Federal, State, local, Tribal, and territorial partners on chemical, biological, radiological, nuclear, and other related emerging threats weapons or unauthorized material, and coordinate research and development efforts relating to the mission of the Office and the Under Secretary for Science and Technology on research and development efforts relevant to the mission of the Office; and

(C) before carrying out operational testing under subparagraph (A), develop a testing and evaluation plan that articulates the requirements for the user and describes how these capability needs will be tested in developmental test and evaluation and operational test and evaluation;

‘‘(G) as appropriate, develop, acquire, and deploy equipment to detect and report on weapons of mass destruction and chemical, biological, radiological, nuclear, and other related emerging threats weapons or unauthorized material in support of Federal, State, local, Tribal, and territorial governments; and

‘‘(H) support and enhance the effective sharing and use of appropriate information on weapons of mass destruction and chemical, biological, radiological, nuclear, and other related emerging threats generated by elements of the intelligence community (as defined in section 3 of the National Security Act of 1947 (5 U.S.C. 3003)), law enforcement agencies, other Federal agencies, State, local, Tribal, and territorial governments, and foreign governments, as well as provide appropriate information to those entities; and

‘‘(I) perform other duties as assigned by the Secretary.’’;

(C) in subsection (b), as so redesignated—

(i) in the subsection heading, by striking ‘‘MISSION’’ and inserting ‘‘RADIOLOGICAL AND NUCLEAR RESPONSIBILITIES’’;

(ii) in paragraph (1)—

(1) by inserting ‘‘deploy,’’ after ‘‘acquire,’’; and

(C) by redesignating subsection (c) as subsection (b); and

(2) by inserting before subsection (b), as so redesignated, the following:

‘‘(1) IN GENERAL.—For the purposes of the detection and reporting responsibilities of the Office for weapons of mass destruction and chemical, biological, radiological, nuclear, and other related emerging threats, the Office shall—

‘‘(A) in coordination with end users, including State, local, Tribal, and territorial partners, as appropriate—

‘‘(i) carry out a program to test and evaluate technology, in consultation with the Science and Technology Directorate, to develop a report on weapons of mass destruction and chemical, biological, radiological, nuclear, and other related emerging threats weapons or unauthorized material, in coordination with the Nuclear Management Office, as appropriate, and establish performance metrics to evaluate the effectiveness of individual detectors and detection systems in detecting those weapons or material—

(ii) under realistic operational and environmental conditions; and

‘‘(ii) against realistic adversary tactics and countermeasures;

‘‘(B) in coordination with end users, conduct, support, coordinate, and encourage a transformational program of research and development to generate and improve technology to detect and report on the illicit entry, transport, assembly, or potential use within the United States of weapons of mass destruction and chemical, biological, radiological, nuclear, and other related emerging threats weapons or unauthorized material, and coordinate related research and development, as appropriate; and

‘‘(ii) reviewed by the Joint Requirements Council, as directed by the Secretary; and

‘‘(2) by amending section 1921 (6 U.S.C. 591g) to read as follows:

‘‘SEC. 1921. MISSION OF THE OFFICE.

‘‘The Office shall be responsible for—

‘‘(1) coordinating the efforts of the Department to counter—

‘‘(A) weapons of mass destruction; and

‘‘(B) chemical, biological, radiological, nuclear, and other related emerging threats; and

‘‘(2) enhancing the ability of Federal, State, local, Tribal, and territorial partners to prevent, detect, protect against, and mitigate the impacts of attacks using—

‘‘(A) weapons of mass destruction against the United States; and

‘‘(B) chemical, biological, radiological, nuclear, and other related emerging threats against the United States.

(B) by redesignating subsection (b) as subsection (b); and

(2) by redesignating subsections (a) and (b) as subsections (a) and (b), respectively;
(II) by striking "deployment" and inserting "operations";
(III) by striking paragraphs (6) through (10);
(iv) redesignating paragraphs (11) and (12) as paragraphs (6) and (7), respectively;
(v) in paragraph (7) (c)(v), as so redesignated—
(1) in the matter preceding subclause (I), by inserting "except as otherwise provided," before "require"; and
(II) in subclause (D), clause (ii) in the preceding item (aa), by striking "death or disability" and inserting "death, disability, or a finding of good cause as determined by the Assistant Secretary (including extreme hardship, extreme need, or the needs of the Office) and for which the Assistant Secretary may grant a waiver of the requirement"; and
(b) by adding at the end the following:

"SEC. 1929. ACCOUNTABILITY.

(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Offices of Countering Weapons of Mass Destruction and Health Security Act of 2022, the Secretary shall create a Departmentwide accountability plan in coordination with other Federal efforts to enhance the biodefense mission and response to biological threats; and
(2) DEPARTMENTWIDE BIODEFENSE REVIEW AND STRATEGY.—

(I) IN GENERAL.—Not later than 180 days after the date of enactment of the Offices of Countering Weapons of Mass Destruction and Health Security Act of 2022, the Secretary, in consultation with appropriate stakeholders representing Federal, State, Tribal, and foreign governments, and non-governmental entities, shall conduct a Departmentwide review of biodefense activities and strategies.

(II) EXCISIONS.—Not later than 1 year after the date of enactment of the Offices of Countering Weapons of Mass Destruction and Health Security Act of 2022, the Secretary shall review and update, as necessary, the Departmentwide accountability plan, and the Departmentwide biodefense review and strategy.

(III) BUREAUS.—Not later than 5 years after the issuance of the biodefense strategy and implementation plans required under paragraph (3), the Secretary shall submit to and brief the appropriate congressional committees a report on the updated Departmentwide accountability plan and implementation plan required under paragraph (1).
“(A) the role of the Department in preparing, detecting, and responding to biological and chemical threats to the homeland;

“(B) recommendations to improve departmental biosurveillance efforts against biological threats, including any relevant biological detection methods and technologies; and

“(C) the feasibility of different technological advances for biodetection compared to the cost, risk reduction, and timeliness of those advances;"
delivers direct patient care regarding contracts for the delivery of direct patient care, other medical services, and medical supplies; (12) coordinating with the Countering Weapons of Mass Destruction Office and other components of the Department as directed by the Secretary to enhance the ability of Federal, State, local, Tribal, and territorial governments to prevent, detect, protect against, and mitigate the health effects of chemical, biological, radiological, and nuclear issues; and (13) reporting on the Secretary under the Department of Health and Human Services Management Act, and inserting ‘Chief Medical Officer’.

"(d) ASSISTANCE AND AGREEMENTS.—The Secretary, acting through the Chief Medical Officer of the Department of Health and Human Services, may enter into or modify agreements with State, local, Tribal, and territorial governments and nongovernmental organizations; (2) enter into other transactions; (3) enter into agreements with other Federal agencies; and (4) accept services from personnel of components of the Department and other Federal agencies on a reimbursable or nonreimbursable basis.

"(e) OFFICE OF HEALTH SECURITY PRIVACY OFFICER.—There shall be a Privacy Officer in the Office of Health Security with primary responsibility for privacy policy and compliance with the privacy officer, who shall (1) report directly to the Chief Medical Officer; and (2) ensure privacy protections are integrated into all Office of Health Security activities, subject to the review and approval of the Secretary of the Department to the extent consistent with the authority of the Secretary of the Department under section 222.

"(f) ACCOUNTABILITY.—(1) STRATEGIC AND IMPLEMENTATION PLAN.—Not later than 180 days after the date of enactment of this section, and every 4 years thereafter, the Secretary shall create a Departmentwide strategy and implementation plan to address health threats.

"(2) BRIEFING.—Not later than 90 days after the date of enactment of this section, the Secretary shall brief the appropriate committees on the strategic and implementation plans described in section 222.

"(g) TRANSITION.—The individual appointed pursuant to section 1931 of the Homeland Security Act of 2002 (6 U.S.C. 597) of the Department of Homeland Security, as in effect on the date of enactment of this Act, and serving as the Chief Medical Officer of the Department of Homeland Security on the day before the date of enactment of this Act, shall continue to serve as the Chief Medical Officer of the Department of Health and Human Services under this Act until the day before the date of enactment of this Act without the need for reappointment.

"(h) Authorization.—(1) except as provided in subsection (d), an individual who reviews or creates a medical quality assurance record of the Department, in the context of the record, may not be disclosed to any person or entity.

"(i) Prohibition on Disclosure and Testimony.—Except as otherwise provided in this section, (1) no part of any medical quality assurance record of the Department of the United States Code.

"(j) TRANSFER.—The Secretary of Health and Human Services shall transfer to the Chief Medical Officer of the Department of Homeland Security, after section 2303, as so redesignated by section 1945 of the Homeland Security Act of 2002, as added by this chapter, is amended by redesignating section 528 (6 U.S.C. 321q) as section 2303 and transferring such section to appear after section 2301, as so redesignated; (2) in section 2302, as so redesignated—(A) in the section heading, by striking ‘MEDICAL SUPPORT’ and inserting ‘SAFETY’; (B) in subsection (a), by striking ‘Under Secretary for Management’ each place that term appears and inserting ‘Chief Medical Officer’; (C) in subsection (b)—(i) in the matter preceding paragraph (1), by striking ‘Under Secretary for Management, in coordination with the Chief Medical Officer,’ and inserting ‘Chief Medical Officer’; and (ii) in paragraph (3), by striking ‘as deemed appropriate by the Under Secretary’; (D) by redesigning section 528 (6 U.S.C. 321q) as section 2303 and transferring such section to appear after section 2302, as so redesignated; and (E) in section 2303(a), as so redesignated, by striking ‘Assistant Secretary for the Countering Weapons of Mass Destruction Office’ and inserting ‘Chief Medical Officer’.

"(k) TRANSITION AND TRANSFERS.—(1) TRANSITION.—The term ‘medical quality assurance program’ means any activity carried out by the Department to assess the quality of medical care provided by individuals, committees, or other review bodies responsible for quality assurance, credentials, infection control, incident reporting, the delivery, admittance, and oversight of direct patient care and assessment (including treatment procedures, blood, drugs, and therapeutics), medical records, health records management, review, identification and prevention of medical, mental health, or dental incidents and risks.

"(l) MEDICAL QUALITY ASSURANCE RECORD OF THE DEPARTMENT.—The term ‘medical quality assurance record of the Department’ means all information, including the pro-"
needed by the board, agency, society, or organization to perform licensing, credentialing, or the monitoring of professional standards with respect to any health care facility or provider of a health care provider for the Department.

(2) To a hospital, medical center, or other institution that provides health care services, if the medical quality assurance record of the Department or testimony is needed by the institution to assess the professional qualifications of any health care provider or of any other person associated with the Department for purposes of any applicable legal requirement, including Federal privacy laws and regulations.

(3) To a person or entity, other than as provided in section 1928, that is required to be developed and maintained under applicable legal requirement, including Federal law enforcement agency or instrumentality charged with applicable legal requirement, including Federal law enforcement agency or instrumentality charged with

(4) To an employee, a detailee, or a contractor of the Department who has a need for personally identifiable information of any Department other than as provided in this section, knowing that the record is a medical quality assurance record of the Department other than as provided in section 1928, the information in a record created and maintained outside a medical quality assurance program, including the medical record of a patient, on the grounds that the information was presented during meetings of a review body that are part of a medical quality assurance program.

(4) PENALTY.—Any person who willfully discloses a medical quality assurance record of the Department other than as provided in this section, knowing that the record is a medical quality assurance record of the Department shall be fined not more than $3,000 in the case of a first offense and not more than $20,000 in the case of a subsequent offense.

(5) RELATIONSHIP TO COAST GUARD.—The term ‘‘critical infrastructure’’ has the meaning given the term in subsection (e) of the Critical Infrastructure Protection Act of 2002 (6 U.S.C. 519(e)).

(6) CYBERSECURITY RISK.—The term ‘‘cybersecurity risk’’ has the meaning given the term in section 2200 of the Homeland Security Act of 2002, as added by section 5191 of this Act.

(7) COMMERCIAL SATELLITE SYSTEM.—The term ‘‘commercial satellite system’’—

(A) means a system that—

(i) is owned or operated by a nonfederal entity based in the United States; and

(ii) is composed of not less than 1 earth satellite; and

(B) includes—

(i) any ground support infrastructure for each satellite in the system; and

(ii) any transmission link among and between any satellite in the system and any ground support infrastructure in the system.

(8) CRITICAL INFRASTRUCTURE.—The term ‘‘critical infrastructure’’ has the meaning given the term in subsection (e) of the Critical Infrastructure Protection Act of 2002 (6 U.S.C. 519(e)).

(9) CYBERSECURITY RISK.—The term ‘‘cybersecurity risk’’ has the meaning given the term in section 2200 of the Homeland Security Act of 2002, as added by section 5191 of this division.

(5) COMMERCIAL SATELLITE SYSTEM.—The term ‘‘commercial satellite system’’—

(A) means a system that—

(i) is owned or operated by a nonfederal entity based in the United States; and

(ii) is composed of not less than 1 earth satellite; and

(B) includes—

(i) any ground support infrastructure for each satellite in the system; and

(ii) any transmission link among and between any satellite in the system and any ground support infrastructure in the system.

SEC. 5147. TECHNICAL AND CONFORMING CHANGES


(1) in the table of contents in section 1(b) (Public Law 107–296; 116 Stat. 2135)—

(A) by striking the items relating to sections 528 and 529 and inserting the following: ‘‘Sec. 528. Transfer of equipment during a public health emergency.’’;

(B) by striking the item relating to sections 710, 711, 712, and 713 and inserting the following: ‘‘Sec. 710. Employee engagement.’’;

‘‘Sec. 711. Annual employee award program.’’;

‘‘Sec. 712. Acquisition professional career program.’’;

(C) by inserting after the item relating to section 1928 the following:

‘‘Sec. 1929. Accountability.’’;

(D) by striking the items relating to title C of title XIX and sections 1931 and 1932; and

(E) by adding at the end the following:

TITILE XIX—OFFICE OF HEALTH SECURITY


Sec. 2302. Workforce health and safety.

Sec. 2303. Coordination of Department of Homeland Security efforts related to food, agriculture, and veterinary defense against terrorism.

Sec. 2304. Medical countermeasures.

Sec. 2305. Confidentiality of medical quality assurance records.

(2) by redesignating section 529 (6 U.S.C. 321r) as section 528;

(3) in section 704(e)(4) (6 U.S.C. 344(e)(4)), by striking ‘‘section 711(a)’’ and inserting ‘‘section 711(a)’’;

(4) by redesignating sections 711, 712, and 713 as sections 710, 711, and 712, respectively;

(5) by redesignating subsection (d)(3) of section 1925 (6 U.S.C. 592), as so redesignated by section 5142 of this Act—

(A) in the paragraph heading, by striking ‘‘HAWAIIAN NATIVE-SERVING’’ and inserting ‘‘HAWAIIAN NATIVE-SERVING’’; and

(B) by striking ‘‘HAWAIIAN NATIVE-SERVING’’ and inserting ‘‘HAWAIIAN NATIVE-SERVING’’; and

(6) by striking the subtitle heading for subtitle C of title XIX.

SUBTITLE F—SATELLITE CYBERSECURITY ACT

SEC. 5151. SHORT TITLE.

This subtitle may be cited as the ‘‘Satellite Cybersecurity Act’’.

SEC. 5152. DEFINITIONS.

In this subtitle:

(1) CLEARINGHOUSE.—The term ‘‘clearinghouse’’ means a commercial satellite system cybersecurity clearinghouse required to be developed and maintained under section 5154(b)(1).

(2) COMMERCIAL SATELLITE SYSTEM.—The term ‘‘commercial satellite system’’—

(A) means a system that—

(i) is owned or operated by a nonfederal entity based in the United States; and

(ii) is composed of not less than 1 earth satellite; and

(B) includes—

(i) any ground support infrastructure for each satellite in the system; and

(ii) any transmission link among and between any satellite in the system and any ground support infrastructure in the system.

(3) CRITICAL INFRASTRUCTURE.—The term ‘‘critical infrastructure’’ has the meaning given the term in subsection (e) of the Critical Infrastructure Protection Act of 2002 (6 U.S.C. 519(e)).

(4) CYBERSECURITY RISK.—The term ‘‘cybersecurity risk’’ has the meaning given the term in section 2200 of the Homeland Security Act of 2002, as added by section 5191 of this division.

(5) COMMERCYTHREAT.—The term ‘‘cybersecurity threat’’ has the meaning given the term in section 2200 of the Homeland Security Act of 2002, as added by section 5191 of this division.

SEC. 5153. REPORT ON COMMERCIAL SATELLITE CYBERSECURITY.

(A) STUDY.—The Comptroller General of the United States shall conduct a study on the actions the Federal Government has taken to support cybersecurity of commercial satellite systems, including as part of any action to address the cybersecurity of critical infrastructure sectors.

(b) REPORT.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall report to the Committee on Homeland Security and the Committee on Commerce, Science, and Transportation of the Senate on the Coordinated Efforts of the Committee on Homeland Security and the Committee on Space, Science, and Technology of the House of Representatives on the study conducted under paragraph (a), which shall include information on—

(1) efforts of the Federal Government to—
(A) address or improve the cybersecurity of commercial satellite systems; and
(B) support related efforts with international entities or the private sector;
(2) the extent to which information made available to the public by Federal agencies to address cybersecurity risks and threats to commercial satellite systems, including resources made available through the clearinghouse;
(3) the extent to which commercial satellite systems and the cybersecurity threats to such systems are addressed in Federal and non-Federal critical infrastructure risk analyses and protection plans;
(4) the extent to which Federal agencies are reliant on satellite systems owned wholly or in part or controlled by foreign entities, and how Federal agencies mitigate associated cybersecurity risks;
(5) the extent to which Federal agencies coordinate or duplicate authorities and take other actions focused on the cybersecurity of commercial satellite systems; and
(6) as determined appropriate by the Comptroller General of the United States, recommendations for further Federal action to support the cybersecurity of commercial satellite systems, including recommendations on information that should be shared through the clearinghouse;
(c) CONSULTATION.—In carrying out subsections (a) and (b), the Comptroller General of the United States shall coordinate with appropriate Federal agencies and organizations, including—
(1) the Department of Homeland Security;
(2) the Department of Commerce;
(3) the Department of Defense;
(4) the Department of Transportation;
(5) the Federal Communications Commission;
(6) the National Aeronautics and Space Administration;
(7) the National Executive Committee for Space-Based Positioning, Navigation, and Timing; and
(8) the National Space Council.
(b) E STABLISHMENT OF COMMERCIAL SAT- ELLITE SYSTEM CYBERSAFETY RECOMMENDATIONS.—
(1) IN GENERAL.—The Director shall establish and maintain a clearinghouse using an online platform, a website, or a capability in existence as of the date of enactment of this Act.
(2) CONSOLIDATION OF COMMERCIAL SAT- ELLITE SYSTEM CYBERSAFETY RECOMMENDATIONS.—
(I) IN GENERAL.—The recommendations consolidated under paragraph (1) shall include materials appropriate for a public resource addressing the following:
(A) Risk-informed engineering, including continuous monitoring and resiliency;
(B) Planning for detection, containment, or recovery of cyber incidents involving systems involved in a cybersecurity incident;
(C) Protection against unauthorized access to vital commercial satellite system functions;
(D) Physical protection measures designed to reduce the vulnerabilities of a commercial satellite system to command, control, and telemetry receiver systems;
(E) Protection against jamming, eavesdropping, hijacking, computer network exploitation, or other threats to local satellite communications, and electromagnetic pulse;
(F) Security against threats throughout a commercial satellite system's mission lifetime;
(G) Management of supply chain risks that affect the cybersecurity of commercial satellite systems;
(H) Protection against vulnerabilities posed by ownership of commercial satellite systems or commercial satellite system companies by foreign countries;
(I) Protection against vulnerabilities posed by locating physical infrastructure, such as satellite ground control systems, in foreign countries.
(2) CONSOLIDATION.—The recommendations consolidated pursuant to subsection (d)(1) shall include materials appropriate for a public resource addressing the following:
(A) Risk-informed engineering, including continuous monitoring and resiliency;
(B) Planning for detection, containment, or recovery of cyber incidents involving systems involved in a cybersecurity incident;
(C) Protection against unauthorized access to vital commercial satellite system functions;
(D) Physical protection measures designed to reduce the vulnerabilities of a commercial satellite system to command, control, and telemetry receiver systems;
(E) Protection against jamming, eavesdropping, hijacking, computer network exploitation, or other threats to local satellite communications, and electromagnetic pulse;
(F) Security against threats throughout a commercial satellite system's mission lifetime;
(G) Management of supply chain risks that affect the cybersecurity of commercial satellite systems;
(H) Protection against vulnerabilities posed by ownership of commercial satellite systems or commercial satellite system companies by foreign countries;
(I) Protection against vulnerabilities posed by locating physical infrastructure, such as satellite ground control systems, in foreign countries.
(3) TECHNICAL ASSISTANCE.—The Director shall provide technical assistance and coordination for Federal efforts on commercial satellite systems.
(4) the term "Secretary" means the Secretary of Homeland Security.

SEC. 5161. FEDERAL CLEARINGHOUSE ON SAFETY AND SECURITY BEST PRACTICES FOR FAITH-BASED ORGANIZATIONS AND HOUSES OF WORSHIP.

(a) In General.—Subtitle A of title XXII of the Homeland Security Act of 2002 (6 U.S.C. 651 et seq.) is amended by adding at the end the following:

"SEC. 2220E. FEDERAL CLEARINGHOUSE ON SAFETY AND SECURITY BEST PRACTICES FOR FAITH-BASED ORGANIZATIONS AND HOUSES OF WORSHIP.

"(a) Definitions.—In this section—

"(1) the term 'Clearinghouse' means the Clearinghouse on Safety and Security Best Practices for Faith-Based Organizations and Houses of Worship established under subsection (b)(1);

"(2) the term 'faith-based organization' means a group, center, or nongovernmental organization with a religious, ideological, or spiritual motivation, character, affiliation, or purpose;

"(3) the term 'house of worship' means a place or building, including synagogues, mosques, temples, and churches, in which congregants practice their religious or spiritual beliefs; and

"(4) the term 'safety and security', for the purpose of the Clearinghouse, means prevention of, protection against, or recovery from threats, including manmade disasters, natural disasters, or violent attacks.

"(b) Establishment.—

"(1) In general.—Not later than 270 days after the date of enactment of the Pray Safe Act, the Secretary, in consultation with the Attorney General, the Executive Director of the White House Office of Faith-Based and Neighborhood Partnerships, and the head of any other agency that the Secretary determines appropriate, shall establish a Federal Clearinghouse on Safety and Security Best Practices for Faith-Based Organizations and Houses of Worship within the Department.

"(2) Purpose.—The Clearinghouse shall be the primary resource of the Federal Government—

"(A) to educate and publish online best practices and recommendations for safety and security for faith-based organizations and houses of worship; and

"(B) to provide the information relating to Federal grant programs available to faith-based organizations and houses of worship.

"(c) Personnel.—

"(1) Assignment.—The Clearinghouse shall be assigned such personnel and resources as the Secretary considers appropriate to carry out this section.

"(2) Details.—The Secretary may coordinate details as required for the Clearinghouse.

"(d) Designated point of contact.—There shall be not less than 1 employee assigned or detailed to the Clearinghouse who shall be the designated point of contact to provide information and assistance to faith-based organizations and houses of worship, including assistance relating to the grant program established under section 5165 of the Pray Safe Act.

"(e) Information.—Information on the designated point of contact shall be made available on the website of the Clearinghouse.

"(f) Qualification.—To the maximum extent practicable, the personnel and information and assistance provided by the Clearinghouse under this paragraph should be familiar with faith-based organizations and houses of worship and with measures to identify and prevent safety and security risks.

"(g) Clearinghouse Contents.—

"(1) The Clearinghouse—

"(A) In General.—The Secretary, in consultation with the Attorney General, the Executive Director of the White House Office of Faith-Based and Neighborhood Partnerships, and the head of any other agency that the Secretary determines appropriate, shall develop an index—

"(i) that lists, by type, the best practices and recommendations that demonstrate a significant effect on improving safety or security, or both, for faith-based organizations and houses of worship;

"(ii) that includes feedback on the implementation of the best practices and recommendations under subparagraph (A)(i); and

"(iii) that includes feedback on the implementation of any other agency identified by the Secretary.

"(B) Requirements.—The lists required to be developed under subparagraph (A) shall—

"(i) prioritize:

"(I) any strong evidence from not less than 1 well-designed and well-implemented experimental study; and

"(II) any moderate evidence from not less than 1 well-designed and well-implemented quasi-experimental study; and

"(ii) consider promising evidence that demonstrates a rationale based on high-quality research findings or positive evaluations that such activity, strategy, or intervention is likely to improve safety and promote security for faith-based organizations and houses of worship.

"(2) Criteria for best practices and recommendations.—The best practices and recommendations of the Clearinghouse shall, at a minimum—

"(A) identify areas of concern for faith-based organizations and houses of worship, including—

"(i) findings and data from previous Federal, State, local, Tribal, territorial, or private sector, or nongovernmental organizations or law enforcement agencies on the implementation of the best practices and recommendations; and

"(ii) any other evidence or findings relied upon by the Clearinghouse in determining best practices and recommendations.

"(B) Involve comprehensive safety measures, including threat prevention, preparedness, protection, mitigation, incident response, and recovery to improve the safety posture of faith-based organizations and houses of worship upon implementation.

"(C) Involve comprehensive safety measures, including threat prevention, preparedness, protection, mitigation, incident response, and recovery to improve the resiliency of faith-based organizations and houses of worship from manmade and natural disasters.

"(D) Include any evidence or research rationale supporting the determination of the Clearinghouse that the best practices or recommendations under subparagraph (B) have been shown to have a significant effect on improving the safety and security of individuals in faith-based organizations and houses of worship.

"(D) Involve comprehensive safety measures, including threat prevention, preparedness, protection, mitigation, incident response, and recovery to improve the safety posture of faith-based organizations and houses of worship.

"(E) Include any evidence or research rationale supporting the determination of the Clearinghouse that the best practices or recommendations under subparagraph (B) have been shown to have a significant effect on improving the safety and security of individuals in faith-based organizations and houses of worship.

"(ii) the information collected under subparagraph (A)(i) is maintained, a report on the updates made to the Clearinghouse during the preceding 1-year period under paragraph (1)(C), which shall include a description of any changes made to the Clearinghouse.

"(ii) the recommendations proposed under subparagraph (B)(iii).

"(ii) the annual report to Congress.—The Secretary shall submit to Congress, on an annual basis, a report on the updates made to the Clearinghouse during the preceding 1-year period under paragraph (1)(C), which shall include a description of any changes made to the Clearinghouse.


"(1) by moving the item relating to section 2220D after the item relating to section 2220E; and

"(2) by inserting after the item relating to section 2220D the following:


SEC. 5164. NOTIFICATION OF CLEARINGHOUSE.

The Secretary shall provide written notification of the establishment of the Clearinghouse to—

"(1) every State homeland security advisor;

"(2) every State department of homeland security;

"(3) every other Federal agency with grant programs that include security for faith-based organizations and houses of worship, as determined by the Secretary;

"(4) every Federal Bureau of Investigation Joint Terrorism Task Force;

"(5) every Homeland Security Fusion Center;

"(6) every State or territorial Governor or other chief executive;
SEC. 5165. GRANT PROGRAM OVERVIEW.

(a) DHS GRANTS AND RESOURCES.—The Secretary shall include a grants program overview on the website of the Clearinghouse that shall—

(1) be the primary location for all information regarding Department grant programs that are open to faith-based organizations and houses of worship;

(2) directly link to each grant application and applicable user guides;

(3) identify all safety and security homeland security assistance programs managed by the Department that may be used to implement best practices and recommendation of the Clearinghouse;

(4) annually, and concurrent with the application period for any grant identified under paragraph (1), provide information related to the required elements of grant applications to aid smaller faith based organizations and houses of worship in earning access to Federal grants;

(5) provide frequently asked questions and answers for the implementation of best practices and recommendations of the Clearinghouse and best practices for applying for a grant identified under paragraph (1).

(b) OTHER FEDERAL GRANTS AND RESOURCES.—Each Federal agency notified under section 5164(b) shall provide necessary information on any Federal grant programs or resources of the Federal agency that are available for faith-based organizations and houses of worship to the Secretary or the appropriate point of contact for the Clearinghouse.

(c) STATE GRANTS AND RESOURCES.—

(1) GENERAL.—Any State notified under paragraph (1), (2), or (6) of section 5164 may provide necessary information on any grant programs or resources of the State available for faith-based organizations and houses of worship to the Secretary or the appropriate point of contact for the Clearinghouse.

(2) IDENTIFICATION OF RESOURCES.—The Clearinghouse shall provide, to the extent practicable, identify, for each State—

(A) each agency responsible for safety for faith-based organizations and houses of worship in the State, or in the case of any State that does not have such an agency designated;

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

(C) any resources or programs, including community prevention or intervention efforts, that may be used to assist in targeted violence and terrorism prevention.

SEC. 5166. OTHER RESOURCES.

The Secretary shall, on the website of the Clearinghouse, provide a separate section for other resources that shall provide a centralized list of all available points of contact to seek assistance in grant applications and in carrying out the best practices and recommendations of the Clearinghouse, including—

(1) a list of contact information to reach Department personnel to assist with grant-related questions;

(2) the applicable Cybersecurity and Infrastructure Security Agency contact information to seek assistance in matters of worship with Protective Security Advisors;

(3) contact information for all Department Fusion Centers, listed by State;

(4) the guidelines if You See Something Say Something Campaign of the Department; and

(5) any other appropriate contacts.

SEC. 5167. RULE OF CONSTRUCTION.

Nothing in this subtitle or the amendments made by this subtitle shall be construed to require, or waive any requirement under Federal civil rights laws, including—

(1) title II of the Americans With Disabilities Act of 1990 (42 U.S.C. 12101 et seq.); or

(2) title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.).

SEC. 5168. EXEMPTION.

Chapter 94, United States Code (commonly known as the ‘‘Paperwork Reduction Act’’) shall not apply to any rulemaking or information collection required under this subtitle or the application of the Homeland Security Act of 2002, as added by section 5163 of this subtitle.

Subtitle H—Invent Here, Make Here for Homeland Security Act

SEC. 5171. SHORT TITLE.

This subtitle may be cited as the ‘‘Invent Here, Make Here for Homeland Security Act’’.

SEC. 5172. PREFERENCE FOR UNITED STATES INDUSTRY.

Section 308 of the Homeland Security Act of 2002 (U.S.C. 168) is amended by adding at the end the following:

‘‘(d) PREFERENCE FOR UNITED STATES INDUSTRY.—

‘‘(1) DEFINITIONS.—In this subsection—

‘‘(A) COUNTRY OF CONCERN.—The term ‘country of concern’ means a country that—

(i) is a covered nation, as that term is defined in section 482(d) of title 10, United States Code; or

(ii) the Secretary determines is engaged in conduct that is detrimental to the national security of the United States;

‘‘(B) FUNDING AGREEMENT; NONPROFIT ORGANIZATION; SUBJECT INVENTION.—The terms ‘funding agreement’, ‘nonprofit organization’, and ‘subject invention’ have the meanings given those terms in section 200 of title 35, United States Code.

‘‘(C) MANUFACTURED SUBSTANTIALLY IN THE UNITED STATES.—The term ‘manufactured substantially in the United States’ means manufactured substantially from all articles, materials, or supplies mined, produced, or manufactured in the United States.

‘‘(D) RELEVANT CONGRESSIONAL COMMITTEES.—The term ‘relevant congressional committees’ means—

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

(ii) the Committee on Homeland Security of the House of Representatives.

‘‘(2) PREFERENCE.—Subject to the other provisions of this subsection, no firm or nonprofit organization which receives title to any subject invention developed under a funding agreement shall, as a condition of sale, manufacture substantially into the United States and to the extent practicable, manufacture substantially in the United States, any subject invention that is substantial in the nature of the product or service produced through the use of the subject invention:

‘‘(A) IN GENERAL.—Subject to subparagraph (B), in individual cases, the requirement for an agreement described in paragraph (2) may be waived by the Secretary upon a showing by the firm, nonprofit organization, or assignee that reasonable but unsuccessful efforts have been made to license the subject invention on substantially commercially feasible terms to potential licensees that would be likely to manufacture substantially in the United States.

‘‘(B) CONDITIONS ON WAIVERS GRANTED BY DEPARTMENT.—

‘‘(i) BEFORE GRANT OF WAIVER.—Before granting a waiver under subparagraph (A), the Secretary shall—

(I) consult with the relevant congressional committees regarding the decision of the Secretary to grant the waiver; and

(II) comply with the procedures developed and implemented pursuant to section 9 of the Briefing the President on America’s Future Act (subtitle A of title IX of division G of Public Law 117-58).

‘‘(ii) PROHIBITION ON GRANTING CERTAIN WAIVERS.—The Secretary may not grant a waiver under subparagraph (A) if, as a result of the waiver, products embodying the applicant’s subject invention or produced through the use of the applicable subject invention, will be manufactured substantially in a country of concern.’’.

Subtitle I—DHS Joint Task Forces Reauthorization

SEC. 5181. SHORT TITLE.

This subtitle may be cited as the ‘‘DHS Joint Task Forces Reauthorization Act of 2022’’.

SEC. 5182. SENSE OF THE SENATE.

It is the sense of the Senate that the Department of Homeland Security should consider using the authority under section (b) of section 708 of the Homeland Security Act of 2002 (6 U.S.C. 348(b)) to create a Joint Task Force described in such subsection to improve coordination and response to the number of encounters and amount of seizures of illicit narcotics along the southwest border.


Section 708(b) of the Homeland Security Act of 2002 (6 U.S.C. 348(b)) is amended—

(1) by striking paragraph (8) and inserting the following:

‘‘(8) JOINT TASK FORCE STAFF.—(A) IN GENERAL.—Each Joint Task Force shall have a staff, composed of officials from relevant components and offices of the Department, to assist the Director of that Joint Task Force in carrying out the mission and responsibilities of that Joint Task Force.

‘‘(B) REPORT.—The Secretary shall include in the report submitted under paragraph (6)(F)—

(i) the number of personnel permanently assigned to each Joint Task Force by each component and office; and

(ii) the number of personnel assigned on a temporary basis to each Joint Task Force by each component and office.

(2) in paragraph (9)—

(A) in the heading, by inserting ‘‘STRATEGY AND OF’’ after ‘‘ESTABLISHMENT OF’’;

(B) by striking subparagraph (A) and inserting the following:

‘‘(A) using leading practices in performance management and lessons learned by other law enforcement joint task forces and operations, establish a strategy for each Joint Task Force that contains—

(i) the mission of each Joint Task Force and strategic goals and objectives to assist the Joint Task Force in accomplishing that mission; and

(ii) performance-based and other appropriate performance metrics to evaluate the effectiveness of each Joint Task Force and measure progress towards the goals and objectives described in clause (i), which include—

(I) targets for current and future fiscal years; and

(II) a description of the methodology used to establish those measures, including limitations with respect to data or information used to assess performance;’’;

(C) in subparagraph (B)—

(i) by striking ‘‘enactment of this section’’ and inserting ‘‘enactment of the DHS Joint Task Forces Reauthorization Act of 2022’’;
(ii) by inserting ‘‘strategy and’’ after ‘‘Senate’’; and

(ii) striking the period at the end and inserting ‘‘; and’’;

(D) in paragraph (3)(A), by striking the United States paragraph (C) and inserting the following:

‘‘(C) beginning not later than 1 year after the date of enactment of the DHS Joint Task Force Reauthorization Act of 2022, submit annually to each committee specified in subparagraph (B) a report that—

(i) contains the evaluation described in subparagraph (A)(ii); and

(ii) outlines the progress in implementing outcome-based and other performance metrics referred to in subparagraph (A)(ii);’’.

(2) in subparagraph (A), by striking the period at the end and inserting the following:

‘‘; which shall include—

(i) the justification, focus, and mission of the Joint Task Force; and

(ii) a strategy for the conduct of the Joint Task Force, including goals and performance metrics for the Joint Task Force.’’;

(4) paragraphs (A) and (B), by striking ‘‘Joint Task Force’’; and

(B) a strategy for the conduct of the Joint Task Force, including goals and performance metrics referred to in subparagraph (A)(ii);’’.

(a) TECHNICAL AMENDMENT RELATING TO DOTGOV ACT OF 2020.—


(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect as if enacted as part of the DOTGOV Act of 2020 (title IX of division U of Public Law 116–260).

(b) CONSOLIDATION OF DEFINITIONS.—

(1) in general.—Title XXII of the Homeland Security Act of 2002 (6 U.S.C. 651 et seq.) is amended by inserting before the subtitle A heading the following:

SEC. 2300. DEFINITIONS.

‘‘Except as otherwise specifically provided, in this title:

(1) AGENCY.—The term ‘Agency’ means the Cybersecurity and Infrastructure Security Agency.

(2) AGENCY INFORMATION.—The term ‘agency information’ means information collected or maintained by or on behalf of an agency.

(3) AGENCY INFORMATION SYSTEM.—The term ‘agency information system’ means an information system used or operated by an agency or by another entity on behalf of an agency.

(4) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means—

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

(B) the Committee on Homeland Security of the House of Representatives.

(5) CRITICAL INFRASTRUCTURE INFORMATION.—The term ‘critical infrastructure information’ means information that is made available by a covered entity or threat to, or system that may result in an unauthorized access to, or system that may result in the disclosure of, critical infrastructure or protected systems—

(A) a potential, or threatened interference with,

(B) the Committee on Homeland Security of the House of Representatives.

(6) CRITICAL INFRASTRUCTURE INFORMATION.—The term ‘critical infrastructure information’ means information that is made available by a covered entity or threat to, or system that may result in an unauthorized access to, or system that may result in the disclosure of, critical infrastructure or protected systems—

(A) a potential, or threatened interference with,

(B) the ability of any critical infrastructure or protected system to resist such interference, compromise, or incapacitation, including any planned or past assessment, projection, or estimate of the vulnerability of critical infrastructure or a protected system, including security testing, risk evaluation thereto, risk management planning, or risk audit; or

(C) any planned or past operational problem or solution regarding critical infrastructure or protected systems, including repair, recovery, reconstruction, insurance, or conditions not used to derive such interference, compromise, or incapacitation.

(7) CYBER SECURITY PURPOSE.—The term ‘cybersecurity purpose’ means the purpose of DOTGOV Act of 2020, as carried out by the Secretary.

(8) CYBER SECURITY RISK.—The term ‘cybersecurity risk’ means a cybersecurity threat or security vulnerability.

(A) CRITICAL INFRASTRUCTURE.—The term ‘critical infrastructure’ means—

(1) an information system or information that is stored on, processed by, or transiting an information system that detects, prevents, or mitigates a known or suspected cybersecurity threat or security vulnerability.

(2) EXCLUSION.—The term ‘defensive measure’ does not include a measure that destroys, renders unusable, provides unauthorized access to, or otherwise harms an information system or information that is stored on, processed by, or transiting an information system that detects, prevents, or mitigates a known or suspected cybersecurity threat or security vulnerability.

(B) EXCLUSION.—The term ‘defensive measure’ does not include a measure that destroys, renders unusable, provides unauthorized access to, or otherwise harms an information system or information that is stored on, processed by, or transiting an information system that detects, prevents, or mitigates a known or suspected cybersecurity threat or security vulnerability.

(C) CYBER SECURITY PURPOSE.—The term ‘cybersecurity purpose’ means the purpose of DOTGOV Act of 2020, as carried out by the Secretary.

(D) CYBER SECURITY RISK.—The term ‘cybersecurity risk’ means a cybersecurity threat or security vulnerability.

(A) CRITICAL INFRASTRUCTURE.—The term ‘critical infrastructure’ means—

(1) an information system or information that is stored on, processed by, or transiting an information system that detects, prevents, or mitigates a known or suspected cybersecurity threat or security vulnerability.

(2) EXCLUSION.—The term ‘defensive measure’ does not include a measure that destroys, renders unusable, provides unauthorized access to, or otherwise harms an information system or information that is stored on, processed by, or transiting an information system that detects, prevents, or mitigates a known or suspected cybersecurity threat or security vulnerability.

(B) EXCLUSION.—The term ‘defensive measure’ does not include a measure that destroys, renders unusable, provides unauthorized access to, or otherwise harms an information system or information that is stored on, processed by, or transiting an information system that detects, prevents, or mitigates a known or suspected cybersecurity threat or security vulnerability.

(C) CYBER SECURITY PURPOSE.—The term ‘cybersecurity purpose’ means the purpose of DOTGOV Act of 2020, as carried out by the Secretary.

(D) CYBER SECURITY RISK.—The term ‘cybersecurity risk’ means a cybersecurity threat or security vulnerability.

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(C) CYBER SECURITY PURPOSE.—The term ‘cybersecurity purpose’ means the purpose of DOTGOV Act of 2020, as carried out by the Secretary.

(D) CYBER SECURITY RISK.—The term ‘cybersecurity risk’ means a cybersecurity threat or security vulnerability.

(A) CRITICAL INFRASTRUCTURE.—The term ‘critical infrastructure’ means—

(1) an information system or information that is stored on, processed by, or transiting an information system that detects, prevents, or mitigates a known or suspected cybersecurity threat or security vulnerability.

(2) EXCLUSION.—The term ‘defensive measure’ does not include a measure that destroys, renders unusable, provides unauthorized access to, or otherwise harms an information system or information that is stored on, processed by, or transiting an information system that detects, prevents, or mitigates a known or suspected cybersecurity threat or security vulnerability.

(C) CYBER SECURITY PURPOSE.—The term ‘cybersecurity purpose’ means the purpose of DOTGOV Act of 2020, as carried out by the Secretary.

(D) CYBER SECURITY RISK.—The term ‘cybersecurity risk’ means a cybersecurity threat or security vulnerability.

(A) CRITICAL INFRASTRUCTURE.—The term ‘critical infrastructure’ means—

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(C) CYBER SECURITY PURPOSE.—The term ‘cybersecurity purpose’ means the purpose of DOTGOV Act of 2020, as carried out by the Secretary.

(D) CYBER SECURITY RISK.—The term ‘cybersecurity risk’ means a cybersecurity threat or security vulnerability.

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(C) CYBER SECURITY PURPOSE.—The term ‘cybersecurity purpose’ means the purpose of DOTGOV Act of 2020, as carried out by the Secretary.

(D) CYBER SECURITY RISK.—The term ‘cybersecurity risk’ means a cybersecurity threat or security vulnerability.

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(2) EXCLUSION.—The term ‘defensive measure’ does not include a measure that destroys, renders unusable, provides unauthorized access to, or otherwise harms an information system or information that is stored on, processed by, or transiting an information system that detects, prevents, or mitigates a known or suspected cybersecurity threat or security vulnerability.

(C) CYBER SECURITY PURPOSE.—The term ‘cybersecurity purpose’ means the purpose of DOTGOV Act of 2020, as carried out by the Secretary.

(D) CYBER SECURITY RISK.—The term ‘cybersecurity risk’ means a cybersecurity threat or security vulnerability.

(A) CRITICAL INFRASTRUCTURE.—The term ‘critical infrastructure’ means—

(1) an information system or information that is stored on, processed by, or transiting an information system that detects, prevents, or mitigates a known or suspected cybersecurity threat or security vulnerability.

(2) EXCLUSION.—The term ‘defensive measure’ does not include a measure that destroys, renders unusable, provides unauthorized access to, or otherwise harms an information system or information that is stored on, processed by, or transiting an information system that detects, prevents, or mitigates a known or suspected cybersecurity threat or security vulnerability.

(C) CYBER SECURITY PURPOSE.—The term ‘cybersecurity purpose’ means the purpose of DOTGOV Act of 2020, as carried out by the Secretary.

(D) CYBER SECURITY RISK.—The term ‘cybersecurity risk’ means a cybersecurity threat or security vulnerability.

(A) CRITICAL INFRASTRUCTURE.—The term ‘critical infrastructure’ means—

(1) an information system or information that is stored on, processed by, or transiting an information system that detects, prevents, or mitigates a known or suspected cybersecurity threat or security vulnerability.

(2) EXCLUSION.—The term ‘defensive measure’ does not include a measure that destroys, renders unusable, provides unauthorized access to, or otherwise harms an information system or information that is stored on, processed by, or transiting an information system that detects, prevents, or mitigates a known or suspected cybersecurity threat or security vulnerability.

(C) CYBER SECURITY PURPOSE.—The term ‘cybersecurity purpose’ means the purpose of DOTGOV Act of 2020, as carried out by the Secretary.

(D) CYBER SECURITY RISK.—The term ‘cybersecurity risk’ means a cybersecurity threat or security vulnerability.
title 40, United States Code. The term ‘national security system’ has the meaning given the term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

(17) MONITOR.—The term ‘monitor’ means to acquire, identify, or scan, or to possess, information on, processed by, or transmitted an information system.

(18) NATIONAL CYBERSECURITY ASSET RESPONSE ACTIVITIES.—The term ‘national cybersecurity asset response activities’ means—

(A) furnishing cybersecurity technical assistance to entities affected by cybersecurity risks, to mitigate assets, and reduce impacts of cyber incidents;

(B) identifying other entities that may be at risk of an incident and assessing risk to the same or similar vulnerabilities;

(C) assessing potential cybersecurity risks to a sector or region, including potential cascading effects, and developing courses of action to mitigate such risks;

(D) facilitating information sharing and operational coordination with threat response committees; and

(E) providing guidance on how best to utilize Federal resources and capabilities in a timely, effective manner to speed recovery from cybersecurity incidents.

(19) NATIONAL SECURITY SYSTEM.—The term ‘national security system’ has the meaning given the term in section 1183 of title 40, United States Code.

(20) SECTOR RISK MANAGEMENT AGENCY.—The term ‘Sector Risk Management Agency’ means a Federal department or agency, designated by law or Presidential directive, with responsibility for providing institutional knowledge and specialized expertise of a sector, as well as leading, facilitating, or supporting any associated activities of its designated critical infrastructure sector in the all hazards environment in coordination with the Department.

(21) SECURITY CONTROL.—The term ‘security control’ means the management, operational, and technical controls used to protect against an unauthorized effort to adversely affect the confidentiality, integrity, and availability of an information system or its information.

(22) SECURITY VULNERABILITY.—The term ‘security vulnerability’ means any attribute of hardware, software, process, or procedure that could enable or facilitate the defeat of a security control.

(23) SHARING.—The term ‘sharing’ (including all conjugations of each such terms) means—

(A) furnishing cybersecurity technical assistance to entities affected by cybersecurity risks, to mitigate assets, and reduce impacts of cyber incidents;

(B) identifying other entities that may be at risk of an incident and assessing risk to the same or similar vulnerabilities;

(C) assessing potential cybersecurity risks to a sector or region, including potential cascading effects, and developing courses of action to mitigate such risks;

(D) facilitating information sharing and operational coordination with threat response committees; and

(E) providing guidance on how best to utilize Federal resources and capabilities in a timely, effective manner to speed recovery from cybersecurity incidents.

(24) SHARING AND ANALYSIS ORGANIZATIONS.—Section 102 of the Cybersecurity Act of 2002 (Public Law 114–113; 6 U.S.C. 1501) is amended—

(I) by striking paragraphs (3), (5), (8), (10), (11), and (12) as paragraphs (1) through (8), respectively;

(ii) in subsection (e)(2)(B)(iv)(II)(aa), by striking ‘information sharing and analysis organizations’ and inserting ‘information Sharing and Analysis Organizations’;

(iii) in subsection (p), by striking ‘appropriate committees of Congress’ and inserting ‘appropriate congressional committees’; and

(iv) in subsection (q)(4), in the matter preceding clause (i), by striking ‘appropriate committees of Congress’ and inserting ‘appropriate congressional committees’.

(25) SHARING AND ANALYSIS ORGANIZATIONS.—Section 2202(c)(6) of the Homeland Security Act of 2002 (6 U.S.C. 665c(6)) is amended by inserting the following:

(II) in paragraph (1), by striking paragraphs (4) through (7) as paragraphs (4) and (5), respectively.

(26) TABLE OF CONTENTS AMENDMENTS.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended—

(I) by inserting before the item relating to subtitle A of title XXII the following:

Sec. 2200. Definitions.

Sec. 2201. Definitions.

Sec. 2202. CYBERSECURITY ACT OF 2015 DEFINITIONS.—Section 102 of the Cybersecurity Act of 2015 (6 U.S.C. 1501) is amended—

(A) by striking paragraphs (4) through (7) and inserting the following:

(II) in paragraph (2), as so redesignated, by striking ‘(as defined in section 2223(6))’ and inserting ‘(as defined in section 2223(6))’;

(B) by striking paragraph (5), as so redesignated, by striking ‘(as defined in section 2223(6))’ and inserting ‘(as defined in section 2223(6))’;

(C) by redesigning paragraphs (6) and (7) as paragraphs (4) and (5), respectively.

(27) SEC. 2200. DEFINITIONS.—In this section, the term ‘cybersecurity threat’ has the meaning given the term in section 2200 of the Homeland Security Act of 2002.

(28) SEC. 2201. DEFINITIONS.—In this section, the term ‘cyber threat indicator’ has the meaning given the term in section 2200 of the Homeland Security Act of 2002.

(29) SEC. 2202. DEFENSIVE MEASURE.—The term ‘defensive measure’ has the meaning given the term in section 2200 of the Homeland Security Act of 2002.

(30) SEC. 2203. CYBER DEFENSE OPERATION DEFINED.—In this section, the term ‘cyber defense operation’ means the use of a defensive measure;—

(I) in section 2218(c)(4)(A) of the Homeland Security Act of 2002, by striking ‘information sharing and analysis organizations’ and inserting ‘information Sharing and Analysis Organizations’;

(II) in section 2200A of the Homeland Security Act of 2002, by striking paragraphs (1), (2), (5), and (6); and

(III) in section 2200F of the Homeland Security Act of 2002, by striking paragraphs (1), (2), (5), and (6); and

(31) SECURITY CONTROL.—The term ‘security control’ means the management, operational, and technical controls used to protect against an unauthorized effort to adversely affect the confidentiality, integrity, and availability of an information system or its information.
SEC. 5192. POST-DISASTER MENTAL HEALTH RESPONSE ACT

CHAPTER 2—POST-DISASTER MENTAL HEALTH RESPONSE ACT

TITLES III—GOVERNMENTAL AFFAIRS

Subtitle A—Intragovernmental Cybersecurity Information Sharing Act

SEC. 5201. REQUIREMENT FOR INFORMATION SHARING AGREEMENTS

SEC. 5211. GOVERNMENT CYBERSECURITY OFFICE UNIMPLEMENTED PRIORITY RECOMMENDATIONS

Subtitle B—Advancing American AI Act

SEC. 5221. SHORT TITLE

SEC. 5222. PURPOSES
SEC. 5222. DEFINITIONS.

In this subtitle:

(1) AGENCY.—The term "agency" has the meaning given the term in section 3502 of title 44, United States Code.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—

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

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

(3) ARTIFICIAL INTELLIGENCE.—The term "artificial intelligence" has the meaning given the term in section 238(g) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (10 U.S.C. 2355 note).

(4) ARTIFICIAL INTELLIGENCE SYSTEM.—The term "artificial intelligence system"—

(A) means any data system, software, application, tool, or utility that operates in whole or in part using dynamic or static machine learning algorithms or other forms of artificial intelligence, whether—

(i) the data system, software, application, tool, or utility is established primarily for the purpose of researching, developing, or implementing artificial intelligence technology;

(ii) artificial intelligence capability is integrated into another system or agency business process, operational activity, or technology and of which—

(B) does not include any common commercial product within which artificial intelligence is embedded, such as a word processor or in navigation system.

(B) the term "Department" means the Department of Homeland Security.

(D) any other individual or entity the Director determines to be appropriate.

(5) DEPARTMENT.—The term "Department" means the Department of Homeland Security.

(6) DIRECTOR.—The term "Director" means the Director of the Office of Management and Budget.

SEC. 5224. PRINCIPLES AND POLICIES FOR USE OF ARTIFICIAL INTELLIGENCE IN GOVERNMENT.

(a) GUIDANCE.—The Director shall, when developing the guidance required under section 104(a) of the AI in Government Act of 2020 (title I of division U of Public Law 116–260), consider—

(i) the considerations and recommended practices identified by the National Security Commission on Artificial Intelligence in the report entitled "Key Considerations for the Responsible Development and Fielding of AI", published on April 15, 2021;

(ii) the principles articulated in Executive Order 13960 (85 Fed. Reg. 78939; relating to responsible development and fielding of artificial intelligence, whether—

(iii) include considerations for securing the training data, algorithms, and other components of any artificial intelligence system against misuse, unauthorized alteration, degradation, and theft and sharing with unauthorized parties;

(iv) consider whether the system is using artificial intelligence to enhance audit and investigative capabilities, including actions to—

(A) ensure the integrity of audit and investigative results; and

(B) guard against bias in the selection and conduct of audits and investigations.

(d) ARTIFICIAL INTELLIGENCE HYGIENE AND PROTECTION OF GOVERNMENT INFORMATION, PRIVACY, CIVIL RIGHTS, AND CIVIL LIBERTIES.—

(1) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Director, in consultation with the Chief Information Officers Council, the Chief Data Officers Council, the Chief Information and Technology Officers Council, and the Chief Information Security Officers Council, shall develop an initial means by which to—

(A) ensure that contracts for the acquisition of an artificial intelligence system or service—

(i) align with the guidance issued to the head of each agency under section 104(a) of the AI in Government Act of 2020 (title I of division U of Public Law 116–260); and

(ii) address any other issue or concern determined to be relevant by the Director to ensure appropriate use and protection of privacy and Government data and other information.

(2) CONSULTATION.—In developing the considerations under paragraph (1)(A)(iv), the Director shall consult with the Secretary of Homeland Security, the Secretary of Energy, the Director of the National Institute of Standards and Technology, and the Director of the National Institute of Standards and Technology.

(3) REVIEW.—The Director—

(A) shall continuously update the means developed under paragraph (1), and

(B) not later than 180 days after the date of enactment of this Act and not less frequently than every 2 years thereafter, shall update the means developed under paragraph (1).

(b) BRIEFING.—The Director shall brief the appropriate congressional committees—

(a) INVENTORY.—Not later than 270 days after the date of enactment of this Act, and continuously thereafter for a period of 5 years, the Director, in consultation with the Chief Information Officers Council, the Chief Information Security Officers Council, and the other interagency bodies as determined to be appropriate by the Director, shall require the head of each agency to—

(b) C ENTRAL INVENTORY.—The Director is encouraged to designate a host entity and ensure the creation and maintenance of an online public directory to—

(1) make agency artificial intelligence use case information available to the public and those wishing to do business with the Federal Government; and

(2) identify common use cases across agencies.

(c) SHARING.—The sharing of agency inventories described in subsection (a)(2) may be accomplished through the Central Information Officers Council, the Chief Data Officers Council, the Chief Financial Officers Council, the Chief Acquisition Officers Council, or other interagency bodies, interagency coordination and information sharing for common use cases.

(d) DEPARTMENT OF DEFENSE.—Nothing in this section shall apply to the Department of Defense.

SEC. 5225. AGENCY INVENTORIES AND ARTIFICIAL INTELLIGENCE USE CASES.

(a) INVENTORY.—Not later than 270 days after the date of enactment of this Act, and continuously thereafter for a period of 5 years, the Director, in consultation with the Chief Information Officers Council, the Chief Data Officers Council, and other interagency bodies as determined to be appropriate by the Director, shall make agency artificial intelligence use case information available to the public and those wishing to do business with the Federal Government and to the extent practicable and in accordance with applicable law and policy, including those concerning protection of privacy and sensitive law enforcement, national security, and other protected information.

(b) CENTRAL INVENTORY.—The Director is encouraged to designate a host entity and ensure the creation and maintenance of an online public directory to—

(1) make agency artificial intelligence use case information available to the public and those wishing to do business with the Federal Government; and

(2) identify common use cases across agencies.

(c) SHARING.—The sharing of agency inventories described in subsection (a)(2) may be accomplished through the Central Information Officers Council, the Chief Data Officers Council, the Chief Financial Officers Council, the Chief Acquisition Officers Council, or other interagency bodies, interagency coordination and information sharing for common use cases.

(d) DEPARTMENT OF DEFENSE.—Nothing in this section shall apply to the Department of Defense.

SEC. 5226. RAPID PILOT, DEPLOYMENT AND SCALE OF APPLIED ARTIFICIAL INTELLIGENCE CAPABILITIES TO DEMONSTRATE MODERNIZATION ACTIVITIES RELATED TO USE CASES.

(a) IDENTIFICATION OF USE CASES.—Not later than 270 days after the date of enactment of this Act, the Director, in consultation with the Chief Information Officers Council, the Chief Data Officers Council, and other interagency bodies as determined to be appropriate by the Director, shall identify 4 no-use cases for the application of artificial intelligence-enabled systems to support interagency or intra-agency modernization initiatives that require linking multiple siloed, internal or external data sources, consistent with applicable laws and policies, including those relating to the protection of privacy and of sensitive law enforcement, national security, and other protected information.

(b) PILOT PROGRAM.—
(1) PURPOSES.—The purposes of the pilot program under this subsection include—
(A) to enable agencies to operate across organizational boundaries, coordinating between established programs and silos to improve delivery of the agency mission; and
(B) to demonstrate the circumstances under which artificial intelligence can be used to modernize or assist in modernizing legacy agency systems.

(2) DEPLOYMENT AND PILOT.—Not later than 1 year after the date of enactment of this Act, the Director, in coordination with the heads of relevant agencies and other officials as the Director determines to be appropriate, shall ensure the initiation of the piloting of the 4 new artificial intelligence use case applications identified under subsection (a), leveraging commercially available technologies and systems to demonstrate scalable artificial intelligence-enabled capabilities to support the use cases identified under subsection (a).

(3) RISK EVALUATION AND MITIGATION PLAN.—In carrying out paragraph (2), the Director shall require the heads of agencies to—
(A) evaluate risks in utilizing artificial intelligence systems; and
(B) develop a risk mitigation plan to address those risks, including consideration of—
(i) the artificial intelligence system not performing as expected;
(ii) the lack of sufficient or quality training data; and
(iii) the vulnerability of a utilized artificial intelligence system to unauthorized manipulation or misuse.

(4) BRIEFING.—In carrying out paragraph (2), the Director shall prioritize modernization projects that—
(A) would benefit from commercially available privacy-preserving technologies, such as use of differential privacy, federated learning, and secure multiparty computing; and
(B) otherwise take into account considerations of civil rights and civil liberties.

(5) USE CASE MODERNIZATION APPLICATION AREAS.—Use case modernization application areas described in paragraph (2) shall include not less than 1 from each of the following categories:
(A) Applied artificial intelligence to drive agency productivity efficiencies in predictive supply chain and logistics, such as—
(i) predictive food demand and optimized supply;
(ii) predictive medical supplies and equipment; and
(iii) predictive logistics to accelerate disaster preparedness, response, and recovery.
(B) Applied artificial intelligence to accelerate agency return and address mission-oriented challenges, such as—
(i) applied artificial intelligence portfolio management for agencies;
(ii) predictive maintenance and upskilling;
(iii) redundant and laborious analyses;
(iv) determining compliance with Government requirements, such as with grants management; or
(v) outcomes measurement to measure economic and social benefits.

(6) REQUIREMENTS.—Not later than 3 years after the date of enactment of this Act, the Director, in coordination with the heads of relevant agencies and other officials as the Director determines to be appropriate, shall establish operational artificial intelligence capability within each of the 4 use case pilots under this subsection that—
(A) solves data access and usability issues with high-priority technology and eliminates or minimizes the need for manual data cleansing and harmonization efforts;
(B) continuously and automatically ingests data and updates domain models in near real-time to help identify new patterns and predict trends, to the extent possible, to help agencies and businesses make better decisions and take faster actions;
(C) organizes data for meaningful data visualization and analysis so the Government has increased awareness for situational awareness to improve use cases;
(D) is rapidly configurable to support multiple applications and automatically adapts to dynamic conditions and evolving use case requirements, to the extent possible
(E) enables knowledge transfer and collaboration across agencies; and
(F) preserves property rights to the data and output for benefit of the Federal Government and agencies.

(7) BRIEFING.—Not earlier than 270 days but not later than 1 year after the date of enactment of this Act, and annually thereafter for 4 years, the Director shall brief the appropriate congressional committees on the activities carried out under this section and results of those activities.

(8) SUNSET.—The section shall cease to be effective on the date that is 15 years after the date of enactment of this Act.

SEC. 5227. ENABLING ENTREPRENEURS AND AGENCY MISSIONS.

(a) INNOVATIVE COMMERCIAL ITEMS.—Section 880 of the National Defense Authorization Act for Fiscal Year 2017 (41 U.S.C. 3301 note) is amended—
(1) in subsection (c), by striking $10,000,000 and inserting $25,000,000;
(2) by amending subsection (i) to read as follows:
[(f) DEFINITIONS.—In this section—
(1) the term ‘commercial product’—
(A) has the meaning given the term ‘commercial product’ in section 301 of the Federal Acquisition Regulation;
(B) includes a commercial product or a commercial service, as defined in sections 103 and 103a, respectively, of title 41, United States Code; and
(C) includes a commercial product or a commercial service, as defined in sections 103 and 103a, respectively, of title 41, United States Code;

(f) DEFINITIONS.—In this section—
(1) the term ‘commercial product’—
(A) has the meaning given the term ‘commercial product’ in section 301 of the Federal Acquisition Regulation;
(B) includes a commercial product or a commercial service, as defined in sections 103 and 103a, respectively, of title 41, United States Code; and
(C) includes a commercial product or a commercial service, as defined in sections 103 and 103a, respectively, of title 41, United States Code; and

(2) the term ‘innovative’ means—
(A) any new technology, process, or method, including research and development;
(B) any new application of an existing technology, process, or method; and
(3) in subsection (g), by striking ‘‘2022’’ and inserting ‘‘2027’’.

(b) DHS OTHER TRANSACTION AUTHORITY.—Section 831 of the Homeland Security Act of 2002 (6 U.S.C. 391) is amended—
(1) in subsection (a), by striking ‘‘300,000’’; and
(2) in subsection (c), by striking ‘‘2022’’ and inserting ‘‘2027’’.

(c) STRATEGIC EV MANAGEMENT ACT OF 2022.—
SEC. 5231. SHORT TITLE.
This subtitle may be cited as the ‘‘Strategic EV Management Act of 2022’’.

SEC. 5232. DEFINITIONS.—In this title:
(A) ADMINISTRATOR.—The term ‘‘Administrator’’ means the Administrator of General Services.

(2) AGENCY.—The term ‘‘agency’’ has the meaning given the term ‘‘agency’’ in section 551 of title 5, United States Code.

(3) 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 Oversight and Reform of the House of Representatives;
(C) the Committee on Environment and Public Works of the Senate; and
(D) the Committee on Energy and Commerce of the House of Representatives.

(4) DIRECTOR.—The term ‘‘Director’’ means the Director of the Office of Management and Budget.

SEC. 5233. STRATEGIC GUIDANCE.—
(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Administrator, in consultation with the Director—
(A) may consult with appropriate entities, including—
(1) the Secretary of Energy;
(2) the Administrator of the Environmental Protection Agency;
(3) the Chair of the Council on Environmental Quality;
(4) scientists who are studying electric vehicle batteries and reuse and recycling solutions;
(5) laboratories, companies, colleges, universities, or start-ups engaged in battery research, and recycling research;
(6) industries interested in electric vehicle battery recycling; and
(7) electric vehicle equipment manufacturers and recyclers; and
SEC. 5243. ESTABLISHMENT OF ONLINE PORTAL FOR CONGRESSIONALLY MANDATED REPORTS.

(a) Requirement To Establish Online Portal.—

(1) In General.—Not later than 1 year after the date of enactment of this Act, the Director shall establish and maintain an online portal accessible by the public that allows the public to search, sort, and download electronic copies of congressionally mandated reports in one place.

(2) Existing Functionality.—To the extent possible, the Director shall meet the requirements under paragraph (1) by using existing online portals and functionality under the authority of the Director in consultation with the Director of National Intelligence.

(b) Content and Function.—The Director shall ensure that the reports online portal includes the following:

(1) A citation to the statute requiring the report.

(2) An electronic copy of the report, including any transmittal letter associated with the report, that—

(A) is based on an underlying open data standard that is maintained by a standards organization;

(B) allows the full text of the report to be searchable; and

(C) is not encumbered by any restrictions that would impede the reuse or searchability of the report.

(3) The ability to retrieve a report, to the extent practicable, through searches based on each, and any combination, of the following:

(A) The title of the report.

(B) The reporting Federal agency.

(C) The date of publication.

(D) Each congressional committee or subcommittee receiving the report, if applicable.

(E) The statute requiring the report.

(F) Any other relevant information specified by the Director.

(4) The date on which the report was required to be submitted, and on which the report was submitted, to the reports online portal.

(E) To the extent practicable, a permanent means of archiving the report electronically.

(2) Means for Bulk Download of All Congressionally Mandated Reports.—

(A) A means for bulk download of all congressionally mandated reports that can be searched, sorted, and downloaded by—

(i) the select committee on intelligence, the committee on armed services, the committee on appropriations, or the committee on foreign relations of the senate;

(ii) the permanent select committee on intelligence, the committee on armed services, the committee on foreign affairs of the house of representatives;

(iii) the director; and

(iv) any other congressional committee or subcommittee thereof.

(B)全國安全例外.—The term “congressionally mandated report” does not include a report that is required to be submitted to the chair of a committee or subcommittee thereof.

(C) National Security Exception.—The term “congressionally mandated report” does not include a report that is required to be submitted to the director in writing that the report is to be withheld from the reports online portal if the chair of a committee or subcommittee to which the report is required to be submitted notifies the director in writing that the report is to be withheld from submission and publication under this subtitle.

(D) Notice on Portal.—If a report is withheld from submission or publication on the reports online portal under paragraph (1), the director shall post on the portal—

(A) a statement that the report is withheld at the request of a committee or subcommittee involved; and

(B) any other relevant information specified in paragraph (1).

(E) Free Access.—The director may not charge a fee, require registration, or impose any other limitation in exchange for access to the reports online portal.

(F) Upgrade Capability.—The reports online portal shall be enhanced and updated as necessary to carry out the purposes of this subtitle.

(h) Submission to Congress.—The submission of a congressionally mandated report to the reports online portal under this subtitle shall not be construed to satisfy any requirement to submit the congressionally mandated report to Congress, or a committee or subcommittee thereof.

SEC. 5244. FEDERAL AGENCY RESPONSIBILITIES.

(a) Submission of Electronic Copies of Reports.—Not earlier than 30 days after the date on which such reports were required to be submitted; and

(b) Reports Submitted After the Date on Which Such Reports Were Required to Be Submitted.—The reports submitted after the date on which such reports were required to be submitted shall not be submitted to the reports online portal.
the head of the Federal agency submitting the congressionally mandated report shall submit to the Director the information required under subparagraphs (A) through (D) of section 5245 with respect to the congressionally mandated report. Notwithstanding section 5246, nothing in this subsection shall relieve a Federal agency of any other duty to publish the congressionally mandated report on the online portal of the Federal agency or otherwise submit the congressionally mandated report to Congress, any specific committee of Congress, or subcommittees thereof.

(b) GUIDANCE.—Not later than 180 days after the date of enactment of this Act, the Director, in consultation with the Office of Management and Budget, shall issue guidance to agencies on the implementation of this subsection.

(c) STRUCTURE OF SUBMITTED REPORT DATA.—The head of each Federal agency shall ensure that each congressionally mandated report submitted to the Director complies with the guidance on the implementation of this subsection issued by the Director of the Office of Management and Budget under subsection (b).

(d) POINT OF CONTACT.—The head of each Federal agency shall designate a point of contact for congressionally mandated reports.

(e) REQUIREMENT FOR SUBMISSION.—The Director shall not publish any report through the online portal that is received from the head of the applicable Federal agency, or an officer or employee of the Federal agency specifically designated by the head of the Federal agency as the point of contact for congressionally mandated reports.

SEC. 5245. CHANGING OR REMOVING REPORTS.

(a) AUTHORITY TO CHANGE OR REMOVE REPORTS.—Except as provided in subsection (b), the head of the Federal agency concerned may change or remove a congressionally mandated report submitted to be published on the reports online portal if—

(1) the head of the Federal agency consults with each committee of Congress or subcommittee thereof to which the report is required to be submitted (or, in the case of a report which is not required to be submitted to a committee of Congress or subcommittee thereof, to each committee with jurisdiction over the agency, as determined by the head of the agency in consultation with the Chairman of the Senate Budget Committee, the Chairman of the House Committee on Appropriations, and the President pro tempore of the Senate) prior to changing or removing the report; and

(2) a joint resolution is enacted to authorize the change in or removal of the report.

(b) EXCEPTIONS.—Notwithstanding subsection (a), the head of the Federal agency concerned—

(1) may make technical changes to a report submitted to or published on the reports online portal;

(2) may remove a report from the reports online portal if the report was submitted to or published on the reports online portal in error;

(3) may withhold information, records, or reports from publication on the reports online portal in accordance with section 5246.

SEC. 5246. WITHHOLDING OF INFORMATION.

(a) IN GENERAL.—Nothing in this subsection shall be construed to—

(1) require the disclosure of information, records, or reports that are exempt from public disclosure under section 552a of title 5, United States Code, or that are required to be withheld under section 552a of title 5, United States Code; or

(2) reduce the affirmative duty on the Director to review congressionally mandated reports submitted for publication to the reports online portal for the purpose of identifying and redacting such information or records.

(b) WITHHOLDING OF INFORMATION.—

(1) By head of agency.—The head of a Federal agency may withhold from the Director, and from publication on the reports online portal, any information, records, or reports that the head of the agency determines by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this subtitle submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, that is classified, or that is otherwise prohibited from publication on the reports online portal or otherwise by any congressionally mandated report.

(2) NATIONAL SECURITY.—Nothing in this subsection shall be construed to require the publication on the reports online portal or otherwise of any congressionally mandated report—

(A) containing information that is law enforcement sensitive, or

(B) that describes information security policies, procedures, or activities of the executive branch.

(c) RESPONSIBILITY FOR WITHHOLDING OF INFORMATION.—If the Director publishes a congressionally mandated report to the reports online portal in accordance with this subsection, the head of each Federal agency shall be responsible for withholding information pursuant to the requirements of this section.

SEC. 5247. IMPLEMENTATION.

(a) REPORTS SUBMITTED TO CONGRESS.—

(1) IN GENERAL.—This subsection shall apply with respect to any congressionally mandated report which—

(A) is required by statute to be submitted to the House of Representatives, or the Speaker thereof, or the Senate, or the President or President Pro Tempore thereof, at any time on or after the date of the enactment of this Act; or

(B) is included by the Clerk of the House of Representatives or the Secretary of the Senate (as the case may be) on the list of reports received by the Clerk of the House of Representatives or the President pro tempore of the Senate (as the case may be) at any time on or after the date of the enactment of this Act.

(2) TRANSITION RULE FOR PREVIOUSLY SUBMITTED REPORTS.—To the extent practicable, the Director shall ensure that any congressionally mandated report described in paragraph (1) which is required to be submitted to Congress by a statute enacted before the date of the enactment of this Act is published on the reports online portal under this subsection.

(b) REPORTS SUBMITTED TO COMMITTEES.—

In the case of congressionally mandated reports which are required by statute to be submitted to a committee of Congress or subcommittee thereof, this subsection shall apply with respect to—

(1) any such report which is first required to be submitted by a statute which is enacted on or after the date of the enactment of this Act; and

(2) to the maximum extent practicable, any congressionally mandated report which was required to be submitted by a statute enacted before the date of enactment of this Act unless—

(A) the chair of the committee, or subcommittee thereof, to which the report was required to be submitted notifies the Director in writing that the report is to be withheld from publication; or

(B) the Director publishes the notification on the reports online portal.

(c) ACCESS FOR CONGRESSIONAL LEADERSHIP.—Notwithstanding any provision of this subtitle or any other provision of law, congressional leadership shall have access to congressional versions of reports submitted for publication.

SEC. 5248. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this subtitle, 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 subtitle submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee.

DIVISION J—WATER RESOURCES DEVELOPMENT ACT OF 2022

SEC. 5001. SHORT TITLE.

This division may be cited as the “Water Resources Development Act of 2022”.

SEC. 5002. DEFINITION OF SECRETARY.

In this division, the term “Secretary” means the Secretary of the Army.
carrying out the civil works mission of the Corps of Engineers;
(3) to the maximum extent practicable, projects and measures for the protection and restoration of coastal, riverine, and streambank failures and streambank and riverbank failures; or
(4) to the maximum extent practicable, periodic nourishment shall be provided, in accordance with section 156 of the Water Resources Development Act of 1978 (33 U.S.C. 2289a(a)); and

(b) SHORELINE AND RIVERINE PROTECTION AND RESTORATION.—

(1) IN GENERAL.—Section 212 of the Water Resources Development Act of 1999 (33 U.S.C. 2322) is amended—

(A) in the section heading, by striking "FLOOD MITIGATION AND RIVERINE RESTORATION PROGRAM" and inserting "SHORELINE AND RIVERINE PROTECTION AND RESTORATION";

(B) by striking subsection (a) and inserting the following:

"(a) IN GENERAL.—The Secretary may carry out projects—

(1) to reduce flood and coastal storm hazards, including shoreline erosion and riverbank and streambank failures; or

(2) to restore the natural functions and values of rivers and shorelines throughout the United States.;"

(C) in subsection (b)—

(i) by striking paragraph (1) and inserting the following:

"(1) AUTHORITY.—

"(A) STUDIES.—The Secretary may carry out studies to identify appropriate measures for—

(i) the reduction of flood and coastal storm hazards, including shoreline erosion and riverbank and streambank failures; or

(ii) the use of the natural functions and values of rivers and shorelines.

(B) PROJECTS.—Subject to subsection (f)(2), the Secretary may design and implement projects consisting of—

(i) by redesigning paragraphs (3) through (5) as paragraphs (4) through (6), respectively, and indenting appropriately;

(ii) by inserting "and coastal barriers" after "floodplains;"

(D) in subsection (c)—

(i) by striking paragraph (1) and inserting the following:

"(1) STUDIES.—

"(A) IN GENERAL.—Subject to subparagraph (B), the non-Federal share of the cost of a study under this section shall be—

(I) 50 percent; and

(ii) 10 percent, in the case of a study benefiting an economically disadvantaged community that is described pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2298(a)); and

(iii) in paragraph (3)—

(I) in the section heading, by striking "FLOOD CONTROL"; and

(II) by striking subparagraph (A) and inserting the following:

"(A) IN GENERAL.—Design and construction of a nonstructural measure or project, a measure or project described in section 1185 of the Water Resources Development Act of 2016 (33 U.S.C. 2285a(a)), or for a measure or project for environmental restoration, shall be subject to cost sharing in accordance with section 1185 of the Water Resources Development Act of 1986 (33 U.S.C. 2213), except that the non-Federal share of the cost to design and construct a project benefitting an economically disadvantaged community (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2291 note; Public Law 116–260)) shall be 10 percent.;"

(B) by striking paragraph (2);

(ii) by striking the section designation and heading and all that follows through "Notwithstanding" in paragraph (1) in the matter preceding subparagraph (A) and inserting the following:

"(d) PROJECT JUSTIFICATION.—Notwithstanding;

(iii) by redesigning subparagraphs (A) through (C) as paragraphs (1) through (3), respectively, and indenting appropriately; and

(iv) in paragraph (1) (as so redesignated)—

(I) by inserting "or coastal storm" after "flood"; and

(II) by inserting "and erosion or riverbank or streambank failures" after "damages;"

(F) in subsection (e)—

(i) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (GG), respectively, and indenting appropriately;

(ii) in the matter preceding subparagraph (A) (as so redesignated), by striking "in carrying out" and inserting the following:

"(1) IN GENERAL.—In carrying out; and

(II) by adding at the end the following:

"(2) PRIORITY PROJECTS.—In carrying out this section after the date of enactment of the Water Resources Development Act of 2022, the Secretary shall prioritize projects for the following locations:

(A) Delaware beaches and watersheds, Delaware,

(B) Louisiana Coastal Area, Louisiana,

(C) Great Lakes Shores and Watersheds,

(D) Oregon Coastal Area, Oregon,

(E) Upper Missouri River Basin,

(F) Chesapeake Bay watershed and Maryland beaches, Maryland,

(G) by striking subparagraphs (f), (g), and (i); and

(H) by redesigning subsection (h) as subsection (f); and

(1) in subsection (f) (as so redesignated), by striking paragraph (2) and inserting the following:

"(2) PROJECTS REQUIRING SPECIFIC AUTHORIZATION.—The Secretary shall not carry out a project until Congress enacts a law authorizing the Secretary to carry out the project, if the Federal share of the cost to design and construct the project exceeds—

(A) $20,000,000, in the case of a project benefitting an economically disadvantaged community (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2291 note; Public Law 116–260));

(B) $23,000,000, in the case of a project other than a project benefitting an economically disadvantaged community (as so defined); or

(C) is for purposes of environmental restoration; or

(ii) derives not less than 50 percent of the erosion, flood, or coastal storm risk reduction benefits from nonstructural measures or measures described in section 1184(a) of the Water Resources Development Act of 2016 (33 U.S.C. 2288a(a)); or

"(2) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Water Resources Development Act of 1999 (113 Stat. 269) is amended by striking the item relating to section 212 and inserting the following:

"Sec. 212. Shoreline and riverine protection and restoration.

(c) EMERGENCY STREAMBANK AND SHORELINE PROTECTION.—Section 14 of the Flood Control Act of 1946 (33 U.S.C. 701r) is amended by striking $5,000,000 and inserting "$10,000,000.

SEC. 5106. INLAND WATERWAY PROJECTS.

(a) IN GENERAL.—Section 102(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2321(a)) is amended—

(1) in the matter preceding paragraph (1), by striking "One-half of the costs" and inserting "75 percent of the costs"; and

(2) in the undesignated matter following paragraph (3), in the second sentence, by striking "One-half of such costs" and inserting "25 percent of such costs".

(b) APPLICABILITY.—The amendments made by subsection (a) shall apply to new and ongoing projects beginning on October 1, 2022.

(c) CONFORMING AMENDMENT.—Section 109 of the Water Resources Development Act of 2020 (33 U.S.C. 2212 note; Public Law 116–260) is amended by striking "fiscal years 2021 through 2031" and inserting "fiscal years 2022 through 2031".

SEC. 5104. PROTECTION AND RESTORATION OF OTHER FEDERAL LAND ALONG RIVERS AND COASTS.

(a) IN GENERAL.—The Secretary is authorized to use funds made available to the Secretary for water resources development purposes to construct, at full Federal expense, a measure benefitting Federal land under the administrative jurisdiction of another Federal agency if the measure—

(1) is included in a report of the Chief of Engineers or other decision document for a water resources development project that is specifically authorized by Congress;

(2) is included in a detailed project report (as defined in section 105(d) of the Water Resources Development Act of 1986 (33 U.S.C. 2255)); or

(3) utilizes dredged material from a water resources development project beneficially.

(b) APPLICABILITY.—This section shall apply to a measure following construction is initiated after the date of enactment of this Act.
(d) **SAVINGS PROVISIONS.—**Nothing in this section precludes—

(1) a Federal agency with administrative jurisdiction over Federal land from contributing to the total cost of the cost of a measure described in subsection (a) that benefits that land; or

(2) the Secretary, at the request of the non-Federal interest, to conduct a study for a project for flood or coastal storm risk management, from using funds made available to the Secretary for water resources development investigation in each fiscal year to formulate measures to reduce risk to a military installation, if the non-Federal interest shares in the cost to formulate those measures to the same extent that the Federal interest is required to share in the cost of the study.

(e) **REPEAL.—**

(1) In **general.**—Section 1025 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2225) is repealed.

(2) **CONFORMING AMENDMENT.**—The table of sections in title 10 (section 1025 of the Water Resources Reform and Development Act of 2014 (128 Stat. 1195) is amended by striking the item relating to section 1025.

**SEC. 5105. POLICY AND TECHNICAL STANDARDS.**

Consistent with the 5-year administrative and technical evaluation of the publication life cycle of the Department of the Army, the Secretary shall revise, rescind, or certify as current, as applicable, each of the civil works programs of the Corps of Engineers.

**SEC. 5106. PLANNING ASSISTANCE TO STATES.**

(a) **IN GENERAL.**—Section 22 of the Water Resources Development Act of 1974 (42 U.S.C. 2225) is amended—

(1) in subsection (a)—

(A) in paragraph (3), by striking “section 236 of title 10” and inserting “section 411 of title 10”; and

(B) by adding at the end the following:

“(4) PRORIORTIZATION.—To the maximum extent practicable, the Secretary shall prioritize the provision of assistance under this subsection to address both inland and coastal life safety risks.”;

(2) by redesignating subsections (b) through (f) as subsections (c) through (g), respectively;

(3) by inserting after subsection (a) the following:

“(b) **OUTREACH.—**

“(1) **IN GENERAL.**—The Secretary is authorized to carry out activities, at full Federal expense—

(A) to inform and educate States and other non-Federal interests about the missions, programs, policies, and procedures of the Corps of Engineers; and

(B) to engage with States and other non-Federal interests to identify specific opportunities to partner with the Corps of Engineers to address water resources development needs.

“(2) **STAFF.**—The Secretary shall designate staff in each district office of the Corps of Engineers to provide assistance under this subsection.”;

and

(4) in subsection (d) (as so redesignated), by adding at the end the following:

“(5) **OUTREACH.**—There is authorized to be appropriated $30,000,000 for each fiscal year to carry out subsection (b).

“(4) **PRORIORTIZATION.—**To the maximum extent practicable, the Secretary shall prioritize the provision of assistance under this section to economically disadvantaged communities (as defined pursuant to section 169 of the Water Resources Development Act of 2020 (33 U.S.C. 2301 note; Public Law 116-260)).

(b) **CONFORMING AMENDMENT.**—Section 3014(b)(3)(B) of the Water Resources Reform and Development Act of 2014 (42 U.S.C. 4313(b)(3)(B)) is amended by striking section ‘‘22(b) of the Water Resources Development Act of 1974 (42 U.S.C. 2225(b)); and inserting ‘‘section 22(c) of the Water Resources Development Act of 1974 (42 U.S.C. 2225(c))’’.

**SEC. 5107. FLOODPLAIN MANAGEMENT SERVICES.**

Section 206 of the Flood Control Act of 1960 (33 U.S.C. 709a) is amended—

(1) in subsection (a)—

(A) in the second sentence, by striking ‘‘Surveys and guides’’ and inserting the following:

“(2) SURVEYS AND GUIDES.—Surveys and guides;

(B) in the first sentence—

(i) by inserting ‘‘identification of areas subject to floods due to accumulated snags and other debris’’ after ‘‘inundation by floods of various magnitudes and frequencies,’’; and

(ii) by striking ‘‘In recognition’’ and inserting the following:

“(1) **IN GENERAL.**—In recognition’’; and

(C) by adding at the end the following:

“(3) IDENTIFICATION OF ASSISTANCE.—

“(A) **IN GENERAL.**—To the maximum extent practicable, in providing assistance under this subsection, the Secretary shall identify and communicate to States and non-Federal interests the opportunities, programs, policies, and procedures of the Corps of Engineers to address flood hazards.

“(B) **COORDINATION.—**The Secretary shall coordinate with the Army, the Secretary shall revise, re-

(C) by adding at the end the following:

“322(c) of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116-260).”;

(2) by redesignating subsection (d) as subsection (e); and

(3) by inserting after subsection (c) the following:

“(d) **INSTITUTIONS OF HIGHER EDUCATION.**

In this section, the term ‘‘historically Black college or university’’ has the meaning given the term ‘‘part B institution’’ in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061).

(b) **AUTHORIZATION.**—The Secretary is authorized to carry out activities, at full Federal expense—

(1) to foster, enhance, and support science, technology, engineering, and math education and awareness; and

(2) to recruit individuals for careers at the Corps of Engineers.

(c) **PARTNERING ENTITIES.**—In carrying out activities under this section, the Secretary may enter into partnerships with—

(1) public and nonprofit elementary and secondary schools;

(2) community colleges;

(3) technical schools;

(4) historically Black colleges and universities, including historically Black colleges and universities; and

(5) other institutions of learning.

(d) **PRORIORTIZATION.**—The Secretary shall, to the maximum extent practicable, prioritize the recruitment of individuals under this section that are located in economically disadvantaged communities (as defined pursuant to section 169 of the Water Resources Development Act of 2020 (33 U.S.C. 2301 note; Public Law 116-260)).

(e) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section $30,000,000 for each fiscal year 2023 through 2027.

**SEC. 5108. WORKFORCE PLANNING.**

(a) **DEFINITION OF HISTORICALLY BLACK COLLEGE OR UNIVERSITY.—**In this section, the term ‘‘historically Black college or university’’ has the meaning given the term ‘‘part B institution’’ in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061).

(b) **AUTHORIZATION.**—The Secretary is authorized to carry out activities, at full Federal expense—

(1) to foster, enhance, and support science, technology, engineering, and math education and awareness; and

(2) to recruit individuals for careers at the Corps of Engineers.

(c) **PARTNERING ENTITIES.**—In carrying out activities under this section, the Secretary may enter into partnerships with—

(1) public and nonprofit elementary and secondary schools;

(2) community colleges;

(3) technical schools;

(4) historically Black colleges and universities, including historically Black colleges and universities; and

(5) other institutions of learning.

(d) **PRORIORTIZATION.**—The Secretary shall, to the maximum extent practicable, prioritize the recruitment of individuals under this section that are located in economically disadvantaged communities (as defined pursuant to section 169 of the Water Resources Development Act of 2020 (33 U.S.C. 2301 note; Public Law 116-260)).

(b) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section $30,000,000 for each fiscal year 2023 through 2027.

**SEC. 5109. CREDIT IN LIEU OF REIMBURSEMENT.**

(a) **IN GENERAL.**—Section 1022 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2225) is amended—

(1) in subsection (a)—

(A) by striking ‘‘or before’’ before ‘‘an authorized coastal navigation project’’;

(B) by inserting ‘‘or any other water re-

(B) REQUIREMENTS.—

(1) **IN GENERAL.**—The Secretary may authorize a non-Federal sponsor to plan, design, construct, repair, or restore a coastal navigation project, and enter into a reimbursement agreement with the Secretary before carrying out the activity.

(2) **REQUESTS.**—

(A) **GENERAL RULE.**—The Secretary shall enter into a reimbursement agreement with the Secretary before carrying out the activity.

(B) **APPLICATION.**—With respect to a project carried out under section 204 of the Water Resources Development Act of 1986 (33 U.S.C. 2232), the Secretary shall exercise the authority under this section to apply credits and reimbursements related to the project in the performance of the requirements of subsection (d) of that section.

(b) **TREATMENT OF CREDIT BETWEEN PROJECTS.**—Section 707(d) (section 707(d) of the Water Resources Development Act of 121 Stat. 1251; 127 Stat. 1226) is amended by inserting ‘‘, or may be applied to reduce the amounts required to be paid by the non-Federal interest under the terms of the deferred payment agreements entered into between the Secretary and the non-Federal interest for the projects authorized by section 7012(a)(1)’’ before the period at the end.

**SEC. 5110. COASTAL STORM CATEGORIZATION.**

Section 152(a) (section 152(a) of the Water Resources Development Act of 2020 (33 U.S.C. 2225a(a)) is amended by inserting ‘‘or coastal storm risk management’’ after ‘‘flood risk management’’.

**SEC. 5111. ADVANCE PAYMENT IN LIEU OF REIM-

**SEC. 5112. USE OF EMERGENCY FUNDS.**

Section 5(a) (section 5(a) of the Flood Control Act of 1841 (33 U.S.C. 571(a)) is amended—

(1) in paragraph (1), in the first sentence, by inserting ‘‘, increase resilience, increase effectiveness in preventing damages from inundation, wave attack, or erosion,’’ after ‘‘address major deficiencies’’; and

(2) by adding at the end the following:

“(4) **WORK CARRIED OUT BY A NON-FEDERAL SPONSOR.**—

“(A) **GENERAL RULE.**—The Secretary may authorize a non-Federal sponsor to plan, design, construct, repair or restore a coastal navigation project, and enter into a reimbursement agreement with the Secretary before carrying out the activity.
“(1) COMPLIANCE WITH OTHER LAWS.—The
non-Federal sponsor shall carry out all ac-
tivities under this paragraph in compliance
with all laws and regulations that would apply
if the activities were carried out by the Secre-
tary.

“(2) CREDITS.—In
the form of an
advance or a reimbursement, to the non-Fed-
eral sponsor for the share of the cost of a
planning design, or construction activ-
ty for repair or restoration work de-
scribed in paragraph (1).

“(3) ADDITIONAL AMOUNTS.—If the Federal
share of the cost of the activity under this
paragraph in compliance with all laws and
regulations that would apply if the activities
were carried out by the Secretary under an agreement under sub-
paragraph (B), the advance or reimburse-
ment of such additional amounts shall be at
the discretion of the Secretary.

“(D) ANNUAL LIMIT ON REIMBURSEMENTS NOT
APPLICABLE.—Section 102 of the Energy and
Water Development Appropriations Act, 2006
(33 U.S.C. 2231), shall not apply to an agree-
ment under subparagraph (B).”.

SEC. 5113. RESEARCH AND DEVELOPMENT.

(a) IN GENERAL.—Section 7 of the Water
Resources Development Act of 1988 (33 U.S.C.
2221), shall not apply to an agree-
ment under this subsection.

(b) COLLABORATIVE RESEARCH AND
DEVELOPMENT.—

“(1) in the section heading, by striking
“COLLABORATIVE”;

“(2) in paragraph (b), by redesignating para-
graphs (1) and (2) as subparagraphs (A) and
(B), respectively, and indenting appropri-
ately;

“(3) by striking subsection (e);

“(4) by redesignating subsections (b), (c),
(d), and (f) as paragraphs (2), (3), (4), and (5),
respectively, and indenting appropriately;

“(5) in subsection (a), by striking “of the
Army Corps of Engineers, the Secretary is
authorized to utilize Army” and inserting the
following: “of the Corps of Engineers, the
Secretary is authorized to engage in basic re-
search, applied research, advanced research,
and development projects, including such
projects that are—”;

“(1) authorized by Congress; or

“(2) included in an Act making appropri-
ations for the Corps of Engineers.

“(b) COLLABORATIVE RESEARCH AND
DEVELOPMENT.—

“(1) in general.—In carrying out subsection (a), the Secretary is authorized to utilize “COLLABORATIVE”;

“(2) in subsection (b) (as so redesignated)—

“(A) in paragraph (2)(A) (as so redesignated),
by striking “this section” and inserting “this
subsection”;

“(B) in paragraph (3) (as so redesignated), in
the first sentence, by striking “this section” and inserting “this
subsection”;

“(C) in paragraph (4) (as so redesignated), by striking “subsection (c)” and inserting “paragraph (3)”; and

“(D) in paragraph (5) (as so redesignated), by striking “Public Law” and inserting “this
subsection”;

“(2) by adding at the end the following:

“(c) OTHER TRANSACTIONS.—

“(1) AUTHORITY.—The Secretary may enter into transactions (other than contracts, co-
operative agreements, and grants) in order to carry out this section.

“(2) EDUCATION AND TRAINING.—The Secre-
tary shall—

“(A) ensure that management, technical,
and contracting personnel of the Corps of
Engineers is provided in the award or adminis-
tration of transactions under this section or
other innovative forms of contracting are af-
forded opportunities for adequate education
and training;

“(B) establish minimum levels and require-
ments for continuous and experiential learn-
ing for such personnel, including levels and
requirements for acquisition certification
programs.

“(3) NOTIFICATION.—The Secretary shall
report to Congress on the Environment
and Public Works of the Senate and the
Committee on Transportation and Infra-
structure of the House of Representatives
notice of a transaction under this subsection
not less than 30 days before entering into the
transaction.

“(4) REPORT.—Not later than 3 years and
not later than the date of enactment of the
Water Resources Development Act of 2022, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Com-
ittee on Transportation and Infrastructure of the House of Representatives a report on the use of the authority under paragraph (1).

“(e) COST SHARING.—

“(1) IN GENERAL.—For fiscal year 2025, and
annually thereafter, in conjunction with the annual budget submission of the President to Congress under section 1105(a) of title 31, United States Code, the Secretary shall sub-
mit to the Committee on Environment and
Public Works of the Senate and the Com-
ittee on Transportation and Infrastructure of the House of Representatives a report on projects carried out under subsection (a).

“(2) CONTENTS.—A report under paragraph
(1) shall include—

“(i) a description of each ongoing and new
project, including—

“(ii) the estimated total cost;

“(iii) the amount of Federal expenditures;

“(iv) the estimated timeline for comple-
tion;

“(v) the requesting district of the Corps of
Engineers, if applicable; and

“(vi) if the project is consistent with
subsection (a); and

“(B) any additional information that
the Secretary determines to be appropriate.

“(f) SAVINGS CLAUSE.—Nothing in this sec-
tion shall be construed to—

“(1) IN GENERAL.—Except as provided in
subsection (b)(3) and paragraph (2), a project
carry out under this section shall be at full
Federal expense.

“(2) TREATMENT.—Nothing in this sub-
section waives applicable cost-share require-
ments for a water resources development
project as defined in section 105(d) of the
Water Resources Development Act of 1986
(33 U.S.C. 2215(d)).

“(g) RESEARCH AND DEVELOPMENT AC-
COUNT.—

“(1) IN GENERAL.—There is established a
Research and Development account of the
Corps of Engineers for the purposes of car-
rying on the program.

“(2) AUTHORIZATION OF APPROPRIATIONS.—

“(a) DEFINITIONS.—In this section:

“(1) COMMITTEE.—The term “Committee” means the Committee on Environment and Public Works of the Senate and the Commitee shall be known as the “Tribal and Economically Disad-
avantaged Communities Advisory Committee”.

“(2) ECONOMICALLY DISADVANTAGED COMMU-
NITY.—The term “Economically disadvantaged community” has the meaning given in the Water Resources Development Act of 2020 (33 U.S.C. 2231).

“(3) INDIAN TRIBE.—The term “Indian Tribe” has the meaning given in the section 4
of the Indian Self-Determination and Edu-

“(b) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this Act, the Secretary shall establish a committee, to be
known as the “Tribal and Economically Disad-
avantaged Communities Advisory Committee”, to develop and make rec-
ommendations to the Secretary and the Secretary on actions that should be undertaken by the Corps of Engineers to ensure more effective delivery of water resources development projects, and other water
resources projects and services in economically disadvantaged communities and Indian
Tribes.
(c) MEMBERSHIP.—The Committee shall be composed of members, appointed by the Secretary, who have the requisite experiential or technical knowledge needed to address issues associated with water resources projects and challenges of economically disadvantaged communities and Indian Tribes, including—

(1) Individuals representing organizations with expertise in environmental policy, rural water resources, economically disadvantaged communities, Tribal rights, or civil rights; and

(2) 5 individuals, each representing a non-Federal interest for a Corps of Engineers project.

(d) DUTIES.—

(1) RECOMMENDATIONS.—The Committee shall provide advice and make recommendations to the Secretary and the Chief of Engineers to assist the Corps of Engineers in—

(A) efficiently and effectively delivering solutions to water resources development projects needs and challenges for economically disadvantaged communities and Indian Tribes;

(B) integrating consideration of economically disadvantaged communities and Indian Tribes, in the development of water resources development projects and programs of the Corps of Engineers; and

(C) improving the capability and capacity of the Corps of Engineers to assist economically disadvantaged communities and Indian Tribes.

(2) MEETINGS.—The Committee shall meet as appropriate to develop and make recommendations under paragraph (1).

(3) REPORT.—Recommendations provided under paragraph (1) shall be—

(A) included in a report submitted to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives; and

(B) be made publicly available, including on a publicly available website.

(e) INDEPENDENT JUDGMENT.—Any recommendation made by the Committee to the Secretary and the Chief of Engineers under subsection (d)(1) shall reflect the independent judgment of the Committee.

(f) ADMINISTRATION.—

(1) COMPENSATION.—Except as provided in paragraph (2), the members of the Committee shall serve without compensation.

(2) TRAVEL EXPENSES.—The members of the Committee shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Committee.

(g) AUTHORIZATION OF APPROPRIATIONS.—The members of the Committee shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Committee.

(h) TREATMENT.—Any recommendation made by the Secretary and the Chief of Engineers under this section shall be treated as the recommendation of the Committee.

(i) EFFECTIVE DATE.—This section shall apply to the Committee.

(j) LTU.—The Committee shall not apply to the Committee.

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SEC. 5115. NON-FEDERAL INTEREST ADVISORY COMMITTEE.

(a) DEFINITIONS.—In this section:

(1) PROJECT.—The term ‘‘project’’ means a single cycle of dredging of an underserved community harbor and the associated placement of dredged material at a beneficial use placement site or disposal site.

(2) COMMUNITY HARBOR.—The term ‘‘underserved community harbor’’ means an emerging harbor (as defined in section 210(f) of the Water Resources Development Act of 1986 (33 U.S.C. 2238(f))) for which—

(A) no Federal funds have been obligated for maintenance dredging in the current fiscal year or in any of the 4 preceding fiscal years; and

(B) State and local investments in infrastructure have been made during the preceding 4 fiscal years.

(b) MEMBERSHIP.—The Secretary may carry out projects to dredge underserved community harbors for purposes of sustaining water-dependent commercial and recreational activities at such harbors.

(c) JUSTIFICATION.—The Secretary may carry out a project under this section if the Secretary determines that the cost of the project is reasonable in relation to the sum of—

(1) the local or regional economic benefits; and

(2)(A) the environmental benefits, including the benefits to the aquatic environment to be derived from the creation of wetland and control of shoreline erosion; or

(B) other social effects, including protective measures against loss of life and restrictions to local or regional cultural heritage.

(d) COST SHAKE.—The non-Federal share of the cost of a project carried out under this section shall be determined in accordance with—

(1) subsection (a), (b), (c), or (d), as applicable, of section 103(b) of the Water Resources Development Act of 1986 (33 U.S.C. 2213), for any portion of the cost of the project allocated to flood or coastal storm risk management, ecosystem restoration, or recreation; and

(2) section 103(b)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(b)(1)), for the portion of the cost of the project other than a portion described in paragraph (1).

(e) CLARIFICATION.—The Secretary shall not be responsible for the cost of a project carried out under this section to perform additional operational and maintenance activities at the beneficial use placement site or disposal site.

(f) FEDERAL PARTICIPATION LIMIT.—The Federal share of the cost of a project under this section shall not exceed $10,000,000.

(g) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to carry out this section, for each of fiscal years 2023 through 2026.

(2) SPECIAL RULE.—Not less than 35 percent of the amounts made available to carry out projects under this section shall be used for projects that include the beneficial use of dredged material.
(h) SAVINGS PROVISION.—Carrying out a project under this section shall not affect the eligibility of an underserved community harbor for Federal operation and maintenance funding or other funding authorized under this section.

SEC. 5117. CORPS OF ENGINEERS WESTERN WATER RESOURCES COOPERATIVE COMMITTEE.

(a) FINDINGS.—Congress finds that—

(1) a bipartisan coalition of 19 Western Senators wrote to the Office of Management and Budget on September 17, 2019, in opposition to the proposed rulemaking entitled “Use of U.S. Army Corps of Engineers Reservoir Projects for Domestic, Municipal & Industrial Water Supply” (81 Fed. Reg. 57892 (December 23, 2016)), describing the rule as counter to existing law and court precedent; and

(2) on January 21, 2020, the proposed rulemaking described in paragraph (1) was withdrawn; and

(3) the Corps of Engineers should consult with Western States to ensure, to the maximum extent practicable, that operation of water resources studies in prior appropriation States is consistent with the principles of the first section of the Act of December 22, 1944 (commonly known as the “Flood Control Act of 1944”) (58 Stat. 887, chapter 665; 33 U.S.C. 701–1) and section 3 of the Water Supply Act of 1958 (43 U.S.C. 390b).

(b) ESTABLISHMENT.—

(i) N OTIFICATION.—The Cooperative Committee shall be open and accessible to the public.

(ii) THE COOPERATIVE COMMITTEE SHALL MEET.—The Cooperative Committee shall meet not less than once each year to consider proposals of the Secretary of the Army for agreements under this section as the “Cooperative Committee”.

(iii) THE COOPERATIVE COMMITTEE SHALL BE OPEN.—The Cooperative Committee shall be open to the public.

(iv) THE COOPERATIVE COMMITTEE SHALL MEET.—The Cooperative Committee shall meet not less than once each year to consider proposals of the Secretary of the Army for agreements under this section as the “Cooperative Committee”.

(v) MEETINGS.—Each meeting of the Cooperative Committee shall be open to the public.

(vi) MEETINGS.—Each meeting of the Cooperative Committee shall be open to the public.

(c) MEMBER QUALIFICATIONS.—The members of the Cooperative Committee shall—

(i) be residents of the Western States; and

(ii) be members of the State water rights commissions or other State agencies responsible for water rights and water laws.

(d) COMPENSATION.—The Cooperative Committee shall be reimbursed for travel expenses, subsistence, at rates authorized for employees of agencies under subchapter I of chapter 55 of title 5, United States Code.

(e) RECORDS.—The Cooperative Committee shall maintain records pertaining to the operation of Corps of Engineers projects and State water rights and water laws.

(f) REPORTS.—The Cooperative Committee shall annually report to the Congress on the operation of Corps of Engineers projects and State water rights and water laws.

SEC. 5118. UPDATES TO CERTAIN WATER CONTROL MANUALS.

On request of the Governor of a State in which the Secretary declared a drought in the current calendar year, the Secretary is authorized to update water control manuals for waters in the State, with priority given to those waters that accommodate a water supply project.

SEC. 5119. SENSE OF CONGRESS ON OPERATIONS AND MAINTENANCE OF RECREATION SITES.

It is the sense of Congress that the Secretary, as part of the annual work plan, should distribute amounts provided for the operations and maintenance of recreation sites of the Corps of Engineers so that each site receives an amount that is not less than 80 percent of the recreation fees generated by such site in a given year.

SEC. 5120. RELOCATION ASSISTANCE.

In the case of a water resources development project using nonstructural measures for the elevation or modification of a dwelling that is the primary residence of an owner-occupant and that requires the owner-occupant to relocate temporarily from the dwelling during the period of construction, the Secretary may include in the value of the land, easements, and rights-of-way required for the project or the measure the contributions of the owner-occupant including—

(A) food and personal transportation, incurred by the owner-occupant during the period of relocation.

SEC. 5121. REPROGRAMMING LIMITS.

(a) OPERATIONS AND MAINTENANCE.—In reprogramming funds made available to the Secretary for operations and maintenance—

(1) no Secretary shall reprogram more than 25 percent of the base amount up to a limit of—

(2) $250,000 for a project, study, or activity with a base level over $1,000,000; and

(b) INFRASTRUCTURE.—In reprogramming funds made available to the Secretary for infrastructure—

(1) $500,000 for a project, study, or activity with a base level over $1,000,000; and

(2) $250,000 for a project, study, or activity with a base level over $1,000,000, but not more than 25 percent of any continuing study or activity of the Secretary that did not receive an appropriation.

SEC. 5122. LEASE DURATIONS.

The Secretary shall issue guidance on, in the case of a leasing decision pursuant to section 2601 of the National Park Service Management Act of 1978 (33 U.S.C. 7001(c)(1)) and the promotion of policy or regulations for the payment of reasonable rentals, the Secretary shall notify the lessee of the proposed rate at least 18 months prior to the date of the lease, and the Secretary shall, if the lessee disagrees, hold a hearing at which the lessee shall have the opportunity to present arguments.

SEC. 5123. SENSE OF CONGRESS RELATING TO POST-DISASTER REPAIRS.

It is the sense of Congress that in permitting and funding post-disaster repairs, the Secretary should—

(1) project design levels; or

(2) if the original project design is outdated, the maximum extent practicable, repair assets—

SEC. 5124. PAYMENT OF PAY AND ALLOWANCES OF CERTAIN OFFICERS FROM APPROPRIATIONS FOR IMPROVEMENTS.

Section 36 of the Act of August 10, 1956 (70A Stat. 634, chapter 1941; 33 U.S.C. 536(a)), is amended—

(a) by adding “SITES.

(2) The following members of the Army are authorized to be used to carry out the purposes of the Act of December 22, 1944 (commonly known as the “Flood Control Act of 1944”) (58 Stat. 887, chapter 665; 16 U.S.C. 4601), instances in which a lease duration in excess of 25 years is appropriate.

SEC. 5125. REFORESTATION.

The Secretary is encouraged to consider measures to restore swamps and other wetland forests in studies for water resources development projects for ecosystem restoration and flood and coastal storm risk management.

SEC. 5126. USE OF OTHER FEDERAL FUNDS.

Section 2007 of the Water Resources Development Act of 2017 (33 U.S.C. 2222) is amended—

(a) by striking “water resources study or project” and inserting “water resources development project or study, including a study or project under a continuing authorizing legislation”;

SEC. 5127. DAILY USE OF FUNDING.

The Secretary is authorized to carry out projects for the benefit of the public, including water resources development projects for ecosystem restoration and flood and coastal storm risk management.
SEC. 5127. NATIONAL LOW-HEAD DAM INVENTORY.

The National Dam Safety Program Act (33 U.S.C. 467 et seq.) is amended by adding at the end the following:

SEC. 15. NATIONAL LOW-HEAD DAM INVENTORY.

(a) DEFINITIONS.—In this section:

(1) INVENTORY.—The term ‘inventory’ means a national inventory of low-head dams developed under subsection (b)(1).

(2) LOW-HEAD DAM.—The term ‘low-head dam’ means a river-wide dam that generally spans a natural channel, blocking the waterway and creating a backup of water behind the dam, with a drop off over the wall of not less than 6 inches and not more than 25 feet.

(b) NATIONAL LOW-HEAD DAM INVENTORY.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this section, the Secretary, in consultation with the heads of appropriate Federal and State agencies, shall—

(A) develop an inventory of low-head dams in the United States that includes—

(i) the location, ownership, description, current use, condition, height, and length of each low-head dam;

(ii) any information on public safety conditions at each low-head dam;

(iii) public safety information on the dangers of low-head dams;

(iv) a directory of financial and technical assistance resources available to reduce safety hazards and fish passage barriers at low-head dams; and

(v) any other relevant information concerning low-head dams; and

(B) submit the inventory to the Committee on Environment and Public Works and the Committee on Transportation and Infrastructure of the House of Representatives.

(2) DATA.—In carrying out this subsection, the Secretary shall—

(A) coordinate with Federal and State agencies and other relevant entities; and

(B) use data provided to the Secretary by those agencies.

(3) UPDATES.—The Secretary, in consultation with appropriate Federal and State agencies, shall, and periodically publish updates to the inventory.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary for this inventory—

$30,000,000.

SEC. 5128. TRANSFER OF EXCESS CREDIT.

Section 1020 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2233) is amended—

(1) in subsection (a), by adding at the end the following:

(2) STUDIES AND PROJECTS WITH MULTIPLE NON-FEDERAL INTERESTS.—A credit described in paragraph (1) for a study or project with multiple non-Federal interests may be applied to the required non-Federal cost share for a study or project of any of those non-Federal interests, subject to the condition that each non-Federal interest for the study or project for which the credit described in paragraph (1) is provided concurs in writing—

(2) in subsection (b), by adding at the end the following:

(3) CONDITIONAL APPROVAL OF EXCESS CREDIT.—The Secretary may approve credit in excess of the Federal share for a study or project prior to the identification of each authorized study or project to which the excess credit will be applied, subject to the condition that the non-Federal interest agrees to submit for approval by the Secretary an amendment to the comprehensive plan prepared under paragraph (2) that identifies each authorized study or project in advance of execution of the feasibility cost sharing agreement or project partnership agreement for that authorized study or project.

(3) by striking subsection (d); and

(4) by redesignating subsection (e) as subsection (d).

SEC. 5129. NATIONAL LEVEE RESTORATION.

(a) DEFINITION OF REHABILITATION.—Section 9002(13) of the Water Resources Development Act of 2007 (33 U.S.C. 3903(a)(13)) is amended—

(1) by inserting ‘‘, or improvement’’ after ‘‘removal’’; and

(2) by inserting ‘‘, increase resiliency to extreme weather events, after ‘‘flood risk’’.

(b) LEVEE REHABILITATION ASSISTANCE PROGRAM.—Section 1020 of the Water Resources Development Act of 2007 (33 U.S.C. 3903(a)(13)) is amended—

(1) in paragraph (7), by striking ‘‘$10,000,000’’ and inserting ‘‘$25,000,000’’; and

(2) by adding at the end the following:

(II) PRIORITIZATION.—To the maximum extent practicable, the Secretary shall prioritize the provision of assistance under this subsection to economically disadvantaged communities (as defined pursuant to section 1903 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116-250)).

SEC. 5130. INLAND WATERWAYS REGIONAL DREDGE PILOT PROGRAM.

Section 1111 of the America’s Waterway Infrastructure Act of 2018 (33 U.S.C. 2236; Public Law 115-270) is amended by adding at the end the following:

(B) PROJECTS.—In awarding contracts for projects on inland waterways that are a part of the pilot program, the Secretary shall consider projects that—

(A) increase the reliability, availability, and efficiency of federally-owned and federally-operated inland waterways projects;

(B) to decrease operational risks across the inland waterways system; and

(C) to provide cost-savings by combining work across multiple projects across different accounts of the Corps of Engineers.

DEC. 5131. INLAND WATERWAYS REGIONAL DREDGE PILOT PROGRAM.

Section 104(a)(2) of the Water Resources Development Act of 2000 (33 U.S.C. 2352(a)(2)) is amended—

(1) by striking ‘‘The Secretary’’ and inserting the following:

(A) IN GENERAL.—‘‘The Secretary’’; and

(2) by adding at the end the following:

(2) USE OF CREDITS.—The use of credits generated by the mitigation bank established using expedited processing under clause (i) shall be limited to current and future projects and activities of the entity, company, or carrier described in paragraph (a) of that clause for a public purpose, except that in the case of a non-Federal public entity, not more than 25 percent of the credits may be sold to other public and private entities.

SEC. 5132. NON-FEDERAL PROJECT IMPLEMENTATION PILOT PROGRAM.

Section 104(b) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2201 note; Public Law 113-121) is amended—

(1) in paragraph (3), by inserting ‘‘or discrete segment’’ after ‘‘separable element’’ each place it appears; and

(2) by adding at the end the following:

(10) DEFINITION OF DISCRETE SEGMENT.—In this subsection, the term ‘discrete segment’ means a physical portion of a project or separable element that the non-Federal interest can operate and maintain, independently and without creating a hazard, in advance of the completion of the project or, where applicable, the completion of the pilot project or the pilot project, separable element thereof.

SEC. 5133. COST SHARING FOR TERRITORIAL AND INDIAN TRIBES.

Section 1516 of the Water Resources Development Act of 1986 (33 U.S.C. 2310) is amended by adding at the end the following:

(c) APPLICATION TO STUDIES.—

(1) INCLUSION OF PURPOSES OF THIS SECTION.—The term ‘study’ includes watershed assessments.

(2) APPLICATION.—The Secretary shall apply the waiver amount described in subsection (a) to reduce only the non-Federal share of study costs. 
SEC. 5134. WATER SUPPLY CONSERVATION.
Section 1116 of the W IGN Act (130 Stat. 1639) is amended—
(1) in subsection (a), in the matter preceding paragraph (1) by striking "during the 1-year period ending on the date of enactment of this Act" and inserting "for at least 2 years during the 10-year period preceding a request for Federal interest for assistance under this section"; and
(2) in subsection (b)(4), by inserting "in accordance with the criteria provided in the joint explanatory statement of managers accompanying division D of the Consolidated Appropriations Act, 2021 (Public Law 116-260; 134 Stat. 2889)."

SEC. 5135. CRITERIA FOR FUNDING OPERATION AND MAINTENANCE OF SMALLE Scale, SUBMERSIBLE, AND SUBSISTENCE HARBORS.
(a) In general.—Not later than 180 days after the date of enactment of this Act, the Secretary shall develop specific criteria for projects of the Corps of Engineers.''
(b) Inclusion in guidance.—The Secretary shall include the criteria developed under subsection (a) in the annual Civil Works Direct Project Development Policy Guidance of the Secretary.

SEC. 5136. PROTECTION OF LIGHTHOUSES.
Section 14 of the Flood Control Act of 1946 (33 U.S.C. 701r) is amended by inserting "lighthouses, including those lighthouses with historical value," after "schools.",

SEC. 5137. EMERGING HYDRO POWER AT CORPS OF ENGINEERS FACILITIES.
Section 1008 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2231b) is amended—
(1) in subsection (b)(1), by inserting "and to meet the requirements of subsection (b)" after "projects";
(2) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and
(3) by inserting after subsection (a) the following:
"(b) IMPLEMENTATION OF POLICY.—The Secretary shall—
(1) ensure that the policy described in subsection (a) is implemented nationwide in an efficient, consistent, and coordinated manner; and
(2) assess opportunities—
(A) to increase the development of hydroelectric power at existing hydroelectric water resources development projects of the Corps of Engineers; and
(B) to develop new hydroelectric power at nonpowered water resources development projects of the Corps of Engineers.",

SEC. 5138. MATERIALS, SERVICES, AND FUNDS FOR REPAIR, RESTORATION, OR REHABILITATION OF CERTAIN PUBLIC RECREATION FACILITIES.
(a) Definition of eligible public recreation facility.—In this section, the term "eligible public recreation facility" means a facility at a reservoir operated by the Corps of Engineers that—
(1) was constructed to enable public use of and access to the reservoir; and
(2) requires repair, restoration, or rehabilitation to function.
(b) Approval.—During a period of low water at an eligible public recreation facility, the Secretary is authorized—
(1) to accept and transfer materials, services, and funds for the Federal interest to repair, restore, or rehabilitate the facility; and
(2) to reimburse the non-Federal interest for the Federal share of the materials, services, or funds.
(c) Requirement.—The Secretary may not reimburse a non-Federal interest for the use of materials or services under this section unless the materials or services—
(1) meet the specifications of the Secretary; and
(2) comply with all applicable laws and regulations that would apply if the materials and services were acquired by the Secretary, including subchapter IV of chapter 51 and chapter 37 of title 40, United States Code, section 8302 of title 41, United States Code, and the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

SEC. 5139. DREDGED MATERIAL MANAGEMENT PLANS.
(a) In general.—The Secretary shall prioritize implementation of section 125(c) of the Water Resources Development Act of 2020 (33 U.S.C. 2232b) at federally authorized harbors in the State of Ohio.
(b) Requirements.—Each dredged material management plan prepared by the Secretary under section 125(c) of the Water Resources Development Act of 2020 (33 U.S.C. 2232b) for a federally authorized harbor in the State of Ohio shall—
(1) include, in the baseline conditions, a prohibition on use of funding for open-lake disposal of dredged material consistent with section 105 of the Energy and Water Development and Related Agencies Appropriations Act, 2022 (Public Law 117-183; 136 Stat. 2175); and
(2) maximize beneficial use of dredged material under subsections (b) and (d) of section 204(d) of the Water Resources Development Act of 1992 (33 U.S.C. 2232d).
(c) Savings provision.—This section does not—
(1) impose a prohibition on use of funding for open-lake disposal of dredged material;
(2) require the development or implementation of a dredged material management plan in accordance with subsection (b) if use of funding for open-lake disposal is not otherwise prohibited by law; or
(3) include any other term or condition required by the Secretary.

SEC. 5140. LEASE DEVIATIONS.
The Secretary shall fully implement the requirements of section 153 of the Water Resources Development Act of 2020 (134 Stat. 2658).

SEC. 5141. COLUMBIA RIVER BASIN.
(a) Study of flood risk management activities.—
(1) In general.—Using funds made available to carry out this section, the Secretary is authorized, at Federal expense, to carry out a study to determine the feasibility of a project for flood risk management and related purposes in the Columbia River basin beginning on the date of enactment of this Act and ending on September 30, 2025, for purposes of determining if the cost of the project exceeds the maximum cost of the project under section 120 of the Water Resources Development Act of 1986 (33 U.S.C. 2290).

SEC. 5142. CONTINUATION OF CONSTRUCTION.
(a) In general.—The Secretary shall not incur any Federal obligations in excess of available funds or any non-Federal contributions provided in the bill to carry out the Columbia River Basin.''

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(b) **CONTINUATION OF CONSTRUCTION.**—

(1) **IN GENERAL.**—The Secretary shall not, solely on the basis of section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280)–

(A) defer the initiation or continuation of construction of a water resources development project during the period described in subsection (a); or

(B) terminate a contract for design or construction of a water resources development project entered into during the period described in subsection (a) after expiration of that period.

(2) **RISUMPTION OF CONSTRUCTION.**—The Secretary shall resume construction of any water resources development project for which construction was deferred on the basis of section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280) during the period beginning on October 1, 2021, and ending on the date of enactment of this Act.

(c) **STUTRARY CONSTRUCTION.**—Nothing in this section waives the obligation of the Secretary to submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a post-authorization change report recommending an increase in the authorized cost of a project if the project otherwise would exceed the authorized cost of the project under section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280).

**TITLE LII—STUDIES AND REPORTS**

**SEC. 5201. AUTHORIZATION OF FEASIBILITY STUDIES.**

(a) **IN GENERAL.**—The Secretary is authorized to investigate the feasibility of the following projects:

(1) Project for ecosystem restoration, Mill Creek Levee and Walla Walla River, Oregon.

(2) Project for flood risk management and ecosystem restoration, Tittabawassee River, Chippewa River, Pine River, and Tobacco River, Michigan.

(3) Project for flood risk management, Southeast Michigan.

(4) Project for flood risk management, McMicken Dam, Arizona.

(5) Project for flood risk management, Ellicott City and Howard County, Maryland.


(7) Project for flood and coastal storm risk management, Cape Fear River Basin, North Carolina.

(8) Project for flood risk management, Lower Clear Creek and Dickinson Bayou, Texas.

(9) Project for flood risk management and ecosystem restoration, the Resacas, Hidalgo and Cameron Counties, Texas.

(10) Project for flood risk management, including levee improvement, Papillion Creek, Nebraska.

(11) Project for flood risk management, Offutt Ditch Pump Station, Nebraska.


(14) Project for flood risk management, Cape Fear River Basin, North Carolina.

(15) Project for flood management, Waikiki Beach, Hawaii.

(16) Project for ecosystem restoration and coastal storm risk management, Columbia and St. Lucie Estuary, Florida.

(17) Project for flood risk management, Waupee Stream watershed, Hawaii.

(18) Project for flood and coastal storm risk management, Cameron and Cameron Counties, Texas.

(19) Project for coastal storm risk management, Maui County, Hawaii.

(20) Project for flood risk management, Sarpy County, Nebraska.

(21) Project for aquatic ecosystem restoration, including habitat for endangered salmon, Columbia River Basin.

(22) Project for ecosystem restoration, flood risk management, and recreation, Newport, Kentucky.

(23) Project for flood risk management and water supply, Jenkins, Kentucky.

(24) Project for flood risk management, including riverbank stabilization, Columbus, Kentucky.


(26) Project for flood risk management, coastal storm risk management, navigation, ecosystem restoration, and water supply, Blind Brook, New York.

(27) Project for navigation, Cumberland River, Kentucky.

(28) Project for ecosystem restoration and water supply, Great Salt Lake, Utah.

(b) **PROJECT MODIFICATIONS.**—The Secretary is authorized to investigate the feasibility of the following modifications to the projects listed in the Chief's Report for the project:

(1) Modifications to the project for navigation, South Haven Harbor, Michigan, for turning basin improvements.

(2) Modifications to the project for navigation, Rollinson Channel and channel from Hatteras Inlet to Hatteras, North Carolina, authorized by section 101 of the River and Harbor Act of 1962 (76 Stat. 1174), to incorporate the ocean bar.

(3) Modifications to the project for flood control, Saint Francis River Basin, Missouri, and Arkansas, authorized by section 201 of the Flood Control Act of 1950 (64 Stat. 172, chapter 188), to provide flood risk management for the tributaries and drainage of Straight Slough, Craighead, Poinsett, and Cross Counties, Arkansas.

(4) Modifications to the project for flood risk management, Cedar River, Cedar Rapids, Iowa, authorized by section 7002(2) of the Water Resources Reform and Development Act of 2014 (128 Stat. 1366), consistent with the City of Cedar Rapids, Iowa, Cedar River Flood Control System Master Plan.

(5) Modifications to the project for navigation, Savannah Harbor, Georgia, without evaluation of flood risk management.

(6) Modifications to the project for navigation, Honolulu Harbor, Hawaii, for navigation improvements and coastal storm risk management.

(7) Modifications to the project for navigation, Port of Ogdenburg, New York, including deepening.

(8) Modifications to the Huntingdon Local Protection Project, Huntingdon, West Virginia.

**SEC. 5202. SPECIAL RULES.**

(a) The studies authorized by paragraphs (12) and (13) of section 5201(a) shall be considered a continuation of the study that resulted in the Chief's Report for the project for Papillion Creek and Tributaries Lakes, Nebraska, signed January 24, 2022.

(b) The study authorized by section 5201(a)(17) shall be considered a resumption and a continuation of the general reevaluation initiated on December 30, 2003.

(c) In carrying out the study authorized by section 5201(a)(17), the Secretary shall only formulate measures and alternatives to be consistent with the authorized purposes of existing Federal projects while also maintaining the benefits of such projects.

(d) In carrying out the study authorized by section 5201(a)(25), the Secretary shall study the South Shore, Long Island, New York, as a whole system, including inlets that are Federal channels.

(e) The studies authorized by section 5201(b) shall be considered new phase investigations afforded the same treatment as a general reevaluation.

**SEC. 5203. EXPEDITED COMPLETION OF STUDIES.**

(a) **FEASIBILITY REPORTS.**—The Secretary shall expedite the completion of a feasibility study for each of the following projects, and if the Secretary determines that the project is justified in a completed report, may proceed directly to preconstruction planning, engineering, and design of the project:


(2) Project for coastal storm risk management, Charleston Peninsula, South Carolina.

(3) Project for flood and coastal storm risk management and ecosystem restoration, Boston North Shore, Revere, Saugus, Lynn, Men, and Everett, Massachusetts.

(4) Project for flood risk management, De Soto County, Mississippi.

(5) Project for flood risk management, Cave Buttes Dam, Arizona.

(6) Project for flood risk management, South Shore, Long Island, New York.

(7) Project for flood risk management, Chelsea, Massachusetts, authorized by a study resolution of the Committee on Public Works of the Senate dated September 12, 1969.

(8) Project for ecosystem restoration, Ring River Estuary, Barnstable County, Massachusetts, authorized by a study resolution of the Committee on Transportation and Infrastructure of the House of Representatives dated July 23, 1997.

(9) Project for coastal storm risk management, Sea Bright to Manasquan, New Jersey.

(10) Project for coastal storm risk management, Barataria Basin, and Sandy Hook Bay, New Jersey.

(11) Project for coastal storm risk management, St. Tammany Parish, Louisiana.


(13) Project for ecosystem restoration, Chicago River, Illinois.

(14) Project for ecosystem restoration, Lake Okeechobee, Florida.


(b) **POST-AUTHORIZATION CHANGE REPORTS.**—The Secretary shall expedite the completion of a post-authorization change report for the following projects:

(1) Project for ecosystem restoration, Tres Rios, Arizona, authorized by section 101(b)(4)

(2) Project for coastal storm risk management, Surf City and North Topsail Beach, North Carolina, authorized by section 7930(3) of the Water Resources Reform and Development Act of 2014 (128 Stat. 1367).


(c) WATERSHED AND RIVER BASIN ASSESSMENTS.—The Secretary shall expedite the completion of the following assessments under section 729 of the Water Resources Development Act of 1986 (33 U.S.C. 2267a):


(2) Ouachita-Black Rivers, Arkansas and Louisiana.

(3) Project for watershed assessment, Hawaii County, Hawaii.

(d) DISPOSITION STUDY.—The Secretary shall expedite the completion of the disposition study for the project in the Angeles County Drainage Area under section 216 of the Flood Control Act of 1970 (33 U.S.C. 549a).

(e) ADDITIONAL DIRECTION.—The post-authorization change report for the project described in subsection (b)(3) shall be completed not later than December 31, 2023.

SEC. 5204. STUDIES FOR PERIODIC NURSISHMENT.

(a) IN GENERAL.—Section 156 of the Water Resources Development Act of 1976 (42 U.S.C. 1926d–5) is amended—

(1) in subsection (b),—

(A) in paragraph (1), by striking “15” and inserting “50”; and

(B) in paragraph (2), by striking “15”;

(2) in subsection (c)—

(A) by striking “10-year period” and inserting “16-year period”;

(B) by striking “6 years” and inserting “12 years”;

(c) by adding at the end the following:

“(d) TREATMENT OF STUDIES.—A study carried out under subsection (b) shall be considered as an analysis that afford the same treatment as a general reevaluation.”;

(b) INDIAN RIVER INLET SAND BYPASS PLANT.—For purposes of the project for coastal storm risk management, Delaware Coastal Protection, Delaware (commonly known as the “Indian River Inlet Sand Bypass Plant”), authorized by section 809 of the Water Resources Development Act of 1966 (100 Stat. 1412), a study carried out under section 156(b) of the Water Resources Development Act of 1976 (42 U.S.C. 1926d–4b(b)) shall be considered as an alternative for periodic nourishment continued reimbursement of the Federal share of the cost to the non-Federal interest for the project to operate and maintain a sand bypass plant.

SEC. 5205. NEPA REPORTING.

(a) DEFINITIONS.—In this section:

(1) CATEGORICAL EXCLUSION.—The term ‘categorical exclusion’ has the meaning given in the term in section 1508.1 of title 40, Code of Federal Regulations (or a successor regulation).

(2) ENVIRONMENTAL ASSESSMENT.—The term ‘environmental assessment’ has the meaning given in the term in section 1508.1 of title 40, Code of Federal Regulations (or a successor regulation).

(3) ENVIRONMENTAL IMPACT STATEMENT.—The term ‘environmental impact statement’ means a detailed written statement required under section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4321(2)(C)).

(4) PROJECT OF SIGNIFICANT IMPACT.—The term ‘finding of no significant impact’ has the meaning given in the term in section 1508.1 of title 40, Code of Federal Regulations (or a successor regulation).

(b) REPORT.—The term ‘NEPA process’—

(A) in general.—The term ‘NEPA process’ has the meaning given in the term in section 1508.1 of title 40, Code of Federal Regulations (or a successor regulation).

(B) Period.—For purposes of subparagraph (A), the NEPA process—

(i) begins on the date on which the Secretary initiates a project study; and

(ii) ends on the date on which the Secretary issues, with respect to the project study—

(I) a record of decision, including, if necessary, a revised record of decision;

(II) a finding of no significant impact; or

(III) a categorical exclusion under title I of the National Environmental Policy Act of 1969 (42 U.S.C. 4331 et seq.).

(c) NEPA DATA.—

(a) in general.—The Secretary shall carry out a process to track, and annually submit to the Comptroller General of the United States a report on the findings of the analysis under subsection (a) and any recommendations that result from the review.

(b) CONTENT.—The report under subsection (a) shall include an evaluation of—

(I) the implementation by the Corps of Engineers of the final rule issued on April 10, 2008, entitled “Compensatory Mitigation for Losses of Aquatic Resources” (73 Fed. Reg. 17972), including, at a minimum—

(A) the extent to which the final rule is consistently implemented by the districts of the Corps of Engineers; and

(B) the performance of each of the mitigation mechanisms included in the final rule;

(II) opportunities to utilize alternative mechanisms to satisfy the mitigation requirements of water resources development projects, including, at a minimum, performance-based contracts.

(d) AUDIT OF JOINT COSTS FOR OPERATIONS AND MAINTENANCE.—The Comptroller General of the United States shall conduct a review of the practices of the Corps of Engineers with respect to the determination of joint costs associated with operations and maintenance of reservoirs owned and operated by the Secretary.

SEC. 5207. GAO STUDY ON PROJECT DISTRIBUTION MECHANICS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct an analysis of the geographic distribution of annual and supplemental funding for water resources development projects carried out by the Secretary over the previous 10 fiscal years and the factors that have led to that distribution.

(b) REPORT.—The Comptroller General of the United States shall submit to the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the analysis under subsection (a) and any recommendations that result from the review.

SEC. 5208. GAO AUDIT OF JOINT COSTS FOR OPERATIONS AND MAINTENANCE.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct a review of the practices of the Corps of Engineers with respect to the determination of joint costs associated with operations and maintenance of reservoirs owned and operated by the Secretary.

(b) REPORT.—The Comptroller General of the United States shall submit to the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the review under subsection (a) and any recommendations that result from the review.

SEC. 5209. GAO REVIEW OF CORPS OF ENGINEERS MITIGATION PRACTICES.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall carry out a review of the water resources development project mitigation practices of the Corps of Engineers.

(b) CONTENT.—The review under subsection (a) shall include an evaluation of—

(1) the implementation by the Corps of Engineers of the final rule issued on April 10, 2008, entitled “Compensatory Mitigation for Losses of Aquatic Resources” (73 Fed. Reg. 17972), including, at a minimum—

(A) the extent to which the final rule is consistently implemented by the districts of the Corps of Engineers; and

(B) the performance of each of the mitigation mechanisms included in the final rule; and

(2) opportunities to utilize alternative mechanisms to satisfy the mitigation requirements of water resources development projects, including, at a minimum, performance-based contracts.
the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results of the evaluation under subparagraph (A) of that paragraph; and
(b) the advisability of deauthorizing the levees described in that subparagraph.

SEC. 5212. CENTRAL AND SOUTHERN FLORIDA.

(a) EVALUATION AND REPORT.—

(1) EVALUATION.—On request and at the expense of the Secretary, the Corps of Engineers, and the State of Florida, the Secretary shall conduct an evaluation of the effectiveness of deauthorizing the 3.5-mile reach of the L-73 levee, Section 230 of the Water Resources Development Act of 1996 (33 U.S.C. 2321(c)).

(2) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on investments needed to support recreational activities that are part of authorized water resources development projects described in subsection (c).

(b) REQUIREMENTS.—The report under subsection (a) shall include—

(1) an assessment of the extent to which the effectiveness of deauthorizing the levees described in subparagraph (A) of that paragraph; and

(2) a list of all projects described in paragraph (1) over the 5-year period following the date of enactment of this Act.

(c) CONSULTATION.—In conducting the evaluation and preparing the report under subsection (a), the Secretary shall—

(1) consult with the Chief of Engineers, the Governor of Florida, and the State of Florida;

(2) consider the feasibility and cost of maintaining the levees to protect interests of the United States and the public;

(3) submit the report to the Committees on Environment and Public Works of the Senate and the Committees on Transportation and Infrastructure of the House of Representatives; and

(4) use all available authorities to promote and enhance development and recreational opportunities at lakes that are part of authorized civil works projects under the administrative jurisdiction of the Corps of Engineers.

(d) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on investments needed to support recreational activities that are part of authorized water resources development projects described in subsection (c).

SEC. 5213. INVESTMENTS FOR RECREATION AREAS.

(a) FINDINGS.—Congress finds the following:

(1) The Corps of Engineers operates more than 750 recreational areas throughout the United States.

(2) The Corps of Engineers operates more than 100,000 miles of waterways.

(3) The Corps of Engineers operates more than 3,500 miles of levees.

(b) REQUIREMENTS.—The Secretary shall:

(1) conduct an inventory of all recreational areas operated by the Corps of Engineers;

(2) submit an annual report to the Committees on Environment and Public Works of the Senate and the Committees on Transportation and Infrastructure of the House of Representatives on the inventory under paragraph (1); and

(3) submit an annual report to the Committees on Environment and Public Works of the Senate and the Committees on Transportation and Infrastructure of the House of Representatives on the inventory under paragraph (1) and the effectiveness of the investments described in that paragraph.

(c) CONSULTATION.—In conducting the inventory under subsection (a) and preparing the reports under subsection (b), the Secretary shall consult with the States and local governments, and other Federal entities, as determined appropriate by the Secretary.

SEC. 5214. UPPER MISSISSIPPI RIVER AND ILLINOIS WATERWAY SYSTEM.

(a) DEFINITIONS OF NATURAL FEATURE AND NATURE-BASED FEATURE.—In this section, the terms ‘‘natural feature’’ and ‘‘nature-based feature’’ have the meanings given those terms in section 1184(a) of the WIIN Act (33 U.S.C. 2286a(a)).

(b) COMPREHENSIVE STUDY.—The Secretary shall conduct a comprehensive study (referred to in this section as the ‘‘study’’) to evaluate the effectiveness of carrying out additions, improvements, and preservation projects that utilize natural features or nature-based features at or upstream of reservoirs for the purposes of—

(1) maintaining operations in response to changing hydrological and climatic conditions; and

(2) mitigating the risk of drought or floods, including the loss of storage capacity due to sediment accumulation;

(3) increasing water supply; or

(4) improving aquatic ecosystems.

(c) STUDY FOCUS.—In conducting the study, the Secretary shall include all reservoirs, tributaries, and associated water bodies and reservoirs for which the Secretary has flood control responsibilities under section 7 of the Act of December 22, 1944 (commonly known as the ‘‘Flood Control Act of 1944’’) (38 U.S.C. 890, chapter 665; 33 U.S.C. 709), in the South Pacific Division of the Corps of Engineers.

(d) CONSULTATION AND USE OF EXISTING DATA.—

(1) CONSULTATION.—In conducting the study, the Secretary shall consult with applicable Federal, State, and local agencies;

(2) USE OF EXISTING DATA AND PRIOR STUDIES.—To the maximum extent practicable and where appropriate, the Secretary may—

(A) incorporate findings from prior studies of the Upper Mississippi River and Illinois Waterway System; and

(B) conduct the study using all available data provided to the Secretary by entities described in paragraph (1); and

(e) REPORT.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to the Committee on the Budget of the House of Representatives and the Committee on Transportation and Infrastructure of the Committee on Transportation and Infrastructure of the House of Representatives a report that describes—

(1) the results of the study; and

(2) any recommendations on site-specific areas where additional study is recommended by the Secretary.

(f) SAVINGS PROVISION.—Nothing in this section provides authority to the Secretary to change the authorized purposes at any of the reservoirs described in subsection (c).

SEC. 5215. UPPER MISSISSIPPI RIVER AND ILLINOIS WATERWAY SYSTEM.

(a) REPORT ON WATER LEVEL MANAGEMENT.—Not later than 1 year after the date of completion of the comprehensive plan for Mississippi River water level management under section 22 of the Water Resources Development Act of 1974 (42 U.S.C. 1962d–16), the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes—

(1) the results of the study; and

(2) any recommendations on site-specific areas where additional study is recommended by the Secretary.

(b) CONSOLIDATION OF REPORTS.—The Secretary shall consolidate the report required under subsection (a) with any report submitted to the Committees on Environment and Public Works of the Senate and the Committees on Transportation and Infrastructure of the House of Representatives that—

(1) describes activities of the Secretary under the Upper Mississippi River and Illinois Waterway System that are implemented by the Secretary for the purposes described in section 1184(a) of the WIIN Act (33 U.S.C. 2286a(a)); and

(2) includes a description of the extent to which the activities of the Secretary under the Upper Mississippi River and Illinois Waterway System that are implemented by the Secretary for the purposes described in section 1184(a) of the WIIN Act (33 U.S.C. 2286a(a)) align with the findings of the study conducted under this section and the recommendations of the Secretary under this section.

(c) IMPLEMENTATION.—The Secretary shall use the report required under subsection (a) and the report submitted under subsection (b) to implement activities that are determined by the Secretary to be in the public interest for the purposes described in section 1184(a) of the WIIN Act (33 U.S.C. 2286a(a)).

SEC. 5216. WEST VIRGINIA HYDROPOWER.

(a) IN GENERAL.—For water resources development projects described in subsection (b), the Secretary is authorized to—

(1) use all available data provided to the Secretary by entities described in paragraph (1); and

(2) submit an annual report to the Committees on Environment and Public Works of the Senate and the Committees on Transportation and Infrastructure of the House of Representatives; and

(3) conduct an inventory of all hydroelectric facilities at or upstream of reservoirs for the purposes of—

(4) expanding the use of water level management on the Upper Mississippi River and Illinois Waterway System for the purposes of eco-system restoration;

(5) increasing water supply; or

(6) improving aquatic ecosystems.

(b) PROJECTS.—The Secretary may use all available authorities to promote and enhance development and recreational opportunities at lakes that are part of authorized water resources development projects described in subsection (c) of the Water Resources Development Act of 2007 (33 U.S.C. 652 note; Public Law 110-114) is amended—

(1) to redesignate paragraphs (3) and (4) by inserting after paragraph (1) the following:

(1) A report on water level management.—Not later than 1 year after the date of completion of the comprehensive plan for Mississippi River water level management under section 22 of the Water Resources Development Act of 1974 (42 U.S.C. 1962d–16), the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives an implementation report on opportunities identified in the comprehensive plan to expand the use of water level management on the Upper Mississippi River and Illinois Waterway System for the purposes of ecosystem restoration.

SEC. 5217. WEST VIRGINIA HYDROPOWER.

(b) PROJECTIONS DESCRIBED.—The projects referred to in subsection (a) are the following:

(1) Sutton Dam, Braxton County, West Virginia, authorized by section 5 of the Act of June 22, 1938 (49 Stat. 1386, chapter 688).

(2) Hildebrandt Lock and Dam, Monongahela County, West Virginia, authorized by section 101 of the River and Harbor Act of 1939 (49 Stat. 1386, chapter 188).

(3) Bluestone Lake, Summers County, West Virginia, authorized by section 5 of the Act of June 22, 1938 (49 Stat. 1386, chapter 688).


(6) East Lynn Dam, Wayne County, West Virginia, authorized by section 5 of the Act of June 22, 1936 (49 Stat. 1386, chapter 636).

(7) Burnsville Lake, Braxton County, West Virginia, authorized by section 5 of the Act of June 22, 1938 (49 Stat. 1386, chapter 688).

(c) PROJECTS.—The authority for facility modifications under subsection (a) includes demonstration projects.

SEC. 5217. RECREATION AND ECONOMIC DEVELOPMENT—CORPS FACILITIES IN APPALACHIA.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall prepare a report to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives describing a plan to implement the recreational and economic development opportunities identified by the Secretary in the report prepared under section 203 of the Water Resources Development Act of 2020 (134 Stat. 2680) at Corps of Engineers facilities located within a distressed or at-risk county (as described in subsection (a)(1) of that section) in Appalachia.

(b) CONSIDERATIONS.—In preparing the plan under subsection (a), the Secretary shall consider options for Federal funding, partnerships, and grants to local governments, nonprofit organizations, and commercial businesses.

SEC. 5218. AUTOMATED FEE MACHINES.

For purposes of automated fee machines for the collection of fees for the use of developed recreation sites and facilities in West Virginia.

SEC. 5219. LAKE CHAMPLAIN CANAL, VERMONT AND NEW YORK.

Section 5146 of the Water Resources Development Act of 2007 (121 Stat. 1255) is amended by adding at the end the following:

"(c) AUTOMATED FEE MACHINES.—For purposes of automated fee machines for the collection of fees for the use of developed recreation sites and facilities in West Virginia."
(f) OXFORD, MISSISSIPPI.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (q)) is amended by adding at the end the following:

``(281) OXFORD, MISSISSIPPI.—$10,000,000 for environmental infrastructure, including stormwater management, drainage systems, and water quality enhancement, Oxford, Mississippi.''

(g) MADISON COUNTY, MISSISSIPPI.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (r)) is amended by adding at the end the following:

``(282) MADISON COUNTY, MISSISSIPPI.—$10,000,000 for environmental infrastructure, including stormwater management, drainage systems, and water quality enhancement, Madison County, Mississippi.''

(h) RANKIN COUNTY, MISSISSIPPI.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (s)) is amended by adding at the end the following:

``(283) RANKIN COUNTY, MISSISSIPPI.—$10,000,000 for wastewater infrastructure, including stormwater management, drainage systems, and water quality enhancement, Rankin County, Mississippi.''

(i) ALABAMA.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (t)) is amended by adding at the end the following:

``(284) ALABAMA.—$10,000,000 for wastewater infrastructure, including stormwater management, drainage systems, and water quality enhancement, Meridian, Mississippi.''

(j) MARYLAND.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (u)) is amended by adding at the end the following:

``(285) MARYLAND.—$50,000,000 for sewer, stormwater system improvements, storage treatment, environmental restoration, and related water infrastructure, Maryland.''

(k) QUEENS, NEW YORK.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (v)) is amended by adding at the end the following:

``(286) QUEENS, NEW YORK.—$20,000,000 for the design and construction of stormwater management and improvements to combined sewers to reduce the risk of flood impacts, Queens, New York.''

(l) GEORGIA.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (w)) is amended by adding at the end the following:

``(287) GEORGIA.—$75,000,000 for environmental infrastructure, Baldwin County, Barrow County, Floyd County, Hall County, Hart County, Jones County, Lanier County, Lowndes County, Macon County, Madison County, Marlow County, Murray County, Richmond County, Schley County, Sumter County, Sumter County, Early County, Webster County, Wilkes County, Wizard County, York County, and Wayne County, Georgia.''

(m) MARYLAND.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (x)) is amended by adding at the end the following:

``(288) MARYLAND.—$10,000,000 for water, wastewater, and other environmental infrastructure, Maryland.''

(n) WISCONSIN.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (y)) is amended by adding at the end the following:

``(289) MILWAUKEE METROPOLITAN AREA, WISCONSIN.—$4,500,000 for water-related infrastructure, resource protection and development, environment, and reduction of combined sewer overflows, Milwaukee metropolitan area, Wisconsin.''

(aa) HAWAII.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (z)) is amended by adding at the end the following:

``(290) HAWAII.—$75,000,000 for water-related infrastructure, resource protection and development, wastewater treatment, water supply, urban storm water conveyance, environmental restoration, and surface water protection and development, Hawaii.''"
(4) in subsection (c), by striking "central" and inserting "northern".
(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Water Resources Development Act of 1999 (113 Stat. 269) is amended by striking the item relating to section 571 and inserting the following:
"Sec. 571. Northern West Virginia."
SEC. 5304. LOCAL COOPERATION AGREEMENTS, NORTHERN WEST VIRGINIA.
(1) by striking "$200,000,000 for water and wastewater" and inserting the following:
"$200,000,000 for water and wastewater"; and
(2) by adding at the end the following:
"(B) LOCAL COOPERATION AGREEMENTS.—Notwithstanding section (a), the Secretary shall be other than the least-cost option; and
(3) by adding the period at the end:
(1) by striking "and" at the end.
SEC. 5305. SPECIAL RULE FOR CERTAIN BEACH NOURISHMENT PROJECTS.
(a) IN GENERAL.—In the case of a water resources development project described in subsection (a), (1) fund, at full Federal expense, any incremental increase in cost to the project that results from a legal requirement to use a borrow source determined by the Secretary to be other than the least-cost option; and
(2) exclude the cost described in paragraph (1) from the cost-benefit analysis for the project.
(b) AUTHORIZED WATER RESOURCES DEVELOPMENT PROJECTS DESCRIBED.—An authorized water resources development project referred to in subsection (a) is any of the following:
(5) A project for coastal storm risk management for any shore included in a project described in this subsection that is specifically authorized by Congress on or after the date of enactment of this Act.
(6) Emergency repair and restoration of any project described in this subsection under section 5 of the Act of August 18, 1941 (commenced by section 203 of the Flood Control Act of 1941 (55 Stat. 650, chapter 377; 33 U.S.C. 701n)).
(c) SAVINGS PROVISION.—Nothing in this section limits the eligibility for, or availability of, Federal expenditures or financial assistance for any water resources development water resources development project, including any beach nourishment project, under any other provision of Federal law.
SEC. 5306. COASTAL COMMUNITY FLOOD CONTROL AND OTHER PURPOSES.
Section 103(k)(4) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(k)(4)) is amended—
(1) by redesignating subparagraphs (A) and (B) as clauses (1) and (2), respectively, and indenting appropriately;
(2) in the matter preceding clause (1) (as so redesignated), by striking "Notwithstanding" and inserting the following:
"(A) IN GENERAL.—Notwithstanding;"
(3) in subparagraph (A) (as so redesignated)—
(A) in clause (1) (as so redesignated)—
(i) by striking "$200 million" and inserting "$200,000,000"; and
(ii) by striking "and" at the end;
(B) in clause (2) (as so redesignated)—
(i) by inserting "an amount equal to 5% of" after "repears"; and
(ii) by striking the period at the end and inserting "; and"; and
(C) by adding at the end the following:
"(iii) the non-Federal interest repays the balance of remaining principal by June 1, 2032."; and
(4) by adding at the end the following:
(B) REPAYMENT OPTIONS.—Repayment of a non-Federal coastal storm risk management project (A) (iii) may be satisfied through the provision by the non-Federal interest of fish and wildlife mitigation for one or more projects or separable elements, if the Secretary determines that—
"(i) the non-Federal interest has incurred costs for the provision of mitigation that—
(A) equals or exceed the amount of the required repayment; and
(B) are in excess of any required non-Federal contribution for the project or separable element for which the mitigation is provided; and
(ii) the mitigation is integral to the project for which it is provided.";
(d) MODIFICATIONS.
(1) STUDIES AND PROJECTS WITH MULTIPLE NON-FEDERAL INTERESTS.—At the request of the applicable non-Federal interests for the project described in subsection (a), the Water Resources Development Act of 2020 (134 Stat. 2742) is amended by striking "80 percent" and inserting "90 percent".
(2) LOWER MISSISSIPPI RIVER COMPREHENSIVE MANAGEMENT STUDY.—Section 213 of the Water Resources Development Act of 2020 (134 Stat. 2742) is amended by striking (B) and inserting—
"(B) the mitigation is integral to the project for which it is provided.";
(3) PORT OF NOME, ALASKA.—Section 402(a)(1) of the Water Resources Development Act of 2020 (134 Stat. 2742) is amended by striking (B) and inserting—
"(B) contained in the project for which it is provided.";
(4) SOUTH SHORE STATEN ISLAND, NEW YORK.—The Federal share of any portion of the cost to design and construct the project for coastal storm risk management, South Shore Staten Island, New York, authorized by section 5401(3), that exceeds the estimated total project cost specified in the project agreement for the non-Federal interest shall be fully funded by the non-Federal interest.
(5) CHICAGO SHORELINE PROTECTION.—The project described in subparagraph (A) shall be eligible for additional funding appropriated by that Act in the Construction account of the Corps of Engineers for a non-Federal interest in the project, including the value of land, easements, and rights-of-way required for the project that are owned or held by the non-Federal interest.
(6) ADDITIONAL ELIGIBILITY.—Unless otherwise directed in an Act making annual appropriations for the Corps of Engineers for a non-Federal interest in the project, including the value of land, easements, and rights-of-way required for the project that are owned or held by the non-Federal interest, the project shall be eligible for additional funding appropriated by that Act in the Construction account of the Corps of Engineers.
(7) SOUTH SAN FRANCISCO BAY SHORELINE, CALIFORNIA.—The Federal share of any portion of the cost to design and construct the project for coastal storm risk management, South San Francisco Bay Shoreline, California, authorized by section 1801(6) of the Water Resources Development Act of 2016 (130 Stat. 1714), to contribute funds under an agreement entered into prior to the date of enactment of this Act in excess of the total cash contribution required to satisfy the non-Federal interest share of the project described in subsection (a), shall be 90 percent.
(8) AGREEMENTS.—
(1) STUDIES AND PROJECTS WITH MULTIPLE NON-FEDERAL INTERESTS.—At the request of the applicable non-Federal interests for the project described in subsection (a), the Water Resources Development Act of 2020 (134 Stat. 2742) and for the studies described in subsection (i) of section 213 of that Act (134 Stat. 2747), the Secretary shall include in the agreement for the project the non-Federal interest's funding cost share agreements for the studies.
(2) SOUTH SAN FRANCISCO BAY SHORELINE, CALIFORNIA.—
(A) IN GENERAL.—Except for funds required for a betterment or for a locally preferred plan, the Secretary shall not require the non-Federal interest for the project for flood risk management, protection, and recreation, South San Francisco Bay Shoreline, California, authorized by section 1801(6) of the Water Resources Development Act of 2016 (130 Stat. 1714), to contribute funds under an agreement entered into prior to the date of enactment of this Act in excess of the total cash contribution required to satisfy the non-Federal interest share of the project described in subsection (a) under section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213).
(B) REQUIREMENTS.—The Secretary shall not, at any time, defer, suspend, or terminate construction of the project described in subparagraph (A) solely on the basis of a determination by the Secretary that an additional appropriation is required to cover the Federal share of the cost to complete construction of the project, if Federal funds in an amount that would be sufficient to continue construction of the project remain available in the allocation for the project under the Long-Term Disaster Recovery Investment Plan for amounts appropriated under the heading “CONSTRUCTION” under the heading “CORPS OF ENGINEERS—CIVIL—DEPARTMENT OF THE ARMY” in section 1 of division B of the Bipartisan Budget Act of 2018 (Public Law 115-123; 132 Stat. 76).

SEC. 5308. PORT FOURCHON, LOUISIANA, DREDGED MATERIAL DISPOSAL PLAN.

The Secretary shall determine that the dredged material disposal plan recommended in the document entitled “Port Fourchon Belle Pass Channel Deepening Project Section 203 Feasibility Study (January 2019, revised January 2020)" is the least cost, environmentally preferable dredged material disposal plan for the project for navigation, Port Fourchon Belle Pass Channel, Louisiana, authorized by section 403(a)(4) of the Water Resources Development Act of 2020 (134 Stat. 2743).

SEC. 5309. DELAWARE SHORE PROTECTION AND RESTORATION.

(a) DELAWARE BENEFICIAL USE OF DREDGED MATERIAL FOR THE DELAWARE RIVER, DELAWARE.—

(1) IN GENERAL.—The project for coastal storm risk management at Delaware River, Delaware, authorized by section 401(3) of the Water Resources Development Act of 2020 (134 Stat. 2746) (referred to in this subsection as the “project”), is modified—

(A) to direct the Secretary to implement the project using alternative borrow sources to the Delaware River, Philadelphia to the Sea, project, Delaware, New Jersey, Pennsylvania, authorized by the Act of June 25, 1910 (chapter 382, 36 Stat. 637; 46 Stat. 921; 52 Stat. 800; 59 Stat. 1283; 76 Stat. 139); and

(B) until the Secretary implements the modification under subparagraph (A), to authorize the Secretary, at the request of a non-Federal entity, to carry out major maintenance or periodic nourishments at any site included in the project under—

(1) section 1122 of the Water Resources Development Act of 2012 (33 U.S.C. 2326 note; Public Law 114-322); or

(2) section 204(d) of the Water Resources Development Act of 1992 (33 U.S.C. 2326(d)).

(2) TREATMENT.—If the Secretary determines that a study is required to carry out paragraph (1)(A), the study shall be considered to be a continuation of the study that formed the basis for the approval.

(3) COST-SHARE.—The Federal share of the cost of the project, including the cost of any modifications carried out under subsection (a)(1), shall be 90 percent.

(b) INDIAN RIVER INLET SAND BYPASS PLANT, DELAWARE.—

(1) IN GENERAL.—The Indian River Inlet Sand Bypass Plant, Delaware, coastal storm risk management project (referred to in this subsection as the ‘‘project’’), authorized by section 869 of the Water Resources Development Act of 1986 (100 Stat. 4182), is modified to authorize the Secretary, at the request of a non-Federal interest, to provide periodic nourishment through dedicated dredging or other means to maintain or restore the functioning of the project when—

(A) the sand bypass plant is inoperable; or

(B) operation of the sand bypass plant is insufficient to maintain the functioning of the project.

(2) REQUIREMENTS.—A cycle of periodic nourishment provided pursuant to paragraph (1) shall be subject to the following requirements:

(A) COST-SHARE.—The non-Federal share of the amount of costs paid by the non-Federal share of the cost to operate the sand bypass plant.

(B) DECISION DOCUMENT.—If the Secretary determines that a decision document is required to support the request for funding for the Federal share of a cycle, the decision document may be prepared using funds made available for the project for construction or for investigations.

(C) TREATMENT.—

(i) DECISION DOCUMENT.—A decision document prepared under subparagraph (B) shall not be subject to a new investment determination.

(ii) CYCLES.—A cycle shall be considered continuing construction.

(d) DELAWARE EMERGENCY SHORE RESTORATION.

(1) IN GENERAL.—The Secretary is authorized to direct the Secretary to implement, on a project-by-project basis, a new emergency shore restoration project to use such amounts for the沿海 storm risk management, Delaware Beneficial Use of Dredged Material for the Delaware River, Delaware, project under section 869 of the Water Resources Development Act of 1986 (33 U.S.C. 2281(a)) exceed the cost for work carried out under this subsection.

(2) SAVINGS PROVISION.—The authority provided by this subsection shall be in addition to any authority provided by section 5(a) of the Act of August 18, 1941 (commonly known as the “Flood Control Act of 1941”) (55 Stat. 650, chapter 377; 33 U.S.C. 701n(a)), if—

(A) the structure, project, or beach is damaged by wind, wave, or water action associated with a storm of any magnitude; and

(B) the damage prevents the adequate functioning of the structure, project, or beach.

(3) BENEFIT-COST ANALYSIS.—The Secretary shall determine that the benefits attributable to the objectives set forth in section 209 of the Flood Control Act of 1970 (42 U.S.C. 1662-1) and section 904(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2281(a)) exceed the cost for work carried out under this subsection.

SEC. 5313. REHABILITATION OF CORPS OF ENGINEERS CONSTRUCTED PUMP STATIONS.

(a) PILOT PROGRAMS ON THE FORMULATION OF CORPS OF ENGINEERS PROJECTS IN RURAL COMMUNITIES AND ECONOMICALLY DISADVANTAGED COMMUNITIES.—Section 118(a) of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116-280) is amended—

(1) in subsection (b)(2)(C), by striking “18” and inserting “20”;

(2) in subsection (c)—

(A) in paragraph (2), in the matter preceding subparagraph (A), by striking “make a recommendation to Congress on up to 10 projects” and inserting “recommend projects to Congress”; and

(B) by adding at the end the following:

RECOMMENDATIONS.—The Secretary shall include such recommendations in the next annual report submitted to Congress under section 701n(a) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282) after the date of enactment of the Water Resources Development Act of 2022.

(b) PILOT PROGRAM FOR CAPS IN SMALL OR DISADVANTAGED COMMUNITIES.—Section 165(a) of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116-280) is amended—

(1) in paragraph (2)(B), by striking “a total of 10 years” and inserting “20 years”;

(2) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and

(3) by inserting after paragraph (3) the following:

MAXIMUM FEDERAL AMOUNT.—For a project carried out under this subsection, the maximum Federal amount, if applicable, shall be increased by the commensurate amount of the non-Federal share that would otherwise be required for the project under the applicable continuing authority program.

SEC. 5313. REHABILITATION OF CORPS OF ENGINEERS CONSTRUCTED PUMP STATIONS.—Section 153 of the Water Resources Development Act of 2020 (33 U.S.C. 2327a) is amended—

(1) in paragraph (1), by striking “$100,000”; and

(2) by inserting after paragraph (1) the following:

METHODOLOGY.—The Secretary shall determine the amount of funds necessary for the property under section 6 of the Flood Control Act of 1941 (55 Stat. 701n(a)), and shall be used to determine the amount of funds necessary for the property under section 153 of the Water Resources Development Act of 2020; and

(b) AMOUNT.—For each fiscal year, the Secretary may reprogram—

(1) not more than $200,000 per reprogramming action; and

(2) not more than $200,000 for each fiscal year.
SEC. 5320. ARKANSAS RIVER CORRIDOR, OKLAHOMA.

Section 3132 of the Water Resources Development Act of 2007 (121 Stat. 1141) is amended—

(a) by striking subsection (b) and inserting the following:

(b) AUTHORIZED COST.—The Secretary may authorize to carry out construction of a project under this subsection at a total cost of $128,400,000, with the cost shared in accordance with section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213).

(c) ADDITIONAL FEASIBILITY STUDIES AUTHORIZED.—

(1) in subsection (c), by inserting “or on land taken into trust by the Secretary of the Interior on behalf of, and for the benefit of, an Indian Tribe” after “land owned by the United States”;

(2) in subsection (f), by striking “$50,000,000” and inserting “$128,400,000”; and

(d) by striking subsection (g)(2) and inserting the following:

(2) in subparagraph (A), by striking “$35,000,000”.

SEC. 5321. ABANDONED AND INACTIVE NONCOAL MINES.

Section 560 of the Water Resources Development Act of 1999 (33 U.S.C. 2306) is amended by striking subsection (b) and inserting—

(a) in subsection (c), by inserting “or on land taken into trust by the Secretary of the Interior on behalf of, and for the benefit of, an Indian Tribe” after “land owned by the United States”;

(b) in subsection (f), by striking “$50,000,000” and inserting “$128,400,000”; and

SEC. 5322. ASIAN CARP PREVENTION AND CONTROL PROGRAM.

Section 509(a)(2) of the Water Resources Development Act of 2020 (33 U.S.C. 610 note; Public Law 116-260) is amended—

(a) in subparagraph (C)(i), by striking “Tennessee River Watershed,” and inserting “Tennessee River Watershed, or Tombigbee River Watershed;”;

(b) in subparagraph (C)(ii), by inserting “of which not less than 1 shall be carried out on the Tennessee-Tombigbee Waterway” before the period at the end; and

SEC. 5323. FORMS OF ASSISTANCE.

Section 592(b) of the Water Resources Development Act of 1999 (113 Stat. 379) is amended by striking “and surface water resource protection and development” and inserting “and surface water resource protection, development, stormwater management, drainage systems, and water quality enhancements”.

SEC. 5324. DEBRISS REMOVAL, NEW YORK HARBOR, NEW YORK.

(a) In General.—Beginning on the date of enactment of this Act, the project for New York Harbor collection and removal of drift, authorized by section 91 of the Water Resources Development Act of 1974 (88 Stat. 39), and deauthorized pursuant to section 601 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 579b) (as in effect on the day before the date of enactment of the WIIN Act (120 Stat. 1628)), is authorized to be carried out by the Secretary.

(b) Feasibility Study.—The Secretary shall carry out, and submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results of a feasibility study for the project described in subsection (a).

SEC. 5325. INVASIVE SPECIES MANAGEMENT.

Section 104 of the River and Harbor Act of 1958 (33 U.S.C. 610(c)(4)) is amended—

(a) by striking “$40,000,000” and inserting “$75,000,000”;

(b) by striking “2024” and inserting “2025”;

(c) by striking subsection (g)(2) and inserting the following:

(2) in subparagraph (A), by striking “$50,000,000” and inserting “$75,000,000”; and

(d) in subparagraph (B), by inserting “$75,000,000”.

SEC. 5326. WOLF RIVER HARBOR, TENNESSEE.

Beginning on the date of enactment of this Act, the project for navigation, Wolf River Harbor, Tennessee, authorized by title II of the Act of June 16, 1933 (48 Stat. 200, chapter 90) (commonly known as the “National Industrial Recovery Act”), and modified by section 205 of the Flood Control Act of 1958 (72 Stat. 308), is modified to reduce the authorized dimensions of the project, such that the remaining authorized dimensions are a 250-foot-wide, 9-foot-deep channel with a centerline beginning at a point 35.139634, -90.062543 and extending approximately 8,500 feet to a point 35.139696, -90.065066.

SEC. 5327. MISSOURI RIVER MITIGATION, MISSOURI, KANSAS, IOWA, AND NEBRASKA.

The matter under the heading “MISSOURI RIVER MITIGATION, MISSOURI, KANSAS, IOWA, AND NEBRASKA” in section 651(a) of the Water Resources Development Act of 1986 (100 Stat. 4143; 121 Stat. 1155), as modified by section 334 of the Water Resources Development Act of 1999 (113 Stat. 306), is amended by adding the following: “When acquiring land to meet the requirements of fish and wildlife mitigation, the Secretary may consider incidental flood risk management benefits.”.

SEC. 5328. INVASIVE SPECIES MANAGEMENT PILOT PROGRAM.

The Secretary may enter into a memorandum of understanding with the Federal Government of Canada and the United States of America for Water Supply and Flood Control in The Souris River Basin’, signed in 1989.

SEC. 5329. NUECES COUNTY, TEXAS, CONVEYANCE AND DEER RESERVOIR.

(a) In General.—On receipt of a written request of the Port of Corpus Christi, the Secretary shall—

(1) review the land owned and easements held by the United States for purposes of navigation in Nueces County, Texas; and

(2) in the memorandum of understanding with the United States Code, shall not apply to the United States.

(b) TERMS AND CONDITIONS.—In accordance with section 2696 of title 10, United States Code, the Secretary shall be responsible for the costs incurred by the Secretary to convey land or release easements under this section.

SEC. 5330. MISSISSIPPI DELTA HEADWATERS, MISSISSIPPI.

As part of the administration of the Secretary to carry out the project for flood damage reduction, bank stabilization, and sediment...
and erosion control, Yazzoo Basin, Mississippi Delta Headwaters, Mississippi, authorized by the
matter under the heading “ENHANCEMENT OF WATER RESOURCE BENEFITS AND FOR EMER-
DENCY DISASTER WORK” in title I of Public Law 98-4 (97 Stat. 22), the Secretary may carry
out emergency maintenance activities, as the Secretary determines to be necessary, for federal
work on the project completed before the date of enactment of this Act.

SEC. 5331. ECOSYSTEM RESTORATION, HUDSON-
RARITAN ESTUARY, NEW YORK AND NEW JERSEY.
(a) IN GENERAL.—The Secretary may carry
out additional feasibility studies for eco-
system restoration, Hudson-Raritan Estu-
ary, New Jersey, including an examination of measures and alternatives at Baileys Pond Park
and the Richmond Terrace Wetlands.
(b) TREATMENT.—A feasibility study car-
ried out under subsection (a) shall be consid-
ered a continuation of the study that formu-
lated the project for ecosystem restoration,
Hudson-Raritan Estuary, New York and New
Jersey, authorized by section 401(5) of the
Water Resources Development Act of 2020
(134 Stat. 2749).

SEC. 5332. TIMELY REIMBURSEMENT.
(a) DEFINITION OF COVERED PROJECT.—In
this section, the term ‘‘covered project’’ means a project for navigation authorized by
section 1401(1) of the WIIN Act (130 Stat.
1708).
(b) REIMBURSEMENT REQUIRED.—In the case of
a covered project for which the non-Fed-
eral interest has advanced funds for con-
struction of the project, the Secretary shall
reimburse the non-Federal interest for ad-
fanced funds that exceed the non-Federal
share of construction of the project as soon as practicable after the com-
pletion of each individual contract for the project.

SEC. 5333. NEW SAVANNAH BLUFF LOCK AND
AND, GEORGIA AND SOUTH CARO-
LINA.
Section 1319(c) of the WIIN Act (130 Stat.
1704) is amended by striking paragraph (2) and
inserting the following:
‘‘(2) Cost-share.—
(A) IN GENERAL.—The costs of construc-
tion of a study or construction pursuant to paragraph (1) shall be determined in accordance with section 101(a)(1)(B) of the Water Resources Development Act of 1986 (33 U.S.C. 2251(a)(1)(B)).

(B) SAVINGS PROVISION.—Any increase in costs for the Project due to the construction of a Project feature described in subparagraph (B) shall be included in the total project cost for purposes of section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2250).

SEC. 5334. LAKE TAHOE BASIN RESTORATION,
NEVADA AND CALIFORNIA.
(a) DEFINITION.—In this section, the term ‘‘Lake Tahoe Basin’’ means the entire water-
shed of Lake Tahoe including the portion of the Truckee River 1,000 feet down-
stream from the United States Bureau of
Reclamation dam in Tahoe City, California.
(b) ESTABLISHMENT OF PROGRAM.—The Sec-
cretary may establish a program for providing
environmental assistance to non-Federal
interests in Lake Tahoe Basin.
(c) FORM OF ASSISTANCE.—Assistance under
this section may be in the form of planning,
design, and construction assistance for
water-related environmental infrastructure and
development projects in Lake Tahoe Basin—
(1) urban stormwater conveyance, treat-
ment and related facilities;
(2) watershed planning, science and re-
search;
(3) environmental restoration; and
(4) surface water resource protection and
development.
(d) PUBLIC OWNERSHIP REQUIREMENT.—The
Secretary may provide assistance for a
project under this section only if the project is
publicly owned.
(e) LOCAL COOPERATION AGREEMENT.—(1) In
carrying out assistance under this section, the Secretary shall
enter into a local cooperation agreement with a non-Federal interest to provide for
design and construction of the project to be
carried out with the assistance.
(2) REQUIREMENTS.—Each local cooperation
agreement entered into under this sub-
section shall provide—
(A) PLAN.—Development by the Secretary, in consultation with appropriate Federal and State and Regional officials, of appropriate environmental documentation, engineering plans and specifications.
(B) LEGAL AND INSTITUTIONAL STRUC-
TURE.—Establishment of such legal and in-
stitutional structures as are necessary to en-
sure the effective long-term operation of the
project by the non-Federal interest.
(e) COST SHARING.—(A) IN GENERAL.—The Federal share of project costs under each local cooperation agreement entered into under this sub-
section shall be 75 percent. The Federal share may be increased to 100 percent under this
section (a), the Secretary shall—
(1) APPLICABILITY OF OTHER FEDERAL AND
STATE LAWS.—Nothing in this section
waives, limits, or otherwise affects the appli-
cability of any provision of Federal or State
law to a covered project or to the project to be carried out with assistance provided under this section.
(g) AUTHORIZATION OF APPROPRIATIONS.—
There is authorized to be appropriated to carry
out this section for the period beginning
with fiscal year 2020, $50,000,000, to re-
amain available until expended.
(h) REPEAL.—Section 108 of division C of
the Consolidated Appropriations Act, 2001
(114 Stat. 2942), is repealed.
(i) TREATMENT.—The program authorized
by this section shall be considered a continu-
ation of the program authorized by section 108 of division C of the Consolidated
Appropriations Act, 2001 (114 Stat. 2942) (as in ef-
fect on the day before the date of enactment of
this Act).

SEC. 5335. ADDITIONAL ASSISTANCE FOR EAST-
ERN SANTA CLARA, CALIFORNIA.
Section 111 of title I of division B of the
Mississippi River and Tributaries Appropriations Act, 2001 (as
enacted by section 1(a)(4) of the Consolidated
Appropriations Act, 2001 (114 Stat. 2783; 114 Stat. 2763a–224; 121 Stat. 1209)), is amended
by—
(1) substituting (a) for inserting ‘‘volatile organic compounds’’ after
‘‘perchlorates’’;
and
(2) in subsection (b)(3), by inserting ‘‘and volatile organic compounds’’ after
‘‘perchlorates’’.

SEC. 5336. TRIBAL PARTNERSHIP PROGRAM.
Section 203 of the Water Resources Devel-
opment Act of 2000 (33 U.S.C. 2256) is amend-
ed—
and
(2) in subsection (b)(2)—
(A) in paragraph (2)—
(i) by inserting ‘‘or coastal storm’’ after
‘‘flood’’; and
(ii) by inserting including erosion control,’’ after ‘‘reduction,’’;
and
(B) in paragraph (3), by adding at the end the following:
‘‘(C) FEDERAL INTEREST DETERMINATION.—The
first $100,000 of the costs of a study under this section shall be at full Federal ex-
 pense.’’

SEC. 5337. SURPLUS WATER CONTRACTS AND
WATER STORAGE AGREEMENTS.
Section 104(c) of the Water Resources Re-
1254; 132 Stat. 3794; 134 Stat. 2715) is amend-
ed—
(1) by striking paragraph (3); and
(2) by redesignating paragraph (4) as para-
graph (3).

SEC. 5338. COPAN LAKE, OKLAHOMA.
(a) IN GENERAL.—The Secretary shall am-
end Contract DACW66-R-1-C-0114 between the United States and the Copan Public Water Authority (referred to in this section as the ‘‘Authority’’), entered into on June 22, 1981, for the utilization by the Authority of storage space for water supply in Copan Lake, Oklahoma (referred to in this section as the ‘‘project’’)—
(1) to release to the United States all
rights of the Authority to utilize 4,750 acres
of future use water storage space; and
(2) to relieve the Authority from all finan-
cial obligations, to include the initial project investment costs and the accumu-
lated interest on unpaid project investment costs, for the volume of water storage space described in paragraph (1).
(b) REQUIREMENT.—During the 2-year pe-
riod beginning on the date of execu-
tion of the contract amendment under sub-
section (a), the Secretary shall—
(1) provide the City of Bartlesville, Oklahoma, with the right of first refusal to con-struct for the utilization of storage space for water supply for any portion of the storage space necessary as determined by the Authority under subsection (a); and
(2) ensure that the City of Bartlesville, Oklahoma, shall not pay more than 110 per-cent of the initial project investment cost per acre-foot of storage for the acre-feet of storage space sought under an agreement under paragraph (1).

SEC. 5340. ENSHIELD DEVELOPMENT PROGRAM.

The Secretary shall fully implement opportunities for enhanced development at Oklahoma Lakes under the authorities provided for the Water Resources Development Act of 2007 (121 Stat. 1142; 130 Stat. 1671) and section 164 of the Water Resources Development Act of 2020 (134 Stat. 2698).

SEC. 5341. ECOSYSTEM RESTORATION COORDINATION.

(a) In General.—In carrying out the project for ecosystem restoration, South Fork of the South Branch of the Chicago River, Bubbly Creek, Illinois, authorized by section 206 of the Water Resources Development Act of 2007 (134 Stat. 2740), the Secre-try shall coordinate to the maximum ex-tent practicable with the Administrator of the National Park Service, the appropriate environmental agencies, and regional coordi-nating bodies responsible for the remedi-ation of toxic.

(b) Industrial PROVISION.—Nothing in this section extends liability to the Secretary for any remediation of toxics present at the project site referred to in subsection (a) prior to the date of authorization of that project.

SEC. 5342. ROGERS COUNTY, OKLAHOMA.

(a) CONVEYANCE.—The Secretary is author-ized to convey to the City of Tulsa–Rogers County Port Authority (referred to in this section as the "Authority") for fair market value, all right, title, and interest of the United States in and to the Federal land described in subsection (b) and (b) FEDERAL LAND DESCRIBED.—

(1) IN GENERAL.—The Federal land to be conveyed under this section is the approxi-mately 176 acres and include the following 3 parcels in Rogers County, Oklahoma: (A) Parcel 1 includes U.S. tract 119 (par-tial), U.S. tract 120, U.S. tract 125, and U.S. tract 118 (partial).

(B) Parcel 2 includes U.S. tract 124 (par-tial) and U.S. tract 126 (partial).

(C) Parcel 3 includes U.S. tract 128 (par-tial).

(2) Determination Required.—

(A) IN GENERAL.—Subject to paragraph (1) and subsections (b), (c), and (d), the Secre-tary shall determine the exact property de-scription and acreage of the Federal land to be conveyed under this section.

(B) Reasonableness of the determination under subparagraph (A), the Secre-tary shall reserve from conveyance such easements, rights-of-way, and other interests as the Secretary deems necessary and appropriate to ensure the continued op-eration of the McClellan-Kerr Arkansas River navigation project, including New Gram-land and Dam 18 as a part of that project, as authorized under the comprehen-sive plan for the Arkansas River Basin by section 3 of the Act of June 28, 1938 (52 Stat. 718, chapter 795), and section 10 of the Flood Control Act of 1946 (60 Stat. 647, chapter 596) and where applicable the provisions of the River and Harbor Act of 1946 (60 Stat. 634, chapter 599) and section 108 of the Energy and Water Development Appropriations Act, 1988 (Public Law 100–202; 101 Stat. 1329–112), and section 136 of the Energy and Water Development Appropriations Act, 2004 (Public Law 108–197; 117 Stat. 1482).

(C) Obstructions to navigable capac-iety.—A conveyance under this section shall not affect the jurisdiction of the Secretary under section 10 of the Act of March 3, 1899 (commonly known as the "Rivers and Har-bors Act of 1899") (30 Stat. 1151, chapter 26; 33 U.S.C. 501), with respect to the Federal land conveyed.

(D) SURVEY REQUIRED.—The exact acreage and the legal description of any Federal land con-sidered for conveyance shall be deter-mined by a survey that is satisfactory to the Secretary.

SEC. 5343. WATER SUPPLY STORAGE REPAIR, RE-HABILITATION, AND REPLACEMENT.

Section 301(b) of the Water Supply Act of 1968 (43 U.S.C. 1906(b)) is amended, in the first sentence, by striking the words "authorized by this section as the "Port Authority''), for fair market value, all right, title, and interest of the United States in and to the Federal land described in paragraph (A) for the same project.''.

(1) IN GENERAL.—The Port Authority shall hold the United States harmless from any li-ability with respect to activities carried out on or after the date of the conveyance under this section on the Federal land conveyed.

(2) LIMITATION.—The United States shall remain responsible for any liability incurred with respect to activities carried out before the date of the conveyance under this section on the Federal land conveyed.

(3) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require that the convey-ance under this section be subject to such additional terms and conditions as the Secre-tary considers necessary and appropriate to protect the interests of the United States.

SEC. 5344. NON-FEDERAL PAYMENT FLEXIBILITY.

Section 103(i) of the Water Resources Devel-opment Act of 1986 (33 U.S.C. 2213(i)) is amended—

(1) by striking the subsection designation and heading and all that follows through "At the request of" in the first sentence and in-serting the following:

"(i) DELAY OF PAYMENT.—

(1) INITIAL PAYMENT.—At the request of; and

(2) by adding at the end the following:

"(2) INTEREST.—

(A) IN GENERAL.—At the request of any non-Federal interest, the Secretary may waive the accrual of interest on any non-Federal cash contribution under this section or section 101 for a project for a period of not more than 1 year if the Secretary determines that—

"(i) the waiver will contribute to the abil-ity of the non-Federal interest to make fu-ture contributions; and

"(ii) the non-Federal interest is in good standing under terms agreed to under sub-paragraph (A) for the same project.'"
SEC. 5345. NORTH PADRE ISLAND, CORPUS CHRISTI BAY, TEXAS.

The project for ecosystem restoration, North Padre Island, Corpus Christi Bay, Texas, constructed by the Secretary prior to the date of enactment of this Act under section 402 of the Water Resources Development Act of 1983 (107 Stat. 1272; 133 U.S.C. 701n(c)), shall not be eligible for repair and restoration assistance under section 5(a) of the Act of August 18, 1911 (commonly known as the “Flood Control Act of 1911”) (35 Stat. 869, chapter 377; 33 U.S.C. 701n(a)).

SEC. 5346. WAIVER OF NON-FEDERAL SHARE OF DAILY GIFTS RELATED TO CERTAIN CONTRACT CLAIMS.

In a case in which the Armed Services Board of Contract Appeals or a court of competent jurisdiction has considered a claim for a date that was at least 20 years before the date of enactment of this Act awarding damages to a contractor relating to the adjudication of claims arising from the construction of general navigation features of a project carried out under section 107 of the River and Harbor Act of 1969 (33 U.S.C. 577), notwithstanding the terms of the Project Partnership Agreement, the Secretary shall waive payment of the share of the non-Federal interest of such damages, including attorney fee payments, for—

(1) terminated construction of the project prior to completion of all features; and

(2) has not collected payment from the non-Federal interest before the date of enactment of this Act.

SEC. 5347. ALGIERS CANAL LEVEES, LOUISIANA.

In accordance with section 328 of the Water Resources Development Act of 1999 (113 Stat. 2228; 33 U.S.C. 701n(a)), the Secretary shall—

(A) amend the Contract of August 21, 1983 (68 Fed. Reg. 44159) (RPUID AO–C–2658), constructed January 1, 1941; and

(B) enter into a contract (RPUID AO–C–3520), constructed January 1, 1935, with the City of New Orleans, Louisiana, for the purpose of constructing and maintaining levees as conveyed by the Parish of Jefferson, Louisiana, in accordance with the Contract of August 21, 1983 (68 Fed. Reg. 44159) (RPUID AO–C–2658), constructed January 1, 1941.

SEC. 5348. ISRAEL RIVER ICE CONTROL PROJECT, LANCASTER, NEW HAMPSHIRE.

Beginning on the date of enactment of this Act, the project for flood control, Israel River, Lancaster, New Hampshire, authorized by section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s) is no longer authorized.

SEC. 5349. CITY OF EL DORADO, KANSAS.

The Secretary shall amend Contract DACW–01–01–0047, entered into on December 29, 1972, between the States and the City of El Dorado, Kansas, entered into on June 30, 1972, for the utilization by the City of storage space for water supply in El Dorado, Kansas, to allow the method of calculation of the interest charges that began accruing on June 30, 1991, on the investment costs for the 72,087 acre-feet of future use storage space, from compounding interest annually to charging simple interest annually on the principal amount, until—

(1) the City desires to convert the future use storage space to present use; and

(2) the principal amount plus the accumulated interest becomes payable pursuant to the terms of the Contract.

SEC. 5350. UPPER ST. ANTHONY FALLS PROTECTION.

Section 201 of the Water Resources Reform and Development Act of 2014 (128 Stat. 1270; 132 Stat. 3812) is amended by adding at the end the following:

“(f) LIMITATION.—The Secretary shall not recompense the degradation of the Upper St. Anthony Falls Lock and Dam unless the Secretary identifies a willing and capable non-Federal public entity to assume ownership of the lock and dam, and

(g) MODIFICATION.—The Secretary is authorized to investigate the feasibility of modifying the Upper St. Anthony Falls Lock and Dam system for restoration, including the prevention and control of invasive species, as an authorized purpose.”.

SEC. 5351. REGIONAL CORPS OF ENGINEERS OFFICE, CORPUS CHRISTI, TEXAS.

(a) IN GENERAL.—At such time as new facilities are available to the Corps of Engineers, and subject to this section, the Secretary shall—

(1) convey the land known as the “Upper St. Anthony Falls Lock and Dam Site” (RPUID AO–C–231) (432.3 acres), located and interest of the United States in and to the property described in subsection (c).

(b) CONSIDERATION.—Consideration for the conveyance under subsection (a) shall be determined by an appraisal, satisfactory to the Secretary, of the market value of the property conveyed.

(c) DESCRIPTION OF PROPERTY.—The property referred to in subsection (a) is the land known as the “Upper St. Anthony Falls Lock and Dam Site” (RPUID AO–C–231), including improvements on that land, in Corpus Christi, Texas, and described as follows:

(1) TRACT 100.—The 1.89 acres, more or less, as conveyed by the Nueces County Navigation District No. 1 of Nueces County, Texas, to the United States by instrument dated October 16, 1928, and recorded at Volume 193, pages 1 and 2, in the Deed Records of Nueces County, Texas.

(2) TRACT 102.—The 0.53 acres as conveyed by the City of Corpus Christi, Nueces County, Texas, to the United States by instrument dated September 24, 1971, and recorded at Volume 318, pages 523 and 524, in the Deed Records of Nueces County, Texas.

(d) IMPROVEMENTS.—(A) Main Building (RPUID AO–C–3516), constructed January 9, 1974.

(B) Garage, vehicular with 5 bays (RPUID AO–C–3517), constructed January 9, 1985.

(C) Bulkhead, Upper (RPUID AO–C–3528), constructed January 1, 1941.

(D) Bulkhead, Lower (RPUID AO–C–3529), constructed January 1, 1935.


(F) Bulkhead (RPUID AO–C–3532), constructed January 9, 1985.

(e) TERMS AND CONDITIONS.

(1) IN GENERAL.—Before conveying the land described in subsection (c) to the Port of Corpus Christi Authority, the Secretary shall ensure that the conditions of buildings and facilities meet applicable requirements under Federal law, as determined by the Secretary.

(2) IMPROVEMENTS.—Improvements to conditions of buildings and facilities described in subsection (c), if any, shall be incorporated into the consideration required under subsection (b).

(3) COSTS AND EXPENSE.—In addition to the market value for property rights conveyed, the Port of Corpus Christi Authority shall be responsible for all reasonable and necessary costs, including real estate transaction and environmental documentation costs, associated with the conveyance under subsection (a).

SEC. 5352. FLOOD PROGRAM FOR GOOD NEIGHBOR AUTHORITY ON CORPS OF ENGINEERS LAND.

(a) DEFINITIONS.—In this section:

(1) AUTHORIZED RESTORATION SERVICES.—The term “authorized restoration services” means similar and complementary forest, rangeland, and watershed restoration services carried out—

(A) on Federal land; and

(B) by the Secretary or Governor pursuant to a good neighbor agreement.

(2) FEDERAL LAND.—

(A) IN GENERAL.—The term “Federal land” means land within the State that is administered by the Secretary, the Governor, or any other appropriate executive official of the State.

(B) EXCLUSIONS.—The term “Federal land” does not include—

(i) activities to treat insect-infected and disease-infected trees;

(ii) activities to reduce hazardous fuels; and

(iii) any other activities to restore or improve forest, rangeland, and watershed health, including fish and wildlife habitat.

(b) EXCLUSIONS.—The term “forest, rangeland, and watershed restoration services” does not include—

(1) construction, reconstruction, repair, or restoration of paved or permanent roads or parking areas;

(2) any other reconstruction, repair, or restoration of a road that is necessary to carry out authorized restoration services pursuant to a good neighbor agreement; and

(2) construction, alteration, repair or replacement of public buildings or public works.

(c) GOOD NEIGHBOR AGREEMENT.—The term “good neighbor agreement” means a cooperative agreement or contract (including a sole source contract) entered into between the Secretary and Governor under section 556 of the Water Resources Development Act of 1999 (113 Stat. 353), shall not be eligible for repair and restoration assistance under this section.

(d) GOVERNOR.—The term “Governor” means the Governor or any other appropriate executive official of the State.

(e) ROAD.—The term “road” has the meaning given the term in section 212.1 of title 36, Code of Federal Regulations (as in effect on February 7, 2014).

(f) STATE.—The term “State” means the State of Idaho.

(b) GOOD NEIGHBOR AGREEMENTS.—

(1) GOOD NEIGHBOR AGREEMENTS.—

(A) IN GENERAL.—The Secretary may carry out a pilot program to enter into good neighbor agreements with the Governor to carry out authorized restoration services in the State in accordance with this section.

(B) PUBLIC AVAILABILITY.—The Secretary shall make each good neighbor agreement available to the public on the administrative costs.

(C) GOVERNOR.—The Governor shall provide, and the Secretary may accept and expend, funds to cover the costs of the Secretary to enter into and administer a good neighbor agreement.

(d) TERMINATION.—The pilot program under subparagraph (A) shall terminate on October 1, 2026.

(2) TIMBER SALES.—

(A) APPROVAL OF SILVICULTURE PRESCRIPTIONS AND MARKING GUIDES.—The Secretary shall provide or approve all silviculture prescriptions and marking guides to be applied on Federal land in all timber sale projects conducted under this section.

(B) TREATMENT OF REVENUE.—Except as provided in subparagraph (A), funds received from the sale of timber by the Governor under a good neighbor agreement shall be retained and used by the Governor to carry out authorized restoration services under the good neighbor agreement.

(C) EXCESS REVENUE.—

(1) IN GENERAL.—Any funds remaining after carrying out subparagraph (B) shall be returned to the Secretary.

(ii) APPLICABILITY OF CERTAIN PROVISIONS.—Funds returned to the Secretary under clause (1) shall be subject to the first part of

SEC. 5333. SOUTHEAST DES MOINES, SOUTHWEST PLEASANT HILL, IOWA.

(a) Project Modifications.—The project for flood risk management and other purposes, near the Des Moines River, Iowa (referred to in this section as the "Red Rock Dam Project"), authorized by section 10 of the Act of December 22, 1944 (40 U.S.C. 411 et seq.), as modified by the Flood Control Act of 1970 (42 U.S.C. 1386j-1 et seq.), and the project for flood risk management, near Des Moines Local Flood Protection, Des Moines River, Iowa (referred to in this section as "Flood Protection Project"), authorized by section 10 of that Act (58 Stat. 896, chapter 665), and the project for the Red Rock Dam Project consisting of the segment of levee for flood risk management, near Des Moines Local Flood Protection, Des Moines River, Iowa (referred to in this section as "Flood Protection Project"), authorized by section 10 of that Act (58 Stat. 896, chapter 665), shall be modified as follows, subject to a new or amended agreement between the Secretary and the non-Federal interest for the Flood Protection Project, the City of Des Moines, Iowa (referred to in this section as the "City"), in accordance with section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b): (1) That portion of the Red Rock Dam Project consisting of the segment of levee from Station 15+88.8W to Station 77+43.7W shall be transferred to the Flood Protection Project.

(b) The relocated levee construction constructed by the City, from Station 77+43.7W to approximately Station 20+00, shall be included in the Flood Protection Project.

(c) Federal easement conveyances.—(1) The Secretary is authorized to convey the following easements, acquired by the Federal Government for the Red Rock Dam Project, to the City to become part of the Flood Protection Project in accordance with subsection (a): (A) Easements identified as Tracts 3216E-1, 3216E-5, and 3217E.

(B) Easements identified as Partial Tracts 3216E-2, 3216E-3, 3217E-1, and 3217E-2.

(d) On or before the last day of each period of 3 years, the Secretary shall submit to Congress a financial accounting of non-Federal contributions under clause (1)(i) for such fiscal year.

(e) Periodic monitoring.—(1) In General.—To ensure that the contributions from the non-Federal sponsor equal contributions from the non-Federal sponsor for land and in-kind services for an authorized project for which a project partnership agreement has not been executed, the Secretary shall establish with the non-Federal sponsor a financial accounting of non-Federal contributions under clause (1)(i) for such fiscal year.

(2) Limitation.—As applicable, and after including consideration of all expenditures and obligations funded from the non-Federal sponsor for land and in-kind services for an authorized project for which a project partnership agreement has not been executed, the Secretary shall establish with the non-Federal sponsor a financial accounting of the contributions from the non-Federal sponsor to satisfy the cost share requirements of this subsection on the last day of each period of 5 fiscal years after the end of each fiscal year, the Secretary shall provide to the non-Federal sponsor a financial accounting of non-Federal contributions under clause (1)(i) for such fiscal year.

(f) Requirement.—The Secretary shall conduct an examination and assessment of the extent to which Indian villages, housing sites, and related structures were displaced or destroyed by the construction of the following projects: (A) Bonneville Dam, Oregon, as authorized by the first section of the Act of August 30, 1935 (49 Stat. 1038, chapter 313) and the first section and section 2(a) of the Act of August 20, 1937 (50 Stat. 731, chapter 720; 16 U.S.C. 832, 832a(a)).

(B) New and Old Dam, Washington and Oregon, as authorized by section 2 of the Act of March 3, 1945 (centered on the "River and Harbor Act of 1945") (59 Stat. 22, chapter 19).

(C) John Day Dam, Washington and Oregon, as authorized by section 204 of the Flood Control Act of 1950 (64 Stat. 179, chapter 188).

(3) Requirements.—The village development plan under paragraph (1) shall include, at a minimum— (A) An evaluation of sites on both sides of the Columbia River;

(B) An assessment of suitable Federal land and land owned by the States of Washington and Oregon; and

(C) An estimated cost and tentative schedule for the construction of each housing development.

(4) Location of assistance.—The Secretary may provide housing and related assistance under this subsection at 1 or more sites in the States of Washington and Oregon.

(b) Provision of assistance on Federal land.—The Secretary may construct housing or provide related assistance on land owned by the United States under the Village Development plan under subsection (a)(1).

(c) Acquisition and disposal of land.—(1) In general.—Subject to subsection (d), the Secretary may acquire land or interests in land for the purpose of providing housing and related assistance under the village development plan under subsection (a)(1).

(2) Advance acquisition.—Acquisition of land or interests in land authorized by paragraph (1) may be carried out in advance of completion of all required documentation and clearance for the construction of housing or related improvements on the land or the interests in land.

(3) Disposal of unsuitable land.—If the Secretary determines that any land or interest in land acquired by the Secretary under this section in advance of completion of all required documentation for the construction of housing or related improvements is unsuitable for that housing or for those related improvements, the Secretary may—

(A) Dispose of the land or interest in land by sale; and

(B) Direct the proceeds to the appropriation, fund, or account used to purchase the land or interest in land.
SEC. 5364. BEND LAKE, CARLYLE LAKE, AND LAKE SHELVILLE, ILLINOIS.

(a) IN GENERAL.—Not later than 90 days after the date on which the Secretary receives a request from the Governor of Illinois to terminate a contract described in subsection (c), the Secretary shall amend the contract to release to the United States all rights of the State of Illinois to utilize water storage space in the reservoir project to which the contract applies.

(b) RELIEF OF CERTAIN OBLIGATIONS.—On execution of an amendment described in subsection (a), the State of Illinois shall be relieved of the obligation to pay the percentage of the annual operation and maintenance expense, the percentage of major replacement cost, and the percentage of major rehabilitation cost allocated to the water supply storage specified in the contract for the reservoir project to which the contract applies.

(c) CONTRACTS.—Subsection (a) applies to the following contracts between the United States and the State of Illinois:

(1) Contract DACW43–88–C–0088, entered into on September 23, 1988, for utilization of water storage space for water supply in Rend Lake, Illinois.

(2) Contract DACW43–83–C–0089, entered into on April 28, 1965, for utilization of storage space for water supply in Rend Lake, Illinois.

(b) RELIEF OF CERTAIN OBLIGATIONS.—On execution of an amendment described in subsection (a), the State of Illinois shall be relieved of the obligation to pay the percentage of the annual operation and maintenance expense, the percentage of major replacement cost, and the percentage of major rehabilitation cost allocated to the water supply storage specified in the contract for the reservoir project to which the contract applies.

(c) CONTRACTS.—Subsection (a) applies to the following contracts between the United States and the State of Illinois:

(1) Contract DACW43–88–C–0088, entered into on September 23, 1988, for utilization of water storage space for water supply in Rend Lake, Illinois.

(2) Contract DACW43–83–C–0089, entered into on April 28, 1965, for utilization of storage space for water supply in Rend Lake, Illinois.

SEC. 5365. FEDERAL AGENCY.

Section 1323(c) of the America’s Water Infrastructure Act of 2018 (132 Stat. 3256) is amended by striking “4 years” and inserting “8 years”.

SEC. 5366. LAND TRANSFER AND TRUST LAND FOR CHOTCWAT NATION OF OKLAHOMA.

(a) TRANSFER.—

(1) IN GENERAL.—Subject to paragraph (2) and for the consideration described in subsection (c), the Secretary shall transfer to the Choctaw Nation of Oklahoma (referred to in this section as the “Authority”), for fair market value, all right, title, and interest of the United States in and to approximately 2.2 acres of land adjacent to the southwestern boundary of the port facilities of the Authority at the Barkley Dam and Lake Barkley, Kentucky, project, authorized by the River and Harbor Act of 1946 (40 Stat. 636, Public Law 79–525).

(b) CONDITIONS.—

(1) (A) The transfer is subject to the following:

(1) The transfer shall not interfere with the operation by the Corps of Engineers of the Sardis Lake Project or any other authorized civil works project; and

(2) The transfer shall not interfere with the operation by the Corps of Engineers of the Sardis Lake Project or any other authorized civil works project.

(b) LAND DESCRIPTION.—

The term “repealed.”
### A. State  
#### B. Name  
#### C. Date of Report or Decision Document  
#### D. Estimated Costs

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| 1. AK | Elig Subsistence Harbor | March 12, 2021 | Federal: $74,905,000  
Non-Federal: $1,896,000  
Total: $76,801,000 |
| 2. CA | Port of Long Beach Deep Draft Navigation, Los Angeles | October 14, 2021; May 31, 2022 | Federal: $73,533,500  
Non-Federal: $74,995,500  
Total: $148,529,000 |
| 3. WA | Tacoma Harbor Navigation Improvement | May 26, 2022 | Federal: $120,701,000  
Non-Federal: $174,627,000  
Total: $295,328,000 |
| 4. NY, NJ | New Jersey Harbor Deepening Channel Improvement | June 3, 2022 | Federal: $2,124,561,500  
Non-Federal: $3,439,337,500  
Total: $5,563,899,000 |

#### (2) Flood risk management.—

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</table>
| 1. AL | Selma | October 7, 2021 | Federal: $15,533,100  
Non-Federal: $8,363,900  
Total: $23,897,000 |
| 2. CA | Lower Cache Creek, Yolo County, Woodland, and Vicinity | June 21, 2021 | Federal: $215,152,000  
Non-Federal: $115,851,000  
Total: $331,003,000 |
| 3. OR | Portland Metro Levee System | August 20, 2021 | Federal: $77,111,100  
Non-Federal: $41,521,300  
Total: $118,632,400 |
| 4. NE | Papillion Creek and Tributaries Lakes | January 24, 2022 | Federal: $91,491,400  
Non-Federal: $52,156,300  
Total: $143,647,700 |
| 5. AL | Valley Creek, Bessemer and Birmingham | October 29, 2021 | Federal: $17,725,000  
Non-Federal: $9,586,000  
Total: $27,311,000 |
| 6. PR | Rio Guanajibo | May 24, 2022 | Federal: $110,974,500  
Non-Federal: $59,755,500  
Total: $170,730,000 |

#### (3) Hurricane and storm damage risk reduction.—

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</table>
| 1. CT | Fairfield and New Haven Counties | January 19, 2021 | Federal: $89,937,000  
Non-Federal: $50,063,000  
Total: $142,000,000 |
| 2. PR | San Juan Metro | September 16, 2021 | Federal: $245,418,000  
Non-Federal: $131,333,000  
Total: $376,751,000 |
| 3. FL | Florida Keys, Monroe County | September 24, 2021 | Federal: $1,513,531,000  
Non-Federal: $814,978,000  
Total: $2,328,509,000 |
<table>
<thead>
<tr>
<th>A. State</th>
<th>B. Name</th>
<th>C. Date of Report or Decision Document</th>
<th>D. Estimated Costs</th>
</tr>
</thead>
</table>
| 4. FL    | Okaloosa County | October 7, 2021 | Initial Federal: $19,822,000  
Initial Non-Federal: $11,535,000  
Initial Total: $31,357,000  
Renourishment Federal: $71,045,000  
Renourishment Non-Federal: $73,787,000  
Renourishment Total: $144,832,000 |
| 5. SC    | Folly Beach | October 26, 2021 | Initial Federal: $45,490,000  
Initial Non-Federal: $5,054,000  
Initial Total: $50,544,000  
Renourishment Federal: $164,424,000  
Renourishment Non-Federal: $26,767,000  
Renourishment Total: $191,191,000 |
| 6. FL    | Pinellas County | October 29, 2021 | Initial Federal: $8,627,000  
Initial Non-Federal: $5,332,000  
Initial Total: $13,959,000  
Renourishment Federal: $92,000,000  
Renourishment Non-Federal: $101,690,000  
Renourishment Total: $193,690,000 |
| 7. NY    | South Shore of Staten Island, Fort Wadsworth to Oakwood Beach | October 27, 2016 | Federal: $371,310,000  
Non-Federal: $199,940,000  
Total: $571,250,000 |
| 8. LA    | Upper Barataria Basin | January 28, 2022 | Federal: $1,005,001,000  
Non-Federal: $541,155,000  
Total: $1,546,156,000 |
| 9. LA    | South Central Coast, St. Martin, St. Mary, and Iberia Parishes | June 23, 2022 | Federal: $594,600,000  
Non-Federal: $320,169,000  
Total: $914,769,000 |

(4) Hurricane and storm damage reduction and ecosystem restoration.—

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<thead>
<tr>
<th>A. State</th>
<th>B. Name</th>
<th>C. Date of Report or Decision Document</th>
<th>D. Estimated Costs</th>
</tr>
</thead>
</table>
| 1. TX    | Coastal Texas Protection and Restoration Feasibility Study | September 16, 2021 | Federal: $19,237,894,000  
Non-Federal: $11,668,393,000  
Total: $30,906,287,000 |

(5) Ecosystem restoration.—

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<tr>
<th>A. State</th>
<th>B. Name</th>
<th>C. Date of Report or Decision Document</th>
<th>D. Estimated Costs</th>
</tr>
</thead>
</table>
| 1. CA    | Prado Basin Ecosystem Restoration, San Bernardino, Riverside and Orange Counties | April 22, 2021 | Federal: $33,976,000  
Non-Federal: $18,294,000  
Total: $52,270,000 |
| 2. KY    | Three Forks of Beargrass Creek | May 24, 2022 | Federal: $72,138,000  
Non-Federal: $48,998,000  
Total: $121,135,000 |

(6) Modifications and other projects.—
## SEC. 5402. STORM DAMAGE PREVENTION AND REDUCTION, COASTAL EROSION, AND ICE AND GLACIAL DAMAGE, ALASKA.

(a) IN GENERAL.—The Secretary shall establish a program to carry out structural and nonstructural projects for storm damage prevention and reduction, coastal erosion, and ice and glacial damage in the State of Alaska, including—

(1) relocation of affected communities; and

(b) COST SHARE.—The non-Federal interest shall share in the cost to study, design, and construct a project carried out under this section in accordance with sections 103 and 105 of the Water Resources Development Act of 1986 (33 U.S.C. 2213, 2215), except that, in the case of a project benefiting an economically disadvantaged community (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (124 Stat. 2735)), the non-Federal share shall be 10 percent.

(c) REPEAL.—Section 116 of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (123 Stat. 2851), is repealed.

(d) TREATMENT.—The program authorized by subsection (a) shall be considered a continuation of the program authorized by section 116 of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (123 Stat. 2851) (as in effect on the day before the date of enactment of this Act).

## SEC. 5403. EXPEDITED COMPLETION OF PROJECTS.

The Secretary shall expedite completion of the following projects:

<table>
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<tr>
<th>A. State</th>
<th>B. Name</th>
<th>C. Date of Report or Decision Document</th>
<th>D. Estimated Costs</th>
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</thead>
<tbody>
<tr>
<td>1. LA</td>
<td>Lake Pontchartrain and Vicinity</td>
<td>December 16, 2021</td>
<td>Federal: $807,000,000 Non-Federal: $434,000,000 Total: $1,241,000,000</td>
</tr>
<tr>
<td>2. LA</td>
<td>West Bank and Vicinity</td>
<td>December 17, 2021</td>
<td>Federal: $431,000,000 Non-Federal: $232,000,000 Total: $663,000,000</td>
</tr>
<tr>
<td>3. GA</td>
<td>Brunswick Harbor, Glynn County</td>
<td>March 11, 2022</td>
<td>Federal: $10,774,500 Non-Federal: $3,594,500 Total: $14,369,000</td>
</tr>
<tr>
<td>4. DC</td>
<td>Washington, DC and Vicinity</td>
<td>July 22, 2021</td>
<td>Federal: $17,740,000 Non-Federal: $0 Total: $17,740,000</td>
</tr>
<tr>
<td>5. MI</td>
<td>Soo Locks, Sault Ste. Marie</td>
<td>June 6, 2022</td>
<td>Federal: $2,932,116,000 Non-Federal: $0 Total: $2,932,116,000</td>
</tr>
<tr>
<td>6. WA</td>
<td>Howard A. Hanson Dam Additional Water Storage</td>
<td>May 19, 2022</td>
<td>Federal: $815,207,000 Non-Federal: $39,979,000 Total: $855,186,000</td>
</tr>
<tr>
<td>8. FL</td>
<td>Central and Southern Florida, Indian River Lagoon</td>
<td>May 31, 2022</td>
<td>Federal: $2,500,686,000 Non-Federal: $2,500,686,000 Total: $5,001,372,000</td>
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(13) Project for navigation, including maintenance and channel deepening, McClellan-Kerr Arkansas River Navigation System.

(14) Project for dam safety modifications, Bluestone Dam, West Virginia.

(15) Maintenance dredging and other authorized activities to address the impacts of shoaling affecting the project for navigation, Branford Harbor and Branford River, Branford, Connecticut, authorized by the first section of the Act of June 13, 1902 (32 Stat. 353, chapter 179).

(16) Maintenance dredging and other authorized activities to address the impacts of shoaling affecting the project for navigation, Guilford Harbor and Siusu Channel, Connecticut.

(17) Maintenance dredging and other authorized activities to address the impacts of shoaling affecting the project for navigation, Milford Harbor, Connecticut.


(19) Project for mitigation of shore damage from navigation works, Camp Ellis Beach, Saco, Maine, pursuant to section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426).

(21) Project for navigation, Kentucky Lock Addition, Kentucky.


(23) Maintenance dredging and other authorized activities to address the impacts of shoaling affecting the project for navigation, Portsmouth Back Channels and Sagamore Creek, Portsmouth, New Castle, and Rye, New Hampshire, authorized by section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577).


SEC. 5404. SPECIAL RULES.

(a) The following conditions apply to the project described in section 5403(19):

(1) The project is authorized to be carried out under section 111 of the River and Harbor Act of 1968 (33 U.S.C. 496) at a Federal cost of $45,000,000.

(2) The project may include Federal participation in periodic nourishment.

(b) The following conditions apply to the project described in section 5403(1):

(1) The project is authorized to be carried out under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2230) at a Federal cost of $15,000,000.

(2) If the Secretary includes in the project a measure on Federal land under the jurisdiction of another Federal agency, the Secretary may enter into an agreement with the Federal agency that provides for the Secretary—

(A) to construct the measure; and

(B) to operate and maintain the measure using funds provided to the Secretary by the non-Federal interest for the project.

(c) The Secretary shall determine whether to include in the project a measure for fish passage at a dam licensed for hydropower, the Secretary shall include in the project costs all costs for the measure, except that the costs that are incurred for purposes of the costs to provide fish passage at the dam if hydropower improvements were not in place shall be a 100 percent non-Federal expenses.

SEC. 5405. CHATTahoochee River Program.

(a) Establishment.—

(1) IN GENERAL.—The Secretary shall establish a program to provide environmental assistance to non-Federal interests in the Chattahoochee River Basin.

(b) Comprehensive Plan.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary, in cooperation with State and local officials and affected stakeholders, shall develop a comprehensive Chattahoochee River Basin restoration plan to guide the implementation of projects under subsection (a).

(2) Coordination.—The restoration plan described in paragraph (1) shall, to the maximum extent practicable, consider—

(A) the living resources of the Chattahoochee River Basin.

(b) Savings Provision.—Nothing in this section—

(1) establishes any express or implied reserved water right in the United States for any purpose;

(2) affects any water right in existence on the date of enactment of this Act;

(3) preempts or affects any State law or interstate compact governing water; or

(4) affects any Federal or State law in existence on the date of enactment of this Act regarding water quality or water quantity.

(c) Authorization of Appropriations.—This program is authorized to be appropriated to carry out this section $10,000,000.

SEC. 5406. LOWER MISSISSIPPI RIVER BASIN DEMONSTRATION PROGRAM.

(a) Definition.—In this section, the term "Lower Mississippi River Basin" means the portion of the Mississippi River that begins at the confluence of the Ohio River and flows to the Gulf of Mexico, and its tributaries and distributaries.

(b) Establishment.—

(1) IN GENERAL.—The Secretary shall establish a program to provide assistance to non-Federal interests in the Lower Mississippi River Basin.

(2) Form.—

(A) IN GENERAL.—The assistance under paragraph (1) shall be in the form of design and construction assistance for flood control and storm risk management or aquatic systems.

(b) Authorization of Appropriations.—

This program is authorized to be appropriated to carry out this section $50,000,000.
(e) Cost Sharing.—

(1) Federal Share.—The Federal share of the cost to design and construct a project under each agreement entered into under this section shall not be 75 percent.

(2) Non-Federal Share.—

(A) Value of Land, Easements, Rights-of-Way, and Relocations.—In determining the non-Federal portion toward carrying out an agreement entered into under this section, the Secretary shall provide credit to a non-Federal interest for the value of land, easements, rights-of-way, and relocations provided by the non-Federal interest, except that the amount of credit provided for a project under this paragraph may not exceed 25 percent of the cost to design and construct the project.

(B) Operation and Maintenance Costs.—The non-Federal share of the costs of operation and maintenance of activities carried out under an agreement under this section shall be 100 percent.

(i) Cooperation.—In carrying out this section, the Secretary shall cooperate with—

(1) the heads of appropriate Federal agencies, including—

(A) the Secretary of Agriculture;

(B) the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service; and

(C) the heads of such other Federal agencies as the Secretary determines to be appropriate; and

(2) agencies of a State or political subdivision of a State.

(g) Project Cap.—The total cost of a project carried out under this section may not exceed $15,000,000.

(h) Report.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes the results of the program under this section, including a recommendation on whether the program should be reauthorized.

(i) Authorization of Appropriations.—There is authorized to be appropriated to carry out this section $90,000,000.

SEC. 5407. FORECAST-INFORMED RESERVOIR OPERATIONS.

(a) In General.—The Secretary is authorized to carry out a research study pilot program at 1 or more dams owned and operated by the Secretary in the North Atlantic Division of the Corps of Engineers to assess the viability of forecast-informed reservoir operations in the eastern United States.

(b) Report.—Not later than 1 year after completion of the research study pilot program under subsection (a), the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the results of the study pilot program.

SEC. 5408. MISSISSIPPI RIVER MAT SINKING UNIT.

The Secretary shall expedite the replacement of the Mississippi River mat sinking unit.

SEC. 5409. SENSE OF CONGRESS RELATING TO OKATIBBE LAKE.

It is the sense of Congress that—

(1) there is significant shoreline sloughing and erosion at the Okatibbee Lake portion of the project for flood protection, Chunky Creek, Chickasawhay and Pascagoula Rivers, Mississippi, authorized by section 203 of the Flood Control Act of 1962 (76 Stat. 1183), which has the potential to impact infrastructure, damage property, and put lives at risk; and

(2) addressing shoreline sloughing and erosion at a project of the Secretary, including at a location leased by non-Federal entities such as Okatibbee Lake, is an activity that is eligible to be carried out by the Secretary as part of the operation and maintenance of the project.

DIVISION K—COAST GUARD AUTHORIZATION ACT OF 2022

SEC. 5001. SHORT TITLE; TABLE OF CONTENTS.

(a) Short Title.—This division may be cited as the “Coast Guard Authorization Act of 2022.”

(b) Table of Contents.—The table of contents for this division is as follows:

SEC. 5002. Definition of Commandant.

TITLE LI—AUTHORIZATIONS

Subtitle A—Infrastructure and Assets

Sec. 5201. Report on shoreside infrastructure and tilly needs.

Sec. 5202. Fleet mix analysis and shore infrastructure investment plan.

Sec. 5203. Acquisition life-cycle cost estimates.

Sec. 5204. Report and briefing on resourcing strategy for Western Pacific region.

Sec. 5205. Study and report on national security and drug trafficking threats in the Florida Straits and Caribbean region, including Cuba Subpuerto.

Sec. 5206. Coast Guard Yard.

Sec. 5207. Authority to enter into transactions other than contracts and grants to procure cost-effective technology for mission needs.

Sec. 5208. Improvements to infrastructure motion operations planning.

Sec. 5209. Aqua alert notification system pilot program.

Subtitle B—Great Lakes

Sec. 5211. Great Lakes winter commerce.

Sec. 5212. Report on Great Lakes emergency operations.

Sec. 5213. Great Lakes snowmobile acquisition plan.

Sec. 5214. Great Lakes barge inspection exemption.

Sec. 5215. Study on sufficiency of Coast Guard inspection assets to meet mission demands.

Subtitle C—Arctic

Sec. 5221. Establishment of the Arctic Security Cutter Program Office.

Sec. 5222. Arctic activities.

Sec. 5223. Study on Arctic operations and infrastructure.

Subtitle D—Maritime Cyber and Artificial Intelligence

Sec. 5231. Enhancing maritime cybersecu-

Sec. 5232. Establishment of unmanned system program and autonomous control and computer vision applications and establishment of performance measure.

Sec. 5233. Artificial intelligence strategy.

Sec. 5234. Review of artificial intelligence applications and establishment of performance measure.

Sec. 5235. Cyber data management.

Sec. 5236. Data management.

Sec. 5237. Study on cyber threats to the United States marine transportation system.

Subtitle E—Aviation

Sec. 5241. Space-available travel on Coast Guard aircraft; program authorization and eligible recipients.

Sec. 5242. Report on Coast Guard Air Station Bar Harbor post hangar.

Sec. 5243. Study on the operational availability of Coast Guard aircraft and strategy for Coast Guard Aviation.

Subtitle F—Workforce Readiness

Sec. 5251. Authorized strength.

Sec. 5252. Number and distribution of officers on active duty promotion list.

Sec. 5253. Continuation on active duty of officers with critical skills.

Sec. 5254. Career incentive pay for marine aviators.

Sec. 5255. Expansion of the ability for selection board to recommend officers of particular merit for promotion.

Sec. 5256. Modification to education loan repayment program.

Sec. 5257. Retirement for Vice Commandant.

Sec. 5258. Report on resignation and retirement processing times and denial.

Sec. 5259. Physical disability evaluation system procedure review.

Sec. 5260. Expansion of authority for multirater assessments of certain personnel.

Sec. 5261. Promotion parity.

Sec. 5262. Partnership program to diversify the Coast Guard.

Sec. 5263. Expansion of Coast Guard Junior Reserve Officers’ Training Corps.

Sec. 5264. Improving representation of women and racial and ethnic minorities among Coast Guard active-duty members.

Sec. 5265. Strategy to enhance diversity through recruitment and accession.

Sec. 5266. Support for Coast Guard Academy.

Sec. 5267. Training for congressional affairs personnel.

Sec. 5268. Strategy for retention of cuttermen.

Sec. 5269. Study on performance of Coast Guard Force Readiness Command.

Sec. 5270. Study on frequency of weapons training for Coast Guard personnel.

Subtitle G—Miscellaneous Provisions

Sec. 5281. Budgeting of Coast Guard relating to certain operations.

Sec. 5282. Coast Guard assistance to United States Secret Service.

Sec. 5283. Conveyance of Coast Guard vessels for public purposes.

Sec. 5284. Authorization relating to certain intelligence and counterintelligence activities of the Coast Guard.

Sec. 5285. Transfer and conveyance.

Sec. 5286. Transparency and oversight.

Sec. 5287. Study on safety inspection program for containers and facilities.

Sec. 5288. Study on maritime law enforcement workload requirements.

Sec. 5289. Feasibility study on construction of Coast Guard station at Port Mansfield.

Sec. 5290. Modification of prohibition on operation or procurement of foreign-made unmanned aircraft systems.

CONGRESSIONAL RECORD — SENATE October 11, 2022
SEC. 5101. AUTHORIZATION OF APPROPRIATIONS.

In addition to the amounts authorized to be appropriated under section 4902(2)(A)(ii) of title 14, United States Code, as amended by section 5101 of this division—

(1) $3,000,000,000 is authorized to fund maintenance, for new construction, and for repairs needed for Coast Guard shore infrastructure;

(2) $160,000,000 is authorized to fund phase two of the recapitalization project at Coast Guard Training Center Cape May in Cape May, New Jersey, to improve recruitment and training of a diverse Coast Guard workforce; and

(3) $80,000,000 is authorized for the construction of additional new child care development centers constructed using funds authorized by the Infrastructure Investment and Jobs Act (Public Law 117-58: 135 Stat. 429).

(1) COAST GUARD YARD RESILIENT INFRASTRUCTURE AND CONSTRUCTION IMPROVEMENT.—In addition to the amounts authorized to be appropriated under section 4902(2)(A)(ii) of United States Code, as amended by section 5101 of this division—

(A) $400,000,000 is authorized for the period of fiscal years 2023 through 2028 for the Secretary of the Navy to which the Coast Guard is operating for the purposes of improvements to facilities of the Yard; and

(B) $256,000,000 is authorized for the acquisition of a new floating drydock, to remain available until expended.

SEC. 5104. AUTHORIZATION FOR ACQUISITION OF VARIOUS VESSELS AND AIRCRAFT.

In addition to the amounts authorized to be appropriated under section 4902(2)(A)(ii) of title 14, United States Code, as amended by section 5101 of this division for the period of fiscal years 2023 through 2028:

(2) $236,000,000 is authorized for the acquisition of a Great Lakes icebreaker that is at least as capable as the Coast Guard cutter Mackinaw (WLB-30); and

(1) $350,000,000 is authorized for the acquisition of a National Security Cutter class, including program planning and requirements development to acquire a National Security Cutter class, including program planning and requirements development to include the establishment of an Arctic Security Cutter Program Office;

(2) $560,000,000 is authorized for the continued acquisition of Offshore Patrol Cutters; and

(3) $650,000,000 is authorized for a twelfth National Security Cutter.

SEC. 5105. AUTHORIZATION FOR THE CHILD CARE SUBSIDY PROGRAM.

In addition to the amounts authorized to be appropriated under section 4902(2)(A)(ii) of title 14, United States Code, as amended by section 5101 of this division—

(1) $650,000,000 is authorized for the construction of additional facilities for child care subsidy program.

(2) $236,000,000 is authorized for the acquisition of additional facilities for the child care subsidy program.

(3) $80,000,000 is authorized for the construction of additional facilities for the child care subsidy program.

SEC. 5106. AUTHORIZATION OF THE MACKINAW FLOOD PROTECTION.

In addition to the amounts authorized to be appropriated under section 4902(2)(A)(ii) of title 14, United States Code, as amended by section 5101 of this division—

(1) $252,887,000 for fiscal year 2023.

(2) $172,500,000 is authorized for the construction of additional facilities for the child care subsidy program.

(3) $7,476,000 for fiscal year 2022; and

(A) $3,000,000,000 is authorized for the period of fiscal years 2023 through 2028 for the child care subsidy program.

(B) to address—

(i) the missions of the Coast Guard; and

(ii) the global deployment of the Coast Guard to counter great power competitors.

(2) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall submit to Congress a report on the results of the updated fleet mix analysis required by paragraph (1).

(a) IN GENERAL.—The Commandant shall develop an updated shore infrastructure investment plan that—

(1) the Infrastructure Investment and Jobs Act (Public Law 117-58: 135 Stat. 429).

(2) sec. 502. FLOOD AND SHORE INFRASTRUCTURE INVESTMENT PLAN.

(B) by striking ''fiscal years 2020 and 2021'' and inserting ''fiscal years 2022 and 2023''.

(c) In paragraph (3), by inserting ''fiscal years 2023 and 2024 for the child care subsidy program."

(d) In paragraph (5), by striking subparagraph (B), by striking ''fiscal years 2020 and 2021'' and inserting ''fiscal years 2022 and 2023''.

(e) In paragraph (4), by striking subparagraph (A), and striking subparagraphs (A)(i) and (ii) and inserting the following:

(f) In paragraph (3), by striking subparagraph (A), and striking subparagraphs (A)(i) and (ii) and inserting the following:

SECTION 5202: ACQUISITION LIFE-CYCLE COST ESTIMATES.

Section 1132(e) of title 14, United States Code, is amended—

(1) in subsection (a), by striking the following:

(2) the global deployment of the Coast Guard to counter great power competitors.

(3) to United States strategic maritime interests, in particular such interests in areas west of the International Date Line, including risks to bilateral maritime partners of the United States, posed by not fully staffing and equipping Coast Guard operations in the Western Pacific region.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commandant, in consultation with the Coast Guard Commander of the Pacific Area, the Commander of United States Indo-Pacific Command, and the Under Secretary of Commerce for Oceans and Atmosphere, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report outlining the Coast Guard’s resourcing needs to achieve optimum operations in the Western Pacific region.

(b) ELEMENTS.—The report required under paragraph (1) shall include the following:

(1) the projected life-cycle cost estimates for the following topics:

(2) the estimated cost of projects to fulfill such needs, to the extent available; and

(3) a general description of the state of planning for each such project.

SEC. 5204. REPORT AND BRIEFING ON RESOURCING STRATEGY FOR WESTERN PACIFIC REGION.

(a) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report outlining the Coast Guard’s resourcing needs to achieve optimum operations in the Western Pacific region.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following:

(1) to United States strategic maritime interests, in particular such interests in areas west of the International Date Line, including risks to bilateral maritime partners of the United States, posed by not fully staffing and equipping Coast Guard operations in the Western Pacific region.

(2) the Coast Guard mission and force posed by not fully staffing and equipping the 2022-10-11T00:00:00+00:00
Coast Guard operations in the Western Pacific region; and

(iii) to support the call of the President, as set forth in the Indo-Pacific Strategy, to expand the capabilities and cooperation in Southeast Asia, South Asia, and the Pacific Islands, with a focus on advising, training, deployment, and capacity building.

(B) In the context of the additional resources, including shoreside resources, required to fully implement the needs described in subparagraph (A), including the United States’ intent to expand and protect future Coast Guard cutters and aviation forces to conduct optimum operations in the Western Pacific region.

(D) An analysis with respect to whether a national security cutter or fast response cutter located at a United States military installation in a foreign country in the Western Pacific region would enhance United States national security, partner country capacity building, and prevention and effective response to illegal, unreported, and unregulated fishing.

(E) An assessment of the benefits and associated costs involved in—

(i) increasing staffing of Coast Guard personnel, including command elements of United States Indo-Pacific Command or subordinate commands; and

(ii) designating a Coast Guard patrol force under the direct authority of the Commander of the United States Indo-Pacific Command with associated forward-based assets and personnel.

(F) The identification of any additional authority necessary, including proposals for legislative change, to meet the needs identified in accordance with subparagraphs (A) through (E), including other mission requirements in the Western Pacific region.

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

(b) BRIEFING.—Not later than 60 days after the date on which the Commandant submits the report under subsection (a), the Commandant, or a designated individual, shall provide to the Committee on Commerce, Science, and Transportation of the Senate; and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the findings and conclusions of such report.

SEC. 5206. COAST GUARD YARD

(a) IN GENERAL.—With respect to the Coast Guard Yard, the purposes of the authorization under section 5160(b) are—

(1) to improve resilience and capacity;

(2) to maintain and expand Coast Guard organic manufacturing capacity;

(3) to expand training and recruitment;

(4) to enhance safety;

(5) to improve environmental compliance; and

(6) to ensure that the Coast Guard Yard is prepared to meet the growing needs of the modern Coast Guard fleet.

(b) INCLUSIONS.—The Secretary of the department in which the Coast Guard is operating shall ensure that the Coast Guard Yard receives improvements that include the following:

(1) Facilities upgrades needed to improve resilience of the shipyard, its facilities, and associated infrastructure.

(2) Acquisition of a low-capacity drydock.

(3) Improvements to piers and wharves, drydocks, and capital equipment utilities.

(4) Environmental remediation.

(5) Construction of a new warehouse and paint facility.

(6) Acquisition of a new travel lift.

(7) Dredging necessary to facilitate access to the Coast Guard Yard.

(c) WORKFORCE DEVELOPMENT PLAN.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall submit to the Committees on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a workforce development plan that—

(1) outlines the workforce needs of the Coast Guard Yard with respect to civilian employees and active duty members of the Coast Guard, including engineers, inspectors, and individuals engaged in trades, cyber specialists, and other personnel necessary to meet the evolving mission set of the Coast Guard Yard; and

(2) includes recommendations for Congress with respect to the authorities, training, funding, and civilian and active-duty recruitment, including the recruitment of women, minorities, and individuals from dislocated or underemployed communities, consistent with the operational requirements of the Coast Guard Yard for the 10-year period beginning on the date of submission of the plan.

SEC. 5207. AUTHORITY TO ENTER INTO TRANSACTIONS OTHER THAN CONTRACTS FOR THE ACQUISITION OF UNMANNED AIRCRAFT, UNMANNED AIRCRAFT SYSTEM, AND COUNTER-UAS TECHNOLOGY

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commandant, or a designated individual, shall—

(1) enter into transactions other than contracts and grants to procure cost-effective and advanced technology for mission-critical needs;

(2) prescribe regulations as necessary to carry out such transactions; and

(3) enter into transactions other than contracts and grants for advanced technology for the purpose of meeting the mission needs of the Coast Guard.

(b) PROCUREMENT AND ACQUISITION.—Procurement or acquisition of technologies under subsection (a) shall be—

(1) carried out in accordance with this title and Coast Guard policies and guidance; and

(2) consistent with the operational requirements of the Coast Guard.

(c) LIMITATIONS.—

(1) IN GENERAL.—The Commandant may not enter into a transaction under subsection (a) with respect to a technology that—

(A) does not comply with the cybersecurity standards of the Coast Guard; or

(B) is sourced from an entity domiciled in the People’s Republic of China, unless the Commandant determines that the prototype, operation, or procurement of such a technology is for the purpose of—

(i) counter-UAS operations, surrogate testing, or training; or

(ii) intelligence, electronic warfare, and information warfare operations, testing, analysis, and training.

(2) WAIVER.—The Commandant may waive the application of subsection (a) on a case-by-case basis by certifying in writing to the Secretary of Homeland Security and the appropriate committees of Congress that the proposed operation, procurement, or development of the applicable technology is in the national interests of the United States.

(d) EDUCATION AND TRAINING.—The Commandant shall ensure that management, technical, and contracting personnel of the Coast Guard involved in the award or administration of transactions under this section, or other innovative forms of contracting, are provided opportunities for adequate education and training with respect to the authority under this section.

(e) REPORT.—

(1) IN GENERAL.—Not later than 5 years after the date of the enactment of this section, the Commandant shall submit to the appropriate committees of Congress a report that—

(A) describes the use of the authority pursuant to this section; and

(B) assesses the mission and operational benefits of such authority.

(2) APPROPRIATE COMMITTEES OF CONGRESS REPORT.—In this subsection, the term ‘appropriate committees of Congress’ means—

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

(B) the Committee on Transportation and Infrastructure of the House of Representatives.

(f) REGULATIONS.—The Commandant shall prescribe regulations as necessary to carry out this section.

SEC. 5208. IMPROVEMENTS TO INFRASTRUCTURE AND OPERATIONS PLANNING.

(a) STUDY.—The Secretary of Transportation shall—

(1) conduct a study on national security, drug trafficking, and other relevant threats as the Secretary of Homeland Security and the Secretary of State have prescribed in accordance with section 44801 of title 49, United States Code; and

(2) report to the Committees on Commerce, Science, and Transportation of the Senate; and the Committee on Transportation and Infrastructure of the House of Representatives with respect to—

(1) the detection and interdiction of illicit drugs and related proceeds in the Caribbean region, including Cuba; and

(2) the detection of national security threats in such region.

(b) STUDY.—The Secretary of Transportation shall—

(1) in consultation with the Secretary of Commerce, the Secretary of Homeland Security, and the Secretary of State, prescribe regulations as necessary to carry out this section.
the Commandant shall incorporate the most recent oceanic and atmospheric data relating to the increasing rates of extreme weather, including flooding, into planning scenarios for ice-breaking vessels and commission deployments with respect to all Coast Guard Missions.

(b) COORDINATION WITH NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.—In carrying out subsection (a), the Commandant shall—

(1) coordinate with the Under Secretary of Commerce for Oceans and Atmosphere to ensure the incorporation of the most recent environmental and climatic data; and

(2) request technical assistance and advice from the Under Secretary in planning scenarios, as appropriate.

(c) BRIEFING.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the manner in which the best-available science from the National Oceanic and Atmospheric Administration has been incorporated into at least 1 key mission area of the Coast Guard, and the lessons learned from so doing.

SEC. 5208. AQUA ALERT NOTIFICATION SYSTEM PILOT PROGRAM.

(a) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Commandant shall, subject to the availability of appropriations, establish a pilot program to improve the issuance of alerts to facilitate cooperation with the public to render aid to distressed individuals under section 521 of title 14, United States Code.

(b) COVERED.—The pilot program established under subsection (a) shall—

(1) include a voluntary opt-in program under which the public, as appropriate, and the entities described in subsection (c), may receive notifications on cellular devices regarding Coast Guard activities to render aid to distressed individuals under section 521 of title 14, United States Code;

(2) cover areas located within the area of responsibility of Coast Guard sectors in diverse geographic regions; and

(3) provide that the dissemination of an alert shall be limited to the geographic areas most likely to facilitate the rendering of aid to distressed individuals.

(c) CONSULTATION.—In developing the pilot program under subsection (a), the Commandant shall—

(1) the head of any relevant Federal agency;

(2) the government of any relevant State;

(3) any Tribal Government;

(4) the government of any relevant territory or possession of the United States; and

(5) any relevant political subdivision of an entity described in paragraphs (2), (3), or (4).

(d) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, and annually thereafter through 2026, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the implementation of this section.

(2) PUBLIC AVAILABILITY.—The Commandant shall make the report submitted under paragraph (1) available to the public.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Committee on Commerce, Science, and Transportation of the Senate $3,500,000 for each of fiscal years 2023 through 2026, to remain available until expended.

Subtitle B—Great Lakes

SEC. 5211. GREAT LAKES WINTER COMMERCE.

(a) IN GENERAL.—Subchapter IV of chapter 5 of title 14, United States Code, is amended by adding at the end the following:

"§ 564. Great Lakes icebreaking operations.

(1) GAO REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the Coast Guard Great Lakes icebreaking program.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following:

(A) An evaluation of mission needs of the Coast Guard Great Lakes icebreaking program.

(B) A statement of the impact of the proposed standards described in subsection (b) (i) would have on—

(i) Coast Guard operations in the Great Lakes;

(ii) Northeast icebreaking missions; and

(iii) inland waterway operations.

(D) A fleet mix analysis for meeting such proposed standards.

(E) A description of the resources necessary to support the fleet mix resulting from such fleet mix analysis, including for crew and operating costs.

(F) Recommendations to the Commandant for improvements to the Great Lakes icebreaking program, including with respect to facilitating commerce and meeting all Coast Guard mission needs.

(2) PROPOSED STANDARDS FOR ICEBREAKING OPERATIONS.—The proposed standards described in this subsection are the following:

(1) Except as provided in paragraph (2), the Commandant shall keep ice-covered waterways in the Great Lakes open to navigation during the winter season of at least 500 tons, cargo vessel operating in the Great Lakes to ensure the incorporation of the most recent oceanic and atmospheric data relating to the increasing rates of extreme weather, including flooding, into planning scenarios for ice-breaking vessels and commission deployments with respect to all Coast Guard Missions.

(b) ELMENTS.—The database required under subsection (a) shall—

(1) Attempts by commercial vessels and ferries to transit ice-covered waterways in the Great Lakes that are unsuccessful because of inadequate icebreaking.

(2) The period of time that each commercial vessel or ferry was unsuccessful at so transiting due to inadequate icebreaking.

(3) The amount of time elapsed before each such commercial vessel or ferry was successfully broken out of the ice and whether it was accomplished by the Coast Guard or by commercial icebreaking assets.

(4) Relevant communications of each such commercial vessel or ferry with the Coast Guard and with commercial icebreaking services during such period.

(5) A description of any mitigating circumstance, such as Coast Guard icebreaker diversions to higher priority missions, that may have contributed to the amount of time described in paragraph (3).

(c) VOLUNTARY REPORTING.—Any reporting by operators of commercial vessels or ferries under this section shall be voluntary.

(d) PUBLIC AVAILABILITY.—The Commandant shall make the report submitted under paragraph (1) available to the public on a publicly accessible Internet website of the Coast Guard.
(e) Consultation With Industry.—With respect to the Great Lakes icebreaking operations of the Coast Guard and the development of the database required under subsection (a), the Commandant shall coordinate with operators of commercial vessels and ferries.

(f) Definitions.—In this section:

(1) COMMERCIAL VESSEL.—The term ‘‘commercial vessel’’ means any privately owned cargo vessel operating in the Great Lakes during the winter season of at least 500 tons, as measured under section 14502 of title 46, United States Code, or an alternate tonnage measured under section 14502 of such title, as prescribed by the Secretary of the department in which the Coast Guard is operating under section 580 of such title.

(2) GREAT LAKES.—The term ‘‘Great Lakes’’ means the United States waters of Lake Superior, Lake Michigan, Lake Huron, Lake Erie, and Lake Ontario, their connecting waterways, and their adjacent harbors.

(3) ICE-COVERED WATERWAY.—The term ‘‘ice-covered waterway’’ means any portion of the Great Lakes in which commercial vessels or ferries operate that is 70 percent or greater covered by ice, but does not include any waters adjacent to piers or docks for which the Secretary of the department in which the Coast Guard is operating under section 580 of such title has determined are available and adequate for the ice conditions.

(4) OPEN TO NAVIGATION.—The term ‘‘open to navigation’’ means navigable to the extent necessary, in no particular order of priority—

(A) to extractive vessels and individuals from danger;

(B) to prevent damage due to flooding;

(C) to meet the reasonable demands of commerce;

(D) to minimize delays to passenger ferries; and

(E) to conduct other Coast Guard missions as required.

(5) REASONABLE DEMANDS OF COMMERCE.—The term ‘‘reasonable demands of commerce’’ means the safe movement of commercial vessels and ferries transiting ice-covered waterways in the Great Lakes, regardless of type of cargo, at a speed consistent with the design capability of Coast Guard icebreakers operating in the Great Lakes, and applicable to the ice capability of the commercial vessel.

(g) Public Report.—Not later than July 1 after the first winter in which the Commandant issues a report on the costs of the Commandant of the Great Lakes of meeting the requirements of that section.

SEC. 5213. GREAT LAKES SNOWMOBILE ACQUISITION PLAN.

(a) In General.—The Commandant shall develop a plan to expand snowmobile procurement for Coast Guard units at which snowmobiles may improve ice rescue response times while maintaining the safety of Coast Guard personnel engaged in search and rescue;

(b) Operational Capabilities of a Snowmobile.—As compared to an airboat, and a force laydown assessment with respect to the assets needed for effective operations at Coast Guard units conducting ice rescue activities; and

(c) Potential Risks to Members of the Coast Guard.—The Commandant shall include the plan required by paragraph (a) of this section on a publicly accessible internet website of the Coast Guard.

SEC. 5214. GREAT LAKES BARGE INSPECTION EXEMPTION.

Section 3302(m) of title 46, United States Code, is amended—

(1) in the matter preceding paragraph (1), by inserting ‘‘after sea-going barge’’;

(2) by striking ‘‘section 3301(6) of this title’’ and inserting ‘‘paragraph (6) or (13) of section 3301 of this title’’;

(3) in the matter following paragraph (3), by striking ‘‘section 57121’’.

SEC. 5215. STUDY ON SUFFICIENCY OF COAST GUARD AVIATION ASSETS TO MEET MISSION Demands.

(a) In General.—Not later than 1 year after the date of enactment of this Act, the Commandant shall submit to the Committee on Transportation and Infrastructure of the House of Representatives a report on—

(1) the force laydown of Coast Guard aviation assets;

(2) any geographic gaps in coverage by Coast Guard assets in areas in which the Coast Guard has search and rescue responsibilities.

(b) Elements.—The report required under subsection (a) shall include the following:

(1) the distance, time, and weather challenges that MH-65 and MH-60 units may face in reaching the outermost limits of the area of operation of the Great Lakes District 9 and Coast Guard District 8 for which such units are responsible.

(2) An assessment of the advantages that Coast Guard MH-60R or MH-65 helicopters, or an alternate rotary wing asset, would offer to the outermost limits of any area of operation for purposes of search and rescue, law enforcement, and missions.

(3) A comparison of advantages and disadvantages of the manner in which each of the Coast Guard fixed-wing aircraft would operate in the outermost limits of any area of operation.

(4) A specific assessment of the coverage gaps, including gaps in fixed-wing coverage, and potential solutions to address such gaps in the area of operation of Coast Guard District 9 and Coast Guard District 8, including the eastern region of such area of operation with regard to Coast Guard District 8 and the southern region of such area of operation with regard to Coast Guard District 8.

SEC. 5216. ESTABLISHMENT OF THE ARCTIC SECURITY CUTTER PROGRAM OFFICE.

(a) In General.—Not later than 90 days after the date of enactment of this Act, the Commandant shall establish a program office for the Arctic Security Cutter to expedite the evaluation of requirements and initiate design of a vessel class critical to the national security of the United States.

(b) Design Phase.—Not later than 270 days after the date of the enactment of this Act, the Commandant shall establish the design phase of the Arctic Security Cutter vessel class.

(c) Quarterly Briefings.—Not less frequently than quarterly until the date on which the order for the construction of the Arctic Security Cutter is awarded, the Commandant shall provide briefing to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the status of requirements evaluations, design of the vessel, and schedule of the program.

SEC. 5222. ARCTIC ACTIVITIES.

(a) Definitions.—In this section:

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

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

(B) the Committee on Transportation and Infrastructure of the House of Representatives.

(2) ARCTIC.—The term ‘‘Arctic’’ has the meaning given such term in section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111).

(b) Arctic Operational Implementation Report.—Not later than 1 year after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall submit a report to the appropriate committees of Congress that describes the ability and timeline to conduct the first full transit of the Northwest Passage period in 2022.

SEC. 5223. STUDY ON ARCTIC OPERATIONS AND INFRASTRUCTURE.

(a) In General.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall commence a study on the Arctic operations and infrastructure of the Coast Guard.

(b) Elements.—The study required under subsection (a) shall assess the following:

(1) The extent of the collaboration between the Coast Guard and the Department of Defense to assess, manage, and mitigate security risks in the Arctic region;

(2) Actions taken by the Coast Guard to manage risks to Coast Guard operations, infrastructure, and workforce planning in the Arctic.

(3) The plans the Coast Guard has in place for managing and mitigating the risks to commercial maritime operations and the environment in the Arctic region.

(c) Report.—Not later than 1 year after commencing the study required under subsection (a), the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the study.

Subtitle D—Maritime Cyber and Artificial Intelligence

SEC. 5221. ENHANCING MARITIME CYBERSECURITY.

(a) Definitions.—In this section:

(1) INCIDENT.—The term ‘‘incident’’ has the meaning given the term ‘‘incident’’ in section 2204(a) of the Homeland Security Act of 2002 (6 U.S.C. 659(a)).

(2) FREE-BOARD.—The term ‘‘maritime operator’’ means the owners or operators of vessels engaged in commercial service, the owners or operators of port facilities, and port authorities.

(3) PORT FACILITIES.—The term ‘‘port facilities’’ has the meaning given the term ‘‘facility’’ in section 70101 of title 46.

(b) PUBLIC AVAILABILITY OF CYBERSECURITY TOOLS AND RESOURCES.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General, in coordination with the Administrator of the Maritime Administration, the Director of the Cybersecurity and
Infrastructure Security Agency, and the Director of the National Institute of Standards and Technology, shall identify and make available to the public a list of tools and resources, including for the resources of the Coast Guard and the Cybersecurity and Infrastructure Security Agency, designed to assist maritime operators in identifying, detecting, protecting, and recovering from cyber incidents.

(2) IDENTIFICATION.—In carrying out paragraph (1), the Commandant, the Administrator of the Maritime Administration, the Director of the Cybersecurity and Infrastructure Security Agency, and the Director of the National Institute of Standards and Technology shall identify tools and resources that—

(A) comply with the cybersecurity framework for improving critical infrastructure established by the National Institute of Standards and Technology; or

(B) use the guidelines on maritime cyber risk management issued by the International Maritime Organization on July 5, 2017 (or successor guidelines).

(3) CONSULTATION.—The Commandant, the Administrator of the Maritime Administration, the Director of the Cybersecurity and Infrastructure Security Agency, and the Director of the National Institute of Standards and Technology may consult with maritime operational agencies, private industries, research universities, and cybersecurity experts to identify tools and resources for purposes of this section.

SEC. 3232. ESTABLISHMENT OF UNMANNED SYSTEM PROGRAM AND AUTONOMOUS CONTROL AND COMPUTER VISION TECHNOLOGY PROJECT.

(a) UNMANNED SYSTEM PROGRAM.—The Secretary shall establish, under the control of the Commandant, an unmanned system program for the use by the Coast Guard of land-based, cutter-based, and aircraft-based unmanned systems for the purposes of increasing effectiveness and efficiency of mission execution.

(b) AUTONOMOUS CONTROL AND COMPUTER VISION TECHNOLOGY PROJECT.—

(1) IN GENERAL.—The Commandant shall conduct a project to retrofit 2 or more existing Coast Guard small boats deployed at operational units with—

(A) commercially available autonomous control and computer vision technology; and

(B) such sensors and methods of communication as are necessary to control, operate, and mission technology to assist in conducting, search and rescue, Surveillance, and interdiction missions.

(2) DATA COLLECTION.—As part of the project required by paragraph (1), the Commandant shall collect and evaluate field-collected operational data from the retrofit described in that paragraph so as to inform future requirements.

(3) BRIEFING.—Not later than 180 days after the date on which the project required under paragraph (1) is completed, the Commandant shall provide a briefing to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the project that includes an evaluation of the data collected from the project.

(c) UNMANNED SYSTEM DEFINED.—In this section, the term "unmanned system" means—

(1) an unmanned aircraft system (as defined in section 48401 of title 49, United States Code);

(2) an unmanned marine surface system; and

(3) an unmanned marine subsurface system.

(d) COST ASSESSMENT.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall—

(A) ensure that the Commandant coordinate with Congress in estimating the costs associated with implementing the amendments made by this section.

(B) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives the plan developed under paragraph (1), the Commandant shall—

(A) apply artificial intelligence and machine-learning technologies to improve operational and mission-support problems; and

(B) coordinate activities involving artificial intelligence and artificial intelligence-enabled capabilities with the Coast Guard.

(d) DESIGNATED OFFICIAL.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall designate a senior official of the Coast Guard (referred to in this section as the "designated official") with the principal responsibility of coordinating activities relating to the development and demonstration of artificial intelligence and machine learning for the Coast Guard.

(2) DUTIES.—

(A) STRATEGIC PLAN.—

(i) IN GENERAL.—The designated official shall develop a detailed strategic plan to develop, mature, adopt, and transition artificial intelligence technologies and transition such technologies into operational use where appropriate.

(ii) ELEMENTS.—The plan required by clause (i) shall include the following:

(I) A strategic roadmap for the identification and coordination of the development and fielding of artificial intelligence technologies and key enabling capabilities.

(II) The continuous evaluation and adaptation of relevant artificial intelligence capabilities developed by the Coast Guard and by other organizations for military missions and business operations.

(III) SUBMISSION TO COMMANDANT.—Not later than 1 year after the date of the enactment of this Act, the designated official shall submit to the Commandant the plan developed under clause (i).

(B) GOVERNANCE AND OVERSIGHT OF ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING POLICY.—The designated official shall regularly convene appropriate officials of the Coast Guard to—

(i) integrate the functional activities of the Coast Guard with respect to artificial intelligence and machine learning;

(ii) to ensure that there are efficient and effective artificial intelligence and machine-learning capabilities throughout the Coast Guard; and

(iii) to develop and continuously improve research, innovation, policy, joint processes, and procedures to facilitate the development, acquisition, integration, advance- ment, oversight, and sustainment of artificial intelligence and machine learning throughout the Coast Guard.

SEC. 3233. ARTIFICIAL INTELLIGENCE STRATEGY.

(a) ESTABLISHMENT OF ACTIVITIES.—

(1) IN GENERAL.—The Commandant shall—

(A) develop and support capabilities for technical analysis and assessment of threat capabilities based on artificial intelligence;

(B) identify the workforce and capabilities needed to support the artificial intelligence capabilities and requirements of the Coast Guard;

(C) develop classification guidance for all artificial intelligence-related activities of the Coast Guard;

(D) work with appropriate officials to develop appropriate ethical, legal, and public policies for the Coast Guard in promoting the development and use of artificial intelligence-enabled systems and technologies in operational situations; and

(E) ensure—

(i) that artificial intelligence programs of the Coast Guard are consistent with this section;

(ii) appropriate coordination of artificial intelligence activities of the Coast Guard with interagency, industry, and international efforts relating to artificial intelligence, including relevant participation in standards-setting bodies.

(b) INTERIM STRATEGIC PLAN.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Commandant shall—

(A) develop a strategic plan to develop, mature, adopt, and transition artificial intelligence technologies into operational use where appropriate.

(B) submit the strategic plan to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(c) ACCELERATION OF DEVELOPMENT AND FIELDING OF ARTIFICIAL INTELLIGENCE.—To the extent practicable, the Commandant shall—

(1) accelerate the development and fielding of artificial intelligence capabilities;
(2) identify the resources necessary to improve the use of artificial intelligence and digital technology in such platforms, processes, and operations; and

shall—

(a) conduct a comprehensive review and assessment of—

(i) skill gaps in the fields of software development, cyber security, data science, and artificial intelligence;

(ii) the qualifications of civilian personnel needed for both management and specialist tracks in such fields; and

(iii) the qualifications of military personnel (officer and enlisted) needed for both management and specialist tracks in such fields;

(b) establish recruiting, training, and talent management performance objectives and accompanying metrics for achieving and maintaining the skilled levels needed to fill identified gaps and meet the needs of the Coast Guard for skilled personnel.

2) AI MODERNIZATION ACTIVITIES.—In carrying out subsection (a), the Commandant shall—

(A) assess investment by the Coast Guard in artificial intelligence innovation, science and technology, and research and development;

(B) assess investment by the Coast Guard in test and evaluation of artificial intelligence capabilities;

(C) assess the integration of, and the resources necessary to better use artificial intelligence in war games, exercises, and experimentation;

(D) assess the application of, and the resources necessary to better use, artificial intelligence in logistics and sustainment systems;

(E) assess the integration of, and the resources necessary to better use, artificial intelligence for administrative functions;

(F) establish performance objectives and accompanying metrics for artificial intelligence modernization activities of the Coast Guard;

and

(G) identify the resources necessary to effectively use artificial intelligence to carry out the missions of the Coast Guard.

(b) Procedures.—Not later than 180 days after the completion of the review required by subsection (a)(1), the Commandant shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives a report that includes—

(1) an assessment of the progress on the activities required by subsection (a); and

(2) any recommendation with respect to funding or additional authorities necessary, including proposals for legislative change, to improve Coast Guard cyber data management.

SEC. 5236. DATA MANAGEMENT.

The Commandant shall develop data workflows and the leveraging of mission-relevant data by the Coast Guard to enhance operational effectiveness and efficiency.

SEC. 5237. STUDY ON CYBER THREATS TO THE UNITED STATES MARINE TRANSPORTATION SYSTEM.

(a) In General.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall submit a report on the findings of the study to the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(b) Elements.—The study required by paragraph (1) shall assess the following:

(1) The extent to which the Coast Guard, in collaboration with other Federal agencies, sets standards for the cybersecurity of facilities and vessels regulated under parts 104, 106, and 107 of title 46, Code of Federal Regulations, as in effect on the date of the enactment of this Act.

(2) The manner in which the Coast Guard ensures cybersecurity standards are followed by port, vessel, and facility owners and operators.

(3) The extent to which marine sector-specific planning addresses cybersecurity, particularly for vessels and offshore platforms.

(4) The manner in which the Coast Guard, other Federal agencies, and vessels and offshore platform operators exchange information regarding cybersecurity risks.

(5) The extent to which the Coast Guard is developing and implementing cybersecurity specialist in port and vessel systems and collaborating with the private sector to increase the expertise of the Coast Guard with respect to cybersecurity.

(6) The cybersecurity and workforce needs of the Coast Guard necessary to meet future mission demands.

(c) Report.—Not later than 1 year after commencing the study required by subsection (a), the Comptroller General shall submit a report on the findings of the study to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

SEC. 5235. CYBER DATA MANAGEMENT.

(a) In General.—(1) The Commandant shall—

(A) access to and the ingestion, structure, storage, and analysis of information and data relevant to the Coast Guard Cyber Mission, including—

(i) intelligence data relevant to Coast Guard missions;

(ii) internet traffic, topology, and activity data relevant to such missions; and

(iii) cyber threat information relevant to such missions; and

(B) data management and analytic platforms relevant to such missions;

(c) Reporting to Congress.—Not later than 1 year after the date on which the program is established, the Commandant shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives a report that includes—

(1) an assessment of the progress on the activities required by subsection (a); and

(2) any recommendation with respect to funding or additional authorities necessary, including proposals for legislative change, to improve Coast Guard cyber data management.

SEC. 5241. SPACE-AVAILABLE TRAVEL ON COAST GUARD AIRCRAFT: PROGRAM AUTHORIZATION AND ELIGIBLE RECIPIENTS.

(a) In General.—(1) The Coast Guard may establish a program to provide transportation on Coast Guard aircraft on a space-available basis to the categories of eligible individuals described in subsection (c) (in this section referred to as the "program").

(2) Not later than 1 year after the date on which the program is established, the Commandant shall develop a policy for its operation.

(b) Eligibility of Individuals.—(1) The Commandant shall operate the program in a budget-neutral manner.

(2) (A) Except as provided in subparagraph (B), no additional funds may be used, or flight hours performed, for the purpose of providing transportation under the program.

(B) The Commandant may make de minimis expenditures of funds authorized for the administrative aspects of the program.

(3) Eligible individuals described in subsection (c) shall not be required to reimburse the Coast Guard for travel provided under this section.

(4) Subject to subsection (d), the categories of eligible individuals described in this subsection are the following:

(1) Members of the armed forces on active duty.

(2) Members of the Select Reserve who hold a valid Uniformed Services Identification and Privilege Card.

(3) Retired members of a regular or reserve component of the armed forces, including retired members of reserve components who, but for being under the eligibility age applicable under section 2731 of title 10, would be eligible for retired pay under chapter 1223 of title 10.

(4) Subject to subsection (f), veterans with a permanent service-connected disability rating at 30 percent or higher, certain categories of dependents of individuals described in paragraphs (1) through (3) as the Commandant shall specify in the program under subsection (c), under such conditions and circumstances as the Commandant shall specify in such policy.

(b) Eligible Categories of Individuals.—(1) Members of the armed forces on active duty shall—

(1) in the sole discretion of the Commandant, establish an order of priority for transportation for categories of eligible individuals that is based on considerations of military necessity, humanitarian concerns, and enhancement of morale;

(2) give priority in consideration of transportation to the demands of the members of the armed forces in the regular components and in the reserve components on active duty and to the need to provide such members, and their dependents, a means of respite from such demands;

(3) implement policies aimed at ensuring cost control (as required by subsection (b)) and the safety, security, and efficient operation of the program without limiting the benefit under the program to one or more categories of otherwise eligible individuals, as the Commandant considers necessary.

(7) Notwithstanding paragraph (d)(1), in establishing space-available transportation priorities under the program, the
Commandant shall provide transportation for an individual described in paragraph (2), and a single dependent of the individual if needed to accompany the individual, at a priority level in the same category as the priority level for an unaccompanied dependent over the age of 18 years traveling on environmental and morale leave.

(2) The用戶paragraph (3) applies with respect to an individual described in subsection (c)(3) who—

(A) resides in or is located in a Commonwealth or possession of the United States; and

(B) is referred to by a military or civilian primary care provider located in that Commonwealth or possession as a primary care provider for services to be provided outside of that Commonwealth or possession.

(3) If an individual described in subsection (c)(3) is a retired member of a reserve component who is ineligible for retired pay under chapter 223 of title 10 by reason of being under the eligibility age applicable under section 223h of title 10, paragraph (1) applies to the individual only if the individual is also enrolled in the TRICARE program for certain members of the Retired Reserve under authority of section 1076d of title 10.

(4) The priority for space-available transportation required by this subsection applies with respect to—

(A) the travel from the Commonwealth or possession of the United States to receive the specialty care services; and

(B) the return travel.

(5) In this subsection, the terms ‘primary care provider’ and ‘specialty care provider’ refer to an evaluation or dental professional who provides health care services under chapter 55 of title 10.

(7) [Reserved]

(8) [Reserved]

(9) [Reserved]

(10) [Reserved]

II. AIR TRANSPORTATION

SEC. 5242. REPORT ON AIR TRANSPORTATION.

(a) IN GENERAL.—Not later than 180 days after the date on which the study required by paragraph (1) is completed, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the House of Representatives a briefing on the strategy.

(b) C RITERIA.—The strategy required by paragraph (1) shall include the following:

(1) An analysis of—

(A) the current and future operations and maintenance resource needs; and

(B) the manner in which such future needs are anticipated to maintain the future vertical lift initiatives of the Department of Defense; and

(ii) An estimated timeline with respect to when such future needs will arise.

(2) The plan for providing transportation on Coast Guard aircraft on a space-available basis.

(3) The authority to provide transportation on Coast Guard aircraft on a space-available basis.

(4) The priority for space-available transportation required by this subsection applies with respect to—

(A) the travel from the Commonwealth or possession of the United States to receive the specialty care services; and

(B) the return travel.

(5) In this subsection, the terms ‘primary care provider’ and ‘specialty care provider’ refer to an evaluation or dental professional who provides health care services under chapter 55 of title 10.

(7) [Reserved]

(8) [Reserved]

(9) [Reserved]

(10) [Reserved]

II. AIR TRANSPORTATION

SEC. 5242. REPORT ON COAST GUARD AIR STATION HARBORS POINT HANGAR.

(a) IN GENERAL.—Not later than 30 days after the date on which the study required by paragraph (1) is completed, the Commandant shall submit to the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives a report on facilities requirements for constructing a hangar at Coast Guard Air Station Barbers Point on Oahu, Hawaii.

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

(1) A description of the hangar at Coast Guard Air Station Barbers Point funded by the Consolidated Appropriations Act, 2022 (Public Law 116-260; 114 Stat. 2932).

(2) An evaluation of the full facilities requirements for such hangar to house, maintain, and operate the MH-65 and HC-130J, including—

(A) storage and provision of fuel; and

(B) maintenance and parts storage facilities.

(3) An evaluation of facilities growth requirements for possible future basing of the MH-60 with the C-130J at Coast Guard Air Station Barbers Point.

(4) A description of and cost estimate for each project phase for the construction of such hangar.

(5) A description of the plan for sheltering and upgrading or recapitalizing current and future aircraft of the Coast Guard and partner agencies, such as the National Oceanic and Atmospheric Administration.

(c) R EPORT.—Not later than 180 days after the date on which the study required by paragraph (1) is completed, the Commandant shall submit a comprehensive strategy for Coast Guard Air Station Barbers Point if future project phases for the construction of such hangar are not funded.

D. CRAFT AND STRATEGY FOR COAST GUARD AVIATION.

SEC. 5243. STUDY ON THE OPERATIONAL AVAILABILITY OF COAST GUARD AIRCRAFT AND STRATEGY FOR COAST GUARD AVIATION.

(a) STUDY.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall commence a study on the operational availability of Coast Guard aircraft.

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

(A) An assessment of—

(i) the extent to which the fixed-wing and rotary-wing aircraft of the Coast Guard have met annual operational availability targets in recent years;

(ii) the challenges the Coast Guard may face with respect to such aircraft meeting operational availability targets, and the effects of such challenges on the Coast Guard’s ability to meet mission requirements; and

(iii) the extent to which Coast Guard efforts to upgrade or recapitalize its fleet of such aircraft to meet growth in future mission demands, such as in the Western Hemisphere, the Arctic region, and the Western Pacific region.

(B) Any recommendation with respect to the operational availability of Coast Guard aircraft.

(C) The resource and workforce requirements necessary for Coast Guard Aviation to meet current and future mission demands specific to each rotary-wing and fixed-wing airframe type in the current inventory of the Coast Guard.

(3) BRIEFING.—Not later than 180 days after the date on which the strategy required by paragraph (1) is completed, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the strategy.

Subtitle F—Workforce Readiness

SEC. 5251. AUTHORIZED STRENGTH.

(a) MAXIMUM NUMBER OF OFFICERS.—Sec- tion 2103(a) of title 14, United States Code, is amended by adding at the end the following:

(b) The Secretary may vary the authorized end strength of the Reserve of the Coast Guard Reserve for a fiscal year by a number equal to not more than 5 percent of such end strength upon a determination by the Secretary that such a variation is in the national interest.

(c) The Commandant may increase the authorized end strength of the Selected Reserve of the Coast Guard Reserve by a number equal to not more than 2 percent of such authorized end strength upon a determination by the Commandant that such an increase would enhance readiness in essential units or in critical specialties or ratings.

SEC. 5252. NUMBER AND DISTRIBUTION OF OFFI- CERS ON ACTIVE DUTY PROMOTION LIST.

(a) MAXIMUM NUMBER OF OFFICERS.—Sec- tion 2103(a) of title 14, United States Code, is amended to read as follows:

(1) T HE N UMBER OF FRIENDLY HUMANS SHOULDN’T EXCEED—

(b) TEMPORARY INCREASE.—Notwith- standing paragraph (1), the Commandant
may temporarily increase the total number of commissioned officers permitted under that paragraph by up to 4 percent for not more than 60 days after the date of the commissioning.

"(3) NOTIFICATION.—If the Commandant increases pursuant to paragraph (2) the total number of commissioned officers permitted under subsection (a), the Commandant shall notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives of the number of officers on the active duty promotion list on the last day of the preceding 30-day period—

"(A) not later than 30 days after such increase; and

"(B) every 30 days thereafter until the total number of commissioned officers no longer exceeds the total number of commissioned officers permitted under paragraph (1)"."

(b) Officers Not on Active Duty Promotion List.

"Not later than 60 days after the date on which the President submits to Congress a budget pursuant to section 110(a) of title 31, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on any uses of the authority under subsection (a) during the preceding year.

"(2) ELEMENTS.—Each briefing required by paragraph (1) shall include the following:

"(A) the number of members of the Coast Guard serving as marine inspectors or marine investigators pursuant to section 312 of title 14, United States Code, who are receiving special duty pay under section 322 of title 37, United States Code;

"(B) An assessment of the impact of the use of the authority under this section on the effectiveness and efficiency of the Coast Guard in administering the laws and regulations for the protection of safety of life and property on and under high seas and waters subject to the jurisdiction of the United States;

"(C) An assessment of the effects of assignment pay and special duty pay on retention of marine inspectors and investigators; and

"(D) The authority provided in subsection (a) is exercised in accordance with the policies and procedures established by the Commandant.

(2) CLERICAL AMENDMENT.—The analysis for chapter 51 of title 14, United States Code, is amended by adding at the end the following:

"§ 5113. Officers not on active duty promotion list.

"Not later than 60 days after the date on which the President submits to Congress a budget pursuant to section 110(a) of title 31, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on any uses of the authority under subsection (a) during the preceding year.

"(2) ELEMENTS.—Each briefing required by paragraph (1) shall include the following:

"(A) the number of members of the Coast Guard serving as marine inspectors or marine investigators pursuant to section 312 of title 14, United States Code, who are receiving special duty pay under section 322 of title 37, United States Code;

"(B) An assessment of the impact of the use of the authority under this section on the effectiveness and efficiency of the Coast Guard in administering the laws and regulations for the protection of safety of life and property on and under high seas and waters subject to the jurisdiction of the United States;

"(C) An assessment of the effects of assignment pay and special duty pay on retention of marine inspectors and investigators; and

"(D) The authority provided in subsection (a) is exercised in accordance with the policies and procedures established by the Commandant.

(2) CLERICAL AMENDMENT.—The analysis for chapter 51 of title 14, United States Code, is amended by adding at the end the following:

"§ 5113. Officers not on active duty promotion list.

"Not later than 60 days after the date on which the President submits to Congress a budget pursuant to section 110(a) of title 31, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on any uses of the authority under subsection (a) during the preceding year.

"(2) ELEMENTS.—Each briefing required by paragraph (1) shall include the following:

"(A) the number of members of the Coast Guard serving as marine inspectors or marine investigators pursuant to section 312 of title 14, United States Code, who are receiving special duty pay under section 322 of title 37, United States Code;

"(B) An assessment of the impact of the use of the authority under this section on the effectiveness and efficiency of the Coast Guard in administering the laws and regulations for the protection of safety of life and property on and under high seas and waters subject to the jurisdiction of the United States;

"(C) An assessment of the effects of assignment pay and special duty pay on retention of marine inspectors and investigators; and

"(D) The authority provided in subsection (a) is exercised in accordance with the policies and procedures established by the Commandant.

(2) CLERICAL AMENDMENT.—The analysis for chapter 51 of title 14, United States Code, is amended by adding at the end the following:

"§ 5113. Officers not on active duty promotion list.

"Not later than 60 days after the date on which the President submits to Congress a budget pursuant to section 110(a) of title 31, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on any uses of the authority under subsection (a) during the preceding year.

"(2) ELEMENTS.—Each briefing required by paragraph (1) shall include the following:

"(A) the number of members of the Coast Guard serving as marine inspectors or marine investigators pursuant to section 312 of title 14, United States Code, who are receiving special duty pay under section 322 of title 37, United States Code;

"(B) An assessment of the impact of the use of the authority under this section on the effectiveness and efficiency of the Coast Guard in administering the laws and regulations for the protection of safety of life and property on and under high seas and waters subject to the jurisdiction of the United States;

"(C) An assessment of the effects of assignment pay and special duty pay on retention of marine inspectors and investigators; and

"(D) The authority provided in subsection (a) is exercised in accordance with the policies and procedures established by the Commandant.

(2) CLERICAL AMENDMENT.—The analysis for chapter 51 of title 14, United States Code, is amended by adding at the end the following:

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"(B) An assessment of the impact of the use of the authority under this section on the effectiveness and efficiency of the Coast Guard in administering the laws and regulations for the protection of safety of life and property on and under high seas and waters subject to the jurisdiction of the United States;

"(C) An assessment of the effects of assignment pay and special duty pay on retention of marine inspectors and investigators; and

"(D) The authority provided in subsection (a) is exercised in accordance with the policies and procedures established by the Commandant.

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"§ 5113. Officers not on active duty promotion list.

"Not later than 60 days after the date on which the President submits to Congress a budget pursuant to section 110(a) of title 31, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on any uses of the authority under subsection (a) during the preceding year.

"(2) ELEMENTS.—Each briefing required by paragraph (1) shall include the following:

"(A) the number of members of the Coast Guard serving as marine inspectors or marine investigators pursuant to section 312 of title 14, United States Code, who are receiving special duty pay under section 322 of title 37, United States Code;

"(B) An assessment of the impact of the use of the authority under this section on the effectiveness and efficiency of the Coast Guard in administering the laws and regulations for the protection of safety of life and property on and under high seas and waters subject to the jurisdiction of the United States;

"(C) An assessment of the effects of assignment pay and special duty pay on retention of marine inspectors and investigators; and

"(D) The authority provided in subsection (a) is exercised in accordance with the policies and procedures established by the Commandant.

(2) CLERICAL AMENDMENT.—The analysis for chapter 51 of title 14, United States Code, is amended by adding at the end the following:

"§ 5113. Officers not on active duty promotion list.

"Not later than 60 days after the date on which the President submits to Congress a budget pursuant to section 110(a) of title 31, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on any uses of the authority under subsection (a) during the preceding year.

"(2) ELEMENTS.—Each briefing required by paragraph (1) shall include the following:

"(A) the number of members of the Coast Guard serving as marine inspectors or marine investigators pursuant to section 312 of title 14, United States Code, who are receiving special duty pay under section 322 of title 37, United States Code;

"(B) An assessment of the impact of the use of the authority under this section on the effectiveness and efficiency of the Coast Guard in administering the laws and regulations for the protection of safety of life and property on and under high seas and waters subject to the jurisdiction of the United States;

"(C) An assessment of the effects of assignment pay and special duty pay on retention of marine inspectors and investigators; and

"(D) The authority provided in subsection (a) is exercised in accordance with the policies and procedures established by the Commandant.
16301 of title 10 (as described in subsection (a)(2) or (g) of that section) during a year shall be eligible to have repaid a portion of such loan determined by giving appropriate fraction of such loan for each portion of time so served, in accordance with regulations of the Secretary concerned.

“(a) The Secretary shall prescribe a schedule for the allocation of funds made available to carry out the provisions of this section and section 16301 of title 10 during any year for which the Secretary fails to complete the period of service required to qualify for loan repayment under subsection (a) and section 16301(a) of title 10.

“(b) The person described in subsection (e) who transfers to service making the person eligible for repayment of loans under section 16301 of title 10, a member of the Coast Guard who fails to complete the period of service required to qualify for loan repayment under this section shall be subject to the repayment provisions of section 303(a) or (b) of title 37.

“(c) The Secretary may prescribe procedures for implementing this section, including standards for qualified loans and authorized payees and other terms and conditions for making loan repayments. Such regulations may include exceptions that would allow, as a lump sum of any loan repayment due to a member under a written agreement that existed at the time of a member’s death or disability.

“SEC. 5237. REPORT OF VICE COMMANDANT.

Section 303 of title 11, United States Code, is amended—

(1) by amending subsection (a)(2) to read as follows—

“(A) I N GENERAL.—Not later than 3 years after the date of the enactment of this Act, the Comptroller General of the United States shall complete a study on the Coast Guard Physical Disability Evaluation System and medical retirement procedures.

“(2) ELEMENTS.—The study required by paragraph (1) shall review, and provide recommendations for improving the—

(A) Coast Guard compliance with all applicable laws, regulations, and policies relating to the Physical Disability Evaluation System and the Medical Retirement System.

(B) Coast Guard compliance with timelines set forth in—

(i) the instruction of the Commandant en- titled ‘Physical Disability Evaluation System’ issued on May 19, 2006 (COMDTINST M1850.2D); and

(ii) the Physical Disability Evaluation System Transparency Initiative (ALCGFSC 030/20).

(C) An evaluation of Coast Guard procedures in place to ensure the availability, consistency, and effectiveness of counsel appointed by the Coast Guard Office of the Judge Advocate General to represent members of the Coast Guard undergoing an evaluation under the Physical Disability Evaluation System.

(D) The extent to which the Coast Guard has and uses processes to ensure that such counsel perform their functions in a manner that is impartial, including being able to perform their functions without undue pressure or interference by the Command of the affected member of the Coast Guard, the Personnel Service Center, and the United States Coast Office of the Judge Advocate General.

(E) The frequency with which members of the Coast Guard, Personnel Service Center and the United States Coast Office of the Judge Advocate General have access to medical evaluations and overall well-being of the affected member.

(F) The timeliness of determinations, guidance, and access to medical evaluations necessary for retirement, or rating determinations and overall well-being of the affected member of the Coast Guard.

(G) The guidance, formal or otherwise, provided to the Coast Guard Office of the Judge Advocate General, and the frequency of doing so at each member pay grade.

(H) The guidance, formal or otherwise, provided by the medical professionals reviewing cases within the Physical Disability Evaluation System to affected members of the Coast Guard, and the extent to which such guidance is disclosed to the commanders, commanding officers, or other members of the Coast Guard in the chain of command of such affected members.

(I) The feasibility of establishing a program to allow members of the Coast Guard to select an expedited review to ensure completion of the Medical Evaluation Board report not later than 180 days after the date on which such review was initially placed.

(J) The feasibility of providing members of the Coast Guard with the results of the multirater assessment before advancement to—

(A) the rate of E-7;

(B) the rate of E-8; and

(C) the rate of E-9.

(K) ALTERNATE MEMBERS.—Each enlisted member of the Coast Guard shall undergo a multirater assessment before advancement to—

(A) the grade of E-7;

(B) the grade of E-8; and

(C) the grade of E-9.

(L) POST-ASSESSMENT ELEMENTS.—

(A) IN GENERAL.—Following an assessment of an individual pursuant to paragraphs (1) through (3), an individual shall be provided appropriate post-assessment counseling and leadership coaching.

(B) AVAILABILITY OF RESULTS.—The supervisor of the individual pursuant to paragraph (3) shall be provided with the results of the multirater assessment.

“(B) COST ASSESSMENTS.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall provide to the appropriation committees of Congress an estimate of the costs associated with implementing the amendment made by this section.

(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ‘appropriate committees of Congress’ means—

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

(B) the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives.

SEC. 5259. PHYSICAL DISABILITY EVALUATION SYSTEM PROCEDURE REVIEW.

(a) STUDY.—

(1) IN GENERAL.—Not later than 3 years after the date of the enactment of this Act, the Comptroller General of the United States shall complete a study on the Coast Guard Physical Disability Evaluation System and medical retirement procedures.

(2) ELEMENTS.—The study required by paragraph (1) shall review, and provide recommendations for improving the—

(A) Coast Guard compliance with all applicable laws, regulations, and policies relating to the Physical Disability Evaluation System and the Medical Retirement System.

(B) Coast Guard compliance with timelines set forth in—

(i) the instruction of the Commandant entitled ‘Physical Disability Evaluation System’ issued on May 19, 2006 (COMDTINST M1850.2D); and

(ii) the Physical Disability Evaluation System Transparency Initiative (ALCGFSC 030/20).

(C) An evaluation of Coast Guard procedures in place to ensure the availability, consistency, and effectiveness of counsel appointed by the Coast Guard Office of the Judge Advocate General to represent members of the Coast Guard undergoing an evaluation under the Physical Disability Evaluation System.

(D) The extent to which the Coast Guard has and uses processes to ensure that such counsel perform their functions in a manner that is impartial, including being able to perform their functions without undue pressure or interference by the Command of the affected member of the Coast Guard, the Personnel Service Center, and the United States Coast Office of the Judge Advocate General.

(E) The frequency with which members of the Coast Guard, Personnel Service Center and the United States Coast Office of the Judge Advocate General have access to medical evaluations and overall well-being of the affected member.

(F) The timeliness of determinations, guidance, and access to medical evaluations necessary for retirement, or rating determinations and overall well-being of the affected member of the Coast Guard.

(G) The guidance, formal or otherwise, provided to the Coast Guard Office of the Judge Advocate General, and the frequency of doing so at each member pay grade.

(H) The guidance, formal or otherwise, provided by the medical professionals reviewing cases within the Physical Disability Evaluation System to affected members of the Coast Guard, and the extent to which such guidance is disclosed to the commanders, commanding officers, or other members of the Coast Guard in the chain of command of such affected members.

(I) The feasibility of establishing a program to allow members of the Coast Guard to select an expedited review to ensure completion of the Medical Evaluation Board report not later than 180 days after the date on which such review was initially placed.

(J) The feasibility of providing members of the Coast Guard with the results of the multirater assessment before advancement to—

(A) the rate of E-7;

(B) the rate of E-8; and

(C) the rate of E-9.

(K) ALTERNATE MEMBERS.—Each enlisted member of the Coast Guard shall undergo a multirater assessment before advancement to—

(A) the grade of E-7;

(B) the grade of E-8; and

(C) the grade of E-9.

(L) POST-ASSESSMENT ELEMENTS.—

(A) IN GENERAL.—Following an assessment of an individual pursuant to paragraphs (1) through (3), an individual shall be provided appropriate post-assessment counseling and leadership coaching.

(B) AVAILABILITY OF RESULTS.—The supervisor of the individual pursuant to paragraph (3) shall be provided with the results of the multirater assessment.

“SEC. 5260. EXPANSION OF AUTHORITY FOR MULTIRATER ASSESSMENTS OF CERTAIN PERSONNEL.

(a) IN GENERAL.—Section 226(a) of title 14, United States Code, is amended by—

(1) inserting before the Committee on Transportation and Commerce the following:

“(5) POST-ASSESSMENT ELEMENTS.—

(A) IN GENERAL.—Following an assessment of an individual pursuant to paragraphs (1) through (3), an individual shall be provided appropriate post-assessment counseling and leadership coaching.

(B) AVAILABILITY OF RESULTS.—The supervisor of the individual pursuant to paragraph (3) shall be provided with the results of the multirater assessment.”;

(b) COST ASSESSMENTS.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall provide to the appropriation committees of Congress an estimate of the costs associated with implementing the amendment made by this section.

(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ‘appropriate committees of Congress’ means—

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

(B) the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives.

S6410 CONGRESSIONAL RECORD — SENATE October 11, 2022
SEC. 5261. PROMOTION PARITY.

(a) Information To Be Furnished.—Section 2115(a) of title 14, United States Code, is amended—

(1) in paragraph (1), by striking ""; and"" and inserting a semicolon;

(2) in paragraph (2), by striking the period at the end and inserting ""; and""; and

(b) Additional Considerations.—

(1) in the case of an eligible officer considered for promotion to a rank above line

officer, an additional opportunity shall be furnished to the promotion board during its

consideration of the person for promotion as otherwise required by such section, the Secretary

shall convene a special selection review board under this section to review the person and

recommendation for promotion of the person should be sustained.

(2) If a person and the recommendation for promotion of the person is subject to review

under this section by a special selection review board convened under this section, the

Secretary shall, to the maximum extent practicable, apply standards and procedures referred to in section 2121 of this title.

(1)(B) shall be governed by the standards and procedures referred to in section 2121 of this title.

(3) before information on a person described in paragraph (1)(B) is furnished to the

special selection review board for purposes of this section, the Secretary shall ensure

that—

(i) such information is made available to the person; and

(ii) subject to subparagraphs (C) and (D), the persons furnished in accordance with

section 2115 of this title to the promotion board during its review of the person and the

recommendation for promotion of the person under subparagraph (A)(ii) if—

(A) such information was made available to the person in connection with the furnishing

to the special selection review board before

its review of the person; and

(B) if information on a person described in paragraph (1)(B) is not made available to the

person, as otherwise required by subparagraph (A)(i) due to the classification status of

such information, the person, shall, to the maximum extent practicable, be furnished a

summary of such information appropriate to

the person's authorization for access to classified

information.

(C)(i) An opportunity to submit comments on information required for a person under subparagraph (A)(ii) if—

(1) such information was made available to the person in connection with the furnishing

to the special selection review board before

its review of the person; and

(ii) the comments on information of a person described in clause (i)(II) shall be furnished
to the special selection review board.

(D) A person may waive either or both of

the following:

(i) the right to submit comments to a special selection review board under sub-

paragraph (A)(ii); and

(ii) the furnishing of comments to a special

selection review board under subparagraph (C)(i).

(g) Consideration.—In considering the record and information on a person under this

section, the selection review board shall compare such record and information with an

appropriate sampling of the records of those officers who were recom-

mended for promotion by the promotion board that recommended the person for

promotion, and an appropriate sampling of the records of those officers who were

considered by and not recommended for promotion by that

promotion board.

(b) Records and information shall be presented to a special selection review board for

purposes of paragraph (1) in a manner that does not indicate or disclose the person or

persons for whom the special selection review board was convened.

(3) In considering whether the recommendation for promotion of a person should be sustained under this section, a special selection review board convened under this section shall be furnished and consider the following:

(A) The record and information concerning the person furnished in accordance with

section 2115 of this title to the promotion board that recommended the person for promotion.

(B) Any credible information of an adverse nature to the person, including any

substantiated adverse finding or conclusion from an officially documented investigation or

inquiry described in section 2115(a)(3) of this title.

(2) The furnishing of information to a special

selection review board convened under paragraph

""(e) Reports.—(1) Each special selection review board convened under this section shall submit to the Secretary a written report describing the actions taken by the board, containing the name of each person whose recommendation for promotion it recommends for sustainment and certifying that the board has carefully considered the record and information of each person whose name was referred to it.

(2) The provisions of section 2117(a) of this title apply to the report and proceedings of a special selection review board convened under this section in the same manner as they apply to the report and proceedings of a promotion board convened under section 2106 of this title.

(f) Appointment of Persons.—(1) If the report of a special selection review board convened under this section certifies the sustainment of the recommendation for promotion to the next higher grade of a person whose name was referred to it for review under this section, the Secretary shall not sustain a recommendation for promotion to the next higher grade as described in paragraph (1) shall, upon that appointment, have the same date of rank, the same effective date for the promotion, and the same position on the active-duty list as the person would have had pursuant to the original recommendation for promotion of the promotion board concerned.

(g) Regulations.—The Secretary shall prescribe regulations to carry out this section.

(2) Promotion Board Defined.—In this section, the term 'promotion board' means a selection board convened by the Secretary under section 2106 of this title.

(h) Clerical Amendment.—The analysis for subchapter I of chapter 21 of title 14, United States Code, is amended by inserting after the item relating to section 2120 the following:

""2120a. Special selection review boards.

(2) Availability of Information.—Section 2118 of title 14, United States Code, is amended by adding after the item relating to section 2120 the following:

""2120a. Special selection review boards.

(e) Delay of Promotion.—Section 2121(f) of title 14, United States Code, is amended to read as follows:

""(1) The promotion of an officer may be delayed without prejudice if any of the following applies:

(A) The officer is under investigation or proceedings of a court-martial or a board of

officers are pending against the officer.
“(B) A criminal proceeding in a Federal or State court is pending against the officer.

“(C) The Secretary determines that credible information of an adverse nature, including substantiated adverse finding or conclusion described in section 2115(a)(3), with respect to the officer will result in the convening of a special selection review board under section 2123a of this title to review the officer and recommend whether the recommendation for promotion of the officer should be sustained.

“(2) An explanation in subparagraph (B), a promotion may be delayed under this subsection until, as applicable—

“(i) the completion of the investigation or proceedings described in subparagraph (A); and

“(ii) a final decision in the proceeding described in subparagraph (B) is issued; or

“(3) An officer whose promotion is delayed under this subsection and who is subsequently promoted shall be given the date of rank and position on the active duty promotion list in the grade to which promoted that he would have held had his promotion not been so delayed.’’.

“SEC. 5262. PARTNERSHIP PROGRAM TO DIVERSIFY THE COAST GUARD.

“(a) Establishment.—The Commandant shall establish a program for the purpose of increasing the number of underrepresented minorities in the enlisted ranks of the Coast Guard.

“(b) Partnerships.—In carrying out the program established under subsection (a), the Commandant shall—

“(1) seek to enter into 1 or more partnerships with eligible entities—

“(A) to increase the visibility of Coast Guard careers;

“(B) to promote curriculum development—

“(i) to enable acceptance into the Coast Guard;

“(ii) to improve success on relevant exams,

“(C) to promote student engagement and success (i) to enable acceptance into the Coast Guard;

“(D) to support the Coast Guard Academy;

“(E) to improve retention rates;

“(F) to assist in the development of curriculum and training, or support the development of curriculum and training, of any action the Commandant plans to take, to implement such recommendations; and

“(2) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the strategy developed under section (c).

“(c) Fiscal Year 2024.—Beginning on December 31, 2025, the Secretary of the department in which the Coast Guard is operating shall maintain at all times a Junior Reserve Officers’ Training Corps program with not fewer than 1 such program established in each Coast Guard district.’’.

“(b) Cost Assessment.—Not later than 1 year after the date of the enactment of this Act, the Secretary in which the Coast Guard is operating shall provide to Congress an estimate of the costs associated with implementing the amendments made by this section.

“SEC. 5264. EXPANSION OF COAST GUARD JUNIOR RESERVE OFFICERS’ TRAINING CORPS.

“(a) In General.—The Commandant shall establish a program to expand the Coast Guard Junior Reserve Officers’ Training Corps program, which was, prior to the date of the enactment of this Act, not present in the state of Alaska.

“(b) Expansion.—The Commandant may enter into contracts and cooperative agreements with 1 or more qualified organizations for the purpose of supporting the educational programs of the Coast Guard Academy.

“(C) Notwithstanding section 320(c) of title 10, the Commandant may enter into contracts and cooperative agreements on a sole source basis pursuant to section 320(a) of title 10.

“(D) Any contract or cooperative agreement shall contain a provision that allows the Commandant to revise the contract or agreement under paragraph (1) if the Secretary determines that the provision of such services is essential to the support of the Coast Guard Academy.

“(E) Financial Controls.—(A) Before entering into a contract or cooperative agreement under paragraph (1), the Commandant shall ensure that the contract or agreement includes appropriate financial controls to account for the resources of the Coast Guard Academy and the qualified organization concerned in accordance with accepted accounting principles.

“(B) Any such contract or cooperative agreement shall contain a provision that allows the Commandant to revise the contract or cooperative agreement if the Secretary determines that the financial accounts of the qualified organization determine whether the operations of the qualified organization—

“(i) are consistent with the terms of the contract or cooperative agreement; and

“(ii) would compromise the integrity or appearance of integrity of any program of the Department of Homeland Security.

“(3) Leases.—For the purpose of supporting the athletic programs of the Coast Guard Academy, the Commandant may, consistent with section 50(a)(13), rent or lease real property located at the Coast Guard Academy to a qualified organization, except that a real property lease that is allowed to be retained and expended in accordance with subsection (f).

“(b) Support Services.—

“(1) Authority.—To the extent required by a contract or cooperative agreement under subsection (a), the Commandant may provide support services in a qualified organization while the qualified organization conducts its support activities at the Coast Guard Academy only if the Commandant determines that the provision of such services is essential for the support of the athletic programs of the Coast Guard Academy.

“(2) No Liability of the United States.—Such services may be provided without any liability of the United States to a qualified organization.
“(3) Support services defined.—In this subsection, the term ‘support services’ includes utilities, office furnishings and equipment, communications services, records storage, audio and video support, and security systems, in conjunction with the leasing or licensing of property.

“(c) NON-APPROPRIATED FUND OPERATION.—(1) Except as provided in paragraph (2), the Commandant may, subject to the acceptance of the qualified organization, transfer to the qualified organization all title to and ownership of the assets and liabilities of the Coast Guard non-appropriated fund instrumentality, the function of providing support for the athletic programs of the Coast Guard Academy, including bank accounts and financial reserves in the accounts of such fund instrumentality, equipment, supplies, and other personal property.

“(2) The Commandant may not transfer under paragraph (1) any interest in real property.

“(d) Acceptance of support from qualified organization.—

“(1) In General.—Notwithstanding section 1324 of title 31, the Commandant may accept from a qualified organization funds, supplies, and services in support of the athletic programs of the Coast Guard Academy.

“(2) Employees of qualified organization.—For purposes of this section, employees of a qualified organization may not be considered to be employees of the United States.

“(3) Funds received from NCAA.—The Commandant may accept funds from the National Collegiate Athletic Association to support the athletic programs of the Coast Guard Academy.

“(4) Limitation.—The Commandant shall ensure that contributions under this subsection and expenditure of funds pursuant to subsection (d) of—

“(A) do not reflect unfavorably on the ability of the Coast Guard, any employee of the Coast Guard, or any member of the armed forces (as defined in section 101(a) of title 10) to carry out any responsibility or duty in a fair and objective manner; or

“(B) compromise the integrity or appearance of integrity of any program of the Coast Guard, or any individual involved in such a program.

“(e) Trademarks and service marks.—

“(1) Licensing, marketing, and sponsorship agreements.—An agreement under subsection (a) may, consistent with section 2260 of title 10 (other than subsection (d) of such section), authorize a qualified organization to enter into licensing, marketing, and sponsorship agreements relating to trademarks and service marks identifying the Coast Guard Academy, subject to the approval of the Commandant.

“(2) Limitations.—A licensing, marketing, or sponsorship agreement may not be entered into under paragraph (1) if—

“(A) such agreement would reflect unfavorably on the ability of the Coast Guard, any employee of the Coast Guard, or any member of the armed forces to carry out any responsibility or duty in a fair and objective manner; or

“(B) the Commandant determines that the use of the trademark or service mark would compromise the integrity or appearance of integrity of any program of the Coast Guard or any individual involved in such a program.

“(f) Retention and use of funds.—Funds received by the Commandant under this section may be retained for use to support the athletic programs of the Coast Guard Academy and shall remain available until expended.

“(g) Service on qualified organization board of directors.—A qualified organization is a designated entity for which authorization under sections 1033(a) and 1038(a) of title 10, may be provided.

“(h) Conditions.—The authority provided in this subsection to the qualified organization is available only so long as the qualified organization continues—

“(i) to qualify as a nonprofit organization under subchapter V of chapter 41 of the Internal Revenue Code of 1986 and operates in accordance with this section, the law of the State of Connecticut, and the constitution and by-laws of the qualified organization; and

“(j) to operate exclusively to support the athletic programs of the Coast Guard Academy.

“(i) Qualified organization defined.—In this section, the term ‘qualified organization’ means an organization—

“(1) described in subsection (c)(5) of section 501 of title 26 to be exempt from taxation under subsection (a) of that section; and

“(2) established by the Coast Guard Academy Alumni Association solely for the purpose of supporting Coast Guard athletics.

“§ 954. Mixed-funded athletic and recreational extracurricular programs: authority to manage appropriated funds in same manner as non-appropriated funds

“(a) Authority.—In the case of a Coast Guard Academy mixed-funded athletic or recreational extracurricular program, the Commandant may designate funds appropriated to the Coast Guard and available for that program to be treated as non-appropriated funds and expended for that program in accordance with laws applicable to the expenditure of non-appropriated funds. Appropriated funds so designated shall be considered to be nonappropriated funds for all purposes and shall remain available until expended.

“(b) Covered programs.—In this section, the term ‘Coast Guard Academy mixed-funded athletic or recreational extracurricular program’ means an athletic or recreational extracurricular program of the Coast Guard Academy to which each of the following applies—

“(1) The program is not considered a morale, welfare, or recreation program.

“(2) The program is supported through appropriated funds.

“(3) The program is supported by a non appropriated fund instrumentality.

“(4) The program is not a private organization and is not operated by a private organization.

“(c) Clerical amendment.—The analysis for chapter 3 of title 14, United States Code, is amended by striking the item relating to SEC. 315. TRAINING FOR CONGRESSIONAL AFFAIRS PERSONNEL.

“§ 955. Support for Coast Guard Academy.

“§ 956. Mixed-funded athletic and recreational extracurricular programs: authority to manage appropriated funds in same manner as non-appropriated funds.

“§ 5267. Training for congressional affairs personnel.

“(a) General.—Not later than 180 days after the date of enactment of this Act, the Commandant shall publish a strategy to improve outreach to attract and retain a diverse workforce serving on Coast Guard Cutter cutters.

“(b) Elements.—The strategy required by subsection (a) shall include the following:

“(1) Policies to improve flexibility in the afloat career path, including a policy that enables members of the Coast Guard serving on Coast Guard cutters to transition between operations afloat and operations ashore;氙

“(2) A review of current officer requirements for afloat positions at each pay grade, including an assessment of whether such requirements are appropriate or present undue limitations.

“(3) Strategies to improve crew comfort accessibility, such as high-speed internet capable of video conferencing for the purpose of remote educational and personal use by members of the Coast Guard serving on Coast Guard cutters.
(5) An assessment of the effectiveness of bonuses to attract members to serve at sea and retain talented members of the Coast Guard, serving on Coast Guard cutters to serve as combatants, intelligence officers, department head positions, and command positions.

(6) Policies to ensure that high-performing members of the Coast Guard serving on Coast Guard cutters are competitive for special assignments, postgraduate education, senior service schools, and other career-enhancing positions.

SEC. 5250. STUDY ON PERFORMANCE OF COAST GUARD FORCE READINESS COMMAND.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commandant General of the United States shall conduct a study on the performance of the Coast Guard Force Readiness Command.

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

(1) The actions the Force Readiness Command has taken to develop and implement training for the Coast Guard workforce.

(2) The extent to which the Force Readiness Command has assessed performance, policy, and training compliance across Force Readiness Command headquarters and field units, and the results of any such assessments.

(3) The Coast Guard training to match the future needs of the Coast Guard with respect to growth in workforce numbers, modernization of assets and infrastructure, and increased global mission demands relating to the Arctic and Western Pacific regions and cyberspace.

(c) REPORT.—Not later than 1 year after the study required by subsection (a) commences, the Commandant General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the study.

SEC. 5270. STUDY ON FREQUENCY OF WEAPONS TRAINING FOR COAST GUARD PERSONNEL.

(a) IN GENERAL.—The Commandant shall conduct a study to assess whether current weapons training required for Coast Guard law enforcement and other relevant personnel is sufficient.

(b) ELEMENTS.—The study required by subsection (a) shall—

(1) assess whether there is a need to improve weapons training for Coast Guard law enforcement and other relevant personnel; and

(2) assess whether any challenge posed by a transition to weapons training more frequently, and the resources applicable personnel who should be provided to the Coast Guard.

The Commandant shall conduct the study required by subsection (a), is amended—

(1) by striking the section heading, typeface, and typestyle consistent with the Title 14, United States Code, as transferred and redesignated (as in effect on the date of the enactment of the Coast Guard Authorization Act of 2022); and

(2) by adding at the end the following:

"5105. Conveyance of Coast Guard vessels for public purposes.

(b) CONVEYANCE AND TRANSFER OF COAST GUARD VESSELS FOR PUBLIC PURPOSES.—Section 510 of title 14, United States Code, as amended by section 5241 of this Act, is amended by adding at the end the following:

"510. Conveyance of Coast Guard vessels for public purposes.

(c) CONVEYANCE OF COAST GUARD VESSELS FOR PUBLIC PURPOSES.—Section 510 of title 14, United States Code, as transferred and redesignated by subsection (a), is amended—

(1) by amending subsection (a) to read as follows:

"(a) IN GENERAL.—On request by the Commandant, the Administrator of the General Services Administration may transfer ownership of a Coast Guard vessel or aircraft to an entity for educational, cultural, historical, charitable, recreational, or other public purposes if such transfer is authorized by law.; and

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by inserting "as if the request were being processed" after "vessels"; and

(ii) in paragraph (2), by inserting "as in effect on the date of the enactment of the Coast Guard Authorization Act of 2022" after "such title"; and

(C) in paragraph (3), by striking "of the Coast Guard".

SEC. 5284. AUTHORIZATION RELATING TO CERTAIN INTELLIGENCE AND COUNTER INTELLIGENCE ACTIVITIES OF THE COAST GUARD.

(a) AUTHORIZATION.—Consistent with the procedures, regulations, and requirements pursuant to title 31 of the United States Code, as transferred and redesignated (as in effect on the date of the enactment of the Coast Guard Authorization Act of 2022), the Commandant may expend amounts made available for the intelligence and counterintelligence activities of the Coast Guard to conduct such an activity without regard to any other provision of law or regulation relating to the expenditure of Government funds, if the object of the activity is of a confidential, extraordinary, or emergency nature.

(b) QUARTERLY REPORT.—At the beginning of each fiscal quarter, the Commandant shall submit to the appropriate committees of Congress a report that includes, for each individual expenditure during the preceding fiscal quarter under subsection (a), the following:

(1) A detailed description of the purpose of such expenditure.

(a) IN GENERAL.—Chapter 51 of title 14, United States Code, as amended by section 5252(b), is further amended by adding at the end the following:

"5114. Expenses of performing and executing defense readiness missions and other activities unrelated to Coast Guard missions.

"(g) IN GENERAL.—The Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that adequately represents a calculation of the annual costs and expenditures of performing and executing all defense readiness missions, including—

(1) all expenses related to the Coast Guard’s coordination, training, and execution of defense readiness mission activities in the Coast Guard’s capacity as an armed force (as such term is defined in section 101 of title 10) in support of Department of Defense national security operations and activities or for any other military department or Defense Agency (as such terms are defined in such section);

(2) costs associated with Coast Guard detachments assigned of the Coast Guard’s defense readiness mission; and

(3) any other related expenses, costs, or matters the Commandant considers appropriate or consistent with Congressional interest.

(b) CLEARENCE AMENDMENT.—The amendment is of a confidential, extraordinary, or emergency nature.

SEC. 5285. TRANSFER AND CONVEYANCE.

(a) IN GENERAL.—The Commandant may transfer or convey assistance provided to the Coast Guard under this chapter without regard to any other provision of law or regulation.
(1) REQUIREMENT.—The Commandant shall, without consideration, transfer in accordance with subsection (b) and convey in accordance with subsection (c) a parcel of the real property described in paragraph (1), including any improvements thereon, to free the Coast Guard of liability for any unforeseen environmental or remediation of substances unknown that may exist on, or emanate from, such parcel.

(2) PROPERTY.—The property described in this paragraph is real property at Dauphin Island, Alabama, located at 800 Dauphin Island Street, and consisting of a total of approximately 35.63 acres. The exact acreage and legal description of the parcel of such property to be conveyed shall be determined by agreement between the Commandant and the Secretary.

(a) TO THE SECRETARY OF HEALTH AND HUMAN SERVICES.—The Commandant shall transfer, as described in subsection (a), to the Secretary of Health and Human Services (in this section referred to as the “Secretary”), for use by the Food and Drug Administration, custody and control of a portion, consisting of approximately 4 acres, of the land described in paragraph (1) of such subsection, to be identified by agreement between the Commandant and the Secretary.

(b) TO THE SECRETARY.—The Commandant shall convey, as described in subsection (a), to the Marine Environmental Sciences Consortium, a unit of the government of the State of Alabama, located at Dauphin Island, Alabama, all rights, title, and interest of the United States in and to such portion of the parcel described in such subsection, to be identified by agreement between the Commandant and the Secretary.

(c) TO THE STATE OF ALABAMA.—The Commandant shall convey, as described in subsection (a), to the Marine Environmental Sciences Consortium, a unit of the government of the State of Alabama, located at Dauphin Island, Alabama, all rights, title, and interest of the United States in and to such portion of the parcel described in such subsection, to be identified by agreement between the Commandant and the Secretary.

(d) PAYMENTS AND COSTS OF TRANSFER AND CONVEYANCE.—(1) PAYMENTS.—(A) IN GENERAL.—The Secretary shall pay costs to be incurred by the Coast Guard, or reimburse the Coast Guard for such costs incurred by the Coast Guard, to carry out the transfer and conveyance required by this section, including survey costs, appraisal costs, costs for environmental documentation related to the transfer and conveyance, and any other necessary administrative costs related to the transfer and conveyance.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received by the Commandant as reimbursement under paragraph (1) shall be credited to the Coast Guard Housing Fund established under section 2946 of title 14, United States Code, or the account that was used to pay the costs incurred by the Coast Guard in carrying out the transfer or conveyance required by subsection (b). Any such accounts shall be subject to the same regulations, and shall be available only until expended. Amounts so credited shall be merged with amounts in such fund or account that are available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

SEC. 5286. TRANSPARENCY AND OVERSIGHT.

(a) STUDY.—(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure and the Committee on Homeland Security and Governmental Affairs of the House of Representatives a report on the findings of the study required by subsection (a), including the personnel and resource requirements necessary for such program.

(b) APPROPRIATE COMMITTEES OF CONGRESS.—(1) the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs;

(2) the Committee on Transportation and Infrastructure and the Committee on Homeland Security and Governmental Affairs;

(3) An evaluation of the training programs adequately prepare future leadership positions in the Coast Guard.

(c) R EPORT TO CONGRESS.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure and the Committee on Homeland Security and Governmental Affairs of the House of Representatives a report on the findings of the study required by subsection (a), including the personnel and resource requirements necessary for such program.

SEC. 5287. STUDY ON SAFETY INSPECTION PROGRAM FOR CONTAINERS AND FACILITIES RECEIVING CONTAINERS.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commandant, in consultation with the Commissioner of U.S. Customs and Border Protection, shall complete a study on the safety inspection program for containers (as defined in section 80501 of title 46, United States Code) and the appropriate commercial waterfront facilities receiving containers.

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

(1) An evaluation and review of such safety inspection programs.

(2) A determination of—

(a) the number of container inspections conducted annually by the Coast Guard during the preceding 10-year period, as compared to the number of containers moved through United States ports annually during such period; and

(b) the number of qualified Coast Guard container and facility inspectors, and an assessment as to whether, during the preceding 10-year period, there existed a sufficient number of such inspectors to carry out the mission of the Coast Guard.

(3) An evaluation of the training programs available to such inspectors and the adequacy of such training programs during the preceding 10-year period.

(a) STUDY.—(1) the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs;

(b) the Committee on Transportation and Infrastructure and the Committee on Homeland Security and Governmental Affairs;

(3) An identification of areas of improve-
of Representatives a report on the findings of the study. 
(b) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; 
(c) by inserting after paragraph (1) the following:

'(2) COVERED UNMANNED AIRCRAFT SYSTEM.—The term 'covered unmanned aircraft system' means—

'(A) an unmanned aircraft system described in subsection (a); and

'(B) a system described in paragraph (2) of that subsection.'; and

(d) in paragraph (4), as redesignated, by inserting, after 'equipment' as that term is defined in section 256(e)(1) of the United States Code, 'and including any other equipment related to any of the following:

'(1) intelligence, electronic warfare, and counter-UAS system surrogate testing;

'(2) REPLACEMENT.—Not later than 90 days after the date of the enactment of this Act, the Commandant shall replace covered unmanned aircraft systems of the Coast Guard that are manufactured in the United States or an allied country (as that term is defined in section 256(e)(1) of the United States Code).

SEC. 5291. OPERATIONAL DATA SHARING CAPABILITY. 

(a) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Homeland Security (as that term is defined in section 256(e)(1) of the United States Code) shall submit to the House of Representatives a report on the establishment of the capability relating to an individual in violation of any Federal or State law or regulation.

SEC. 5292. PROCUREMENT OF TETHERED AEROSTAT RADAR SYSTEM FOR THE COAST GUARD STATION SOUTH PADRE ISLAND. 

Subject to the availability of appropriated funds, the Secretary of the department in which the Coast Guard is operating shall procure not fewer than 1 tethered aerostat radar system, or similar technology, for use by the Coast Guard and other partner agencies, including U.S. Customs and Border Protection, at and around Coast Guard Station South Padre Island.

SEC. 5293. ASSESSMENT OF IRAN SANCTIONS RELIEF ON COAST GUARD OPERATIONS UNDER THE JOINT COMPREHENSIVE PLAN OF ACTION. 

Not later than 1 year after the date of the enactment of this Act, the Commandant, in consultation with the Under Secretary of Defense for Intelligence and the United States Central Command, shall provide to the Committee on Transportation and Infrastructure of the Senate and the Committee on Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the establishment of the capability under this section.

SEC. 5294. REPORT ON SHIPYARDS OF FINLAND AND SWEDEN. 

Not later than 2 years after the date of the enactment of this Act, the Commandant, in consultation with the Comptroller General of the United States, shall submit to Congress a report that analyzes the shipyards of Finland and Sweden to assess future opportunities for technical assistance related to the Coast Guard in fulfilling its future mission needs.

SEC. 5295. PROHIBITION ON CONSTRUCTION CONTRACTS WITH ENTITIES ASSOCIATED WITH THE CHINESE COMMUNIST PARTY. 

(a) IN GENERAL.—The Commandant may not award any contract for new construction until the date on which the Commandant provides to Congress a certification that the other party has not, during the 10-year period preceding the planned date of award, directly or indirectly held an economic interest in an entity that is—

'(1) owned or controlled by the People's Republic of China; or

'(2) part of the defense industry of the Chinese Communist Party.

(b) INAPPLICABILITY TO TAIWAN.—Subsection (a) shall not apply with respect to an economic interest in an entity owned or controlled by Taiwan.
SEC. 5296. REVIEW OF DRUG INTERDICTION EQUIPMENT AND STANDARDS; TESTING FOR FENTANYL DURING INTERDICTION OPERATIONS.  
(a) Review.—(1) In general.—The Commandant, in consultation with the Administrator of the Drug Enforcement Administration and the Secretary of Health and Human Services, shall—
   (A) conduct a review of—
      (i) the equipment, testing kits, and rescue medications used to conduct Coast Guard drug interdiction operations; and
      (ii) the safety and training standards, policies, and procedures with respect to such operations;
   (B) determine whether the Coast Guard is using the latest equipment and technology and up-to-date training and standards for recognizing, handling, testing, and securing illegal drugs, fentanyl and other synthetic opioids, and precursor chemicals during such operations;
   (C) testing for fentanyl.—The Commandant shall ensure that the Coast Guard drug interdiction operations include the testing of substances encountered during such operations for fentanyl, as appropriate.

(b) Nonprofit organization.—The term ‘‘nonprofit organization’’ means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

SEC. 5297. PUBLIC AVAILABILITY OF INFORMATION ON MONTLHY MIGRANT INTERDICTION OPERATIONS.  
Not later than 180 days after the date of the enactment of this Act, the Commandant shall submit to the appropriate committees of Congress a report on the results of the review conducted under paragraph (1).

(3) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ‘‘appropriate committees of Congress’’ means—
   (A) the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate;
   (B) the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives;
   (C) the Committee on Commerce, Science, and Transportation; and
   (D) the Committee on Transportation and Infrastructure.

(4) INSTITUTION OF HIGHER EDUCATION.—The term ‘‘institution of higher education’’ has the meaning given that term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

SEC. 5298. REVIEW OF DRUG INTERDICTION OPERATIONS.  
(a) In general.—The Commandant shall ensure that Coast Guard drug interdiction operations include the testing of substances encountered during such operations for fentanyl, as appropriate.

(b) National standards.—In consultation with the Secretary of Health and Human Services, the Commandant shall submit to the appropriate committees of Congress a report that includes the following information:
   (1) The name and location of each entity that was awarded assistance under subsection (a) during the year preceding sub-section (a);
   (2) The benefits of such assistance; and
   (3) An estimate of the likely impact of such activities on reducing threats to marine mammals.

(c) TIMELINESS.—The Commandant shall ensure that Coast Guard drug interdiction operations include the testing of substances encountered during such operations for fentanyl, as appropriate.

SECTION 5301. DEFINITION OF SECRETARY.  
SEC. 5301. DEFINITION OF SECRETARY.  
Except as otherwise specifically provided, in this title, the term ‘‘Secretary’’ means the Secretary of the department in which the Coast Guard is operating.

Subtitle A—Marine Mammals

SEC. 5311. DEFINITIONS.  
In this subtitle:
   (1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘‘appropriate congressional committees’’ means—
      (A) the Committees on Commerce, Science, and Transportation of the Senate; and
      (B) the Committees on Transportation and Infrastructure and the Committee on Natural Resources of the House of Representatives.
   (2) CORE FORAGING HABITATS.—The term ‘‘core foraging habitats’’ means areas—
      (A) where North Atlantic right whales foraging aggregations have been well documented;
      (B) where North Atlantic right whales foraging aggregations have been well documented;
   (C) EXCLUSIVE ECONOMIC ZONE.—The term ‘‘exclusive economic zone’’ has the meaning given that term in section 107 of title 46, United States Code.
   (D) INSTITUTION OF HIGHER EDUCATION.—The term ‘‘institution of higher education’’ has the meaning given that term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).
   (E) LARGE CETACEAN.—The term ‘‘large cetacean’’ means all endangered or threatened species within—
      (A) the suborder Mysticeti;
      (B) the order Odontoceti; or
      (C) the genera Orcinus.
   (F) NEAR-REAL-TIME.—The term ‘‘near-real-time’’, with respect to monitoring of whales, means that visual, acoustic, or other detection of whales are processed, transmitted, and reported as close to the time of detection as is technically feasible.
   (G) NONPROFIT ORGANIZATION.—The term ‘‘nonprofit organization’’ means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.
   (H) PUGET SOUND REGION.—The term ‘‘Puget Sound region’’ means the Vessel Traffic Service Puget Sound area described in section 161.120 of the Federal Regulations (as of the date of the enactment of this Act).
   (I) TRIBAL GOVERNMENT.—The term ‘‘Tribal government’’ means the recognized governing body of any Indian or Alaska Native Tribe, band, nation, pueblo, village, community, component band, or component reservation, including (including parenthetically in the list published most recently as of the date of the enactment of this Act pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 331)).
   (J) UNDER SECRETARY.—The term ‘‘Under Secretary’’ means the Under Secretary of Commerce for Oceans and Atmosphere.

SEC. 5312. ASSISTANCE TO PORTS TO REDUCE THE IMPACTS OF VESSEL TRAFFIC AND PORT OPERATIONS ON MARINE MAMMALS.  
(a) In general.—Not later than 180 days after the date of the enactment of this Act, the Secretary, in consultation with the Director of the United States Fish and Wildlife Service, the Secretary of the Treasury, the Secretary of Transportation, and the Director of the United States Fish and Wildlife Service, as appropriate, shall establish a grant program to provide assistance to eligible entities to develop and implement mitigation measures that will lead to a quantifiable reduction in threats to marine mammals; or
   (b) ELIGIBLE USES.—Assistance awarded under subsection (a) may be used to develop, assess, and carry out activities that reduce threats to marine mammals; or
   (c) ELIGIBLE ENTITIES.—An entity is an eligible entity for purposes of assistance awarded under subsection (a) if the entity is—
      (1) a port authority for a port; or
      (2) a State, Tribal government, or Tribal government, or an Alaska Native or Native Hawaiian entity that has jurisdiction over a maritime port authority or a port; or
      (3) an academic institution, research institution, or nonprofit organization working in partnership with a port; or
      (4) a consortium of entities described in paragraphs (1) and (3);
   (d) ELIGIBLE USES.—Assistance awarded under subsection (a) may be used to develop, assess, and carry out activities that reduce threats to marine mammals by—
      (1) reducing underwater stressors related to marine traffic;
      (2) reducing mortality and serious injury from vessel strikes and other physical dis-
posed by vessel collisions, and to minimize other impacts on large cetaceans, through the use of near real-time location monitoring and location information.

(e) REQUIREMENTS.—The Program shall—

(1) identify and ensure coverage of—

(A) core foraging habitats; and

(B) areas of particular concern for which such measures would reduce the risk of serious injury and mortal ity to North Atlantic right whales.

(2) prioritize species of large cetaceans for which impacts from vessel collisions are of particular concern;

(3) be capable of detecting and alerting ocean users and enforcement agencies of the probable location of large cetaceans on an actionable real-time basis, including through real-time data whenever possible;

(4) inform sector-specific mitigation protocols to the extent feasible (as defined in section 216.3 of title 50, Code of Federal Regulations, or successor regulations) of large cetaceans;

(5) integrate technology improvements; and

(6) be informed by technologies, monitoring methods, and mitigation protocols developed under the pilot project required by subsection (d).

(d) PILOT PROJECT.—

(1) ESTABLISHMENT.—In carrying out the Program, the Under Secretary shall first establish a monitoring and mitigation project for North Atlantic right whales (referred to in this section as the “pilot project”) for the purposes of informing the Program.

(2) REQUIREMENTS.—In designing and deploying the pilot project, the Under Secretary, in consultation with the heads of other relevant Federal agencies, shall, using the best available scientific information, identify and ensure coverage of—

(A) core foraging habitats; and

(B) important feeding, breeding, calving, rearing, or migratory habitats of North Atlantic right whales that co-occur with areas of high risk of mortality or serious injury of such whales from vessels, vessel strikes, or disturbance.

(3) COMPONENTS.—Not later than 3 years after the date of the enactment of this Act, the Under Secretary, in consultation with relevant Federal agencies and Tribal governments, and with input from affected stakeholders, shall design and deploy a real-time monitoring system for North Atlantic right whales that—

(A) comprises the best available detection power, range, and accuracy to detect and localize North Atlantic right whales within habitats described in paragraph (2);

(B) is capable of detecting North Atlantic right whales, including visually and acoustically;

(C) uses dynamic habitat suitability models to inform the likelihood of North Atlantic right whale occurrence in habitats described in paragraph (2) at any given time;

(D) coordinates with the Integrated Ocean Observing System, the National Oceanic and Atmospheric Administration and Regional Ocean Partnerships to leverage monitoring assets;

(E) integrates historical data;

(F) integrates new near real-time monitoring methods and technologies as such methods and technologies become available;

(G) accurately verifies and rapidly communicates detection data to appropriate ocean users;

(H) creates standards for contributing, and allows ocean users to contribute, data to the monitoring system using comparable near real-time monitoring methods and technologies;

(I) communicates the risks of injury to large cetaceans to ocean users in a manner that is most likely to result in informed decision making regarding the mitigation of those risks; and

(J) minimizes additional stressors to large cetaceans as a result of the information available to ocean users.

(4) REPORTS.—

(A) PRELIMINARY REPORT.—

(I) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Under Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives, and make available to the public, a preliminary report on the pilot project.

(II) REQUIREMENTS.—The report required by clause (i) shall include the following:

(I) A description of the monitoring methods and technology in use or planned for deployment under the pilot project.

(II) An analysis of the efficacy of the methods and technology in use or planned for deployment for detecting North Atlantic right whales.

(III) An assessment of the manner in which the monitoring system designed and deployed under subsection (3) is directly informing and enabling mitigation of actual and potential impacts on North Atlantic right whales.

(IV) A prioritized identification of technology or research gaps.

(V) A plan to communicate the risks of injury to large cetaceans to ocean users in a manner likely to result in informed decision making regarding the mitigation of such risks.

(VI) Any other information on the potential benefits and efficacy of the pilot project the Under Secretary considers appropriate.

(B) FINAL REPORT.—

(I) IN GENERAL.—Not later than 6 years after the date of the enactment of this Act, the Under Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives, and make available to the public, a final report on the pilot project.

(II) REQUIREMENTS.—The report required by clause (i) shall—

(I) address the elements under subparagraph (A)(ii); and

(II) include—

(aa) an assessment of the benefits and efficacy of the pilot project;

(bb) a strategic plan to expand the pilot project to provide near real-time monitoring and mitigation measures—

(1) to additional large cetaceans of concern for which such measures would reduce risk of serious injury or death; and

(2) to an area in which there is increased probability of serious injury or loss of life and serious injury or loss of life from vessel strikes or disturbance;

(cc) a budget and description of funds necessary to carry out the strategic plan;

(dd) a prioritized plan for acquisition, deployment, and maintenance of monitoring technologies; and

(ee) the locations or species to which such plan would apply.

(e) MITIGATION PROTOCOLS.—The Under Secretary, in consultation with the Secretary of Commerce, the Secretary of Defense, the Secretary of Transportation, and the Secretary of the Interior, and with input from affected stakeholders, shall develop and deploy mitigation protocols that make use of the monitoring system deployed under subsection (d)(3) to direct sector-specific mitigation measures that avoid and significantly reduce risk of serious injury and mortality to North Atlantic right whales.

(f) ACCESS TO DATA.—The Under Secretary shall provide access to data generated by the monitoring system deployed and deployed under subsection (d)(3) for purposes of scientific research and evaluation and public awareness and education through the Right Whale Sighting Advisory System of the National Oceanic and Atmospheric Administration and WhaleMap or other successor public internet website portals, subject to review for national security considerations.

(g) ADDITIONAL AUTHORITY.—The Under Secretary may enter into and perform such contracts, leases, grants, or cooperative agreements as may be necessary to carry out the purposes of this section as the Under Secretary considers appropriate, consistent with the Federal Acquisition Regulation.

(h) SAVINGS CLAUSE.—An activity may not be carried out under this section if the Secretary of Defense, in consultation with the Under Secretary, determines that the activity would negatively impact the defense readiness or the national security of the United States.

SEC. 3514. PILOT PROGRAM TO ESTABLISH A CETACEAN DESK FOR PUGET SOUND REGION.

(a) ESTABLISHMENT.—

(I) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary, with the concurrence of the Under Secretary, shall establish a pilot program to establish a Cetacean Desk for Puget Sound.

(A) located and manned within the Puget Sound Vessel Traffic Service; and

(B) designed—

(1) to improve coordination with the maritime industry to reduce the risk of vessel impacts to large cetaceans, including impacts from vessel strikes, disturbances, and other sources; and

(ii) to monitor the presence and location of large cetaceans during the months during which such large cetaceans are present in Puget Sound, the Strait of Juan de Fuca, and the United States portion of the Salish Sea.

(2) DURATION AND STAFFING.—The pilot program required by paragraph (1) shall—

(I) be for a duration of 4 years; and

(ii) require not more than 1 full-time equivalent position, who shall also contribute to other necessary Puget Sound Vessel Traffic Service duties and responsibilities as needed; and

(B) may be supported by other existing Federal employees, as the Under Secretary determines appropriate.

(iii) ENGAGEMENT WITH VESSEL OPERATORS.—

(I) IN GENERAL.—Under the pilot program required by subsection (a), the Secretary shall require personnel of the Cetacean Desk to engage with vessel operators in areas where large cetaceans have been seen or could reasonably be present to ensure compliance with applicable laws, regulations, and voluntary guidance, to reduce the impact of vessel traffic on large cetaceans.

(ii) CONTENTS.—In engaging with vessel operators as required by paragraph (1), the Secretary shall—

(I) provide real-time sharing of data regarding to large cetaceans between the Quiet...
Sound program of the State of Washington, the National Oceanic and Atmospheric Administration, and the Puget Sound Vessel Traffic Service, and other relevant entities, as appropriate.

(d) DATA.—The Under Secretary shall leverage existing data collection methods, the Program required by section 313, and public data to monitor and report on the timing and location of cetacean presence, and the number and location of vessel strikes.

(e) CONSULTATIONS.—(1) IN GENERAL.—In carrying out the pilot program under subsection (a), the Secretary shall consult with Tribal governments, States of Washington, institutions of higher education, the maritime industry, ports in the Puget Sound region, and nongovernmental organizations.

(2) COORDINATION WITH CANADA.—When appropriate, the Secretary shall coordinate with the Government of Canada, consistent with policies and agreements relating to management of vessel traffic in Puget Sound.

(f) PUGET SOUND VESSEL TRAFFIC SERVICE LOCAL VARIANCE AND POLICY.—The Secretary, with the concurrence of the Under Secretary and in consultation with the Captain of the Port for the Puget Sound region, shall implement local variances, as authorized by subsection (c) of section 70061 of title 46, United States Code, to reduce the impact of vessel traffic on large cetaceans; and

(2) may enter into cooperative agreements, in accordance with subsection (d) of that section, with Federal, State, and Tribal governments, and other relevant industry and nongovernmental entities, to reduce the likelihood of vessel interactions with protected large cetaceans, which may include—

(A) communicating marine mammal protection guidance to vessels;

(B) training on requirements imposed by local, State, Tribal, and Federal laws and regulations concerning—

(i) vessel buffer zones;

(ii) vessel speed;

(iii) seasonal no-go zones for vessels;

(iv) protected areas, including areas designated as critical habitat, as applicable to marine operations; and

(v) any other activities to reduce the direct and indirect impact of vessel traffic on large cetaceans;

(C) training to understand, utilize, and communicate large cetacean location data; and

(D) training to understand and communicate basic large cetacean detection, identification, and behavior, including—

(i) availability of large cetaceans such as spouts, water disturbances, breaches, or presence of prey;

(ii) important feeding, breeding, calving, and rearing habitats that co-occur with areas of high risk of vessel strikes;

(iii) seasonal large cetacean migration routes that co-occur with areas of high risk of vessel strikes;

(iv) areas designated as critical habitat for large cetaceans.

(g) RACER REQUIRED.—Not later than 1 year after the date of the enactment of this Act, and every 2 years thereafter for the duration of the pilot program under this section, the Commandant, in coordination with the Under Secretary and the Administrator of the Maritime Administration, shall submit to the appropriate congressional committees a report that—

(i) evaluates the functionality, utility, reliability, responsiveness, and operational status of the Cetacean Desk established under the pilot program required by subsection (a) and the accuracy and comparability of trends; and

(ii) includes a quantitative reduction in vessel strikes to large cetaceans as a result of the pilot program; and

(2) assesses the efficacy of communication between the Cetacean Desk and the maritime industry and provides recommendations for improvements;

(3) evaluates collaboration and interoperability of existing data collection methods, as well as public data, into the Cetacean Desk operations;

(4) assesses the efficacy of collaboration and stakeholder engagement with Tribal governments, the State of Washington, institutions of higher education, the maritime industry, ports in the Puget Sound region, and nongovernmental organizations; and

(5) evaluates the progress, performance, and implementation of guidance and training provided by the Cetacean Desk Traf- fice personnel.

SEC. 5315. MONITORING OCEAN SOUNDRIPES.

(a) IN GENERAL.—The Under Secretary shall maintain and expand an ocean soundscape development program—

(1) to award grants to expand the deployment of Federal and non-Federal observing and data management systems capable of collecting measurements of underwater sound for purposes of monitoring and analyzing trends and the underwater soundscape to protect and manage marine life;

(2) to continue to develop and apply standardized forms of measurements to assess sounds produced by marine animals, physical processes, and anthropogenic activities; and

(3) to coordinating with the Secretary of Defense, to coordinate and make accessible the datasets, modeling and analysis, and user-driven products and tools resulting from observations of underwater sound funded through grants awarded under paragraph (1).

(b) COORDINATION.—The program described in subsection (a) shall—

(1) include the Ocean Noise Reference Station Network of the National Oceanic and Atmospheric Administration and the National Park Service;

(2) use and coordinate with the Integrated Ocean Observing System; and

(3) coordinate with the Regional Ocean Partnerships and the Director of the United States Fish and Wildlife Service, as appropriate.

(c) PRIORITY.—In awarding grants under subsection (a), the Under Secretary shall consider the geographic diversity of the recipients of such grants.

(d) SAVINGS CLAUSE.—An activity may not—

(i) be carried out if the Secretary of Defense, in consultation with the Under Secretary, determines that the activity would negatively impact the defense readiness or the national security of the United States;

(ii) be funded under paragraph (1) if the activity would negatively impact the defense readiness or the national security of the United States;

(iii) assess the efficacy of communication between the Cetacean Desk and the maritime industry; and

(iv) assess the efficacy of collaboration and stakeholder engagement with Tribal governments, the State of Washington, institutions of higher education, the maritime industry, ports in the Puget Sound region, and nongovernmental organizations.

SEC. 5321. IMPROVING OIL SPILL PREPAREDNESS, RESPONSE, AND ADAPTATION, AND OIL SPILL CRITERIA PROGRAM.

The Under Secretary of Commerce for Oceans and Atmosphere shall include in the Automated Data Inquiry for Oil Spill data base (or successor data base) used by National Oceanic and Atmospheric Administration oil weathering models new data, including—

(A) peer-reviewed data, on properties of crude and refined oils, including data on diluted bitumen, as such data becomes publicly available.

SEC. 5322. WESTERN ALASKA OIL SPILL PLANNING CRITERIA.

(a) ALASKA OIL SPILL PLANNING CRITERIA PROGRAM.—

(1) IN GENERAL.—Chapter 3 of title 14, United States Code, is amended by adding at the end the following:

(2) 3232. Western Alaska Oil Spill Planning Criteria Program.—

(a) ESTABLISHMENT.—There is established within the Coast Guard a Western Alaska Oil Spill Criteria Program (referred to in this section as the ‘Program’) to develop and administer the Western Alaska oil spill planning criteria.

(b) PROGRAM MANAGER.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this section, the Commandant shall select a permanent civilian career employee through a competitive search process for a term of not less than 5 years to serve as the Western Alaska Oil Spill Criteria Program Manager (referred to in this section as the ‘Program Manager’).

(2) The primary duty of whom shall be to administer the Program.

(3) Whose duties shall include—

(i) assessing whether such existing planning criteria adequately meet the needs of vessels operating in the geographic area; and

(ii) identifying methods for advancing response capability so as to achieve, with respect to a vessel, compliance with national planning criteria.

(3) ONSITE VERIFICATIONS.—The Program Manager shall address the relatively small number and limited nature of verifications of response capabilities for vessel response plans by increasing, within the Seventeenth Coast Guard District, the quantity and frequency of on-site verifications of the program verified in vessel response plans.

(4) TRAINING.—The Program Manager shall enhance the knowledge and proficiency of Coast Guard personnel with respect to the Program by—

(i) developing formalized training on the Program that, at a minimum—

(ii) includes in-depth analysis of—

(iii) the national planning criteria described in part 155 of title 33, Code of Federal Regulations (or successor regulations); and

(iv) Western Alaska oil spill planning criteria;

(5) Captain of the Port and Federal On-Scene Coordinator authorities related to activation of a vessel response plan;

(v) the responsibilities of vessel owners and operators in preparing a vessel response plan for submission; and

(vi) responsibilities of the Area Committee, including risk analysis, response capability, and development of alternative planning criteria.

(5) COORDINATE.—The Program Manager shall coordinate with the Regional Oil Spill Crisis Planning Manager, the Alaska Oil Spill Planning Criteria Program Manager, and the Secretary of Defense, to coordinate and make accessible the datasets, modeling and analysis, and user-driven products and tools resulting from observations of underwater sound funded through grants awarded under paragraph (1).
“(1) in any geographic area in the United States; and
“(ii) specifically in the Seventeenth Coast Guard District; and
“(2) persons engaged in such training to all Coast Guard personnel involved in the Program.

(d) Definitions.—In this section:
“(1) ALTERNATIVE PLANNING CRITERIA.—The term ‘alternative planning criteria’ means criteria submitted under section 155.1065 or 155.5067 of title 33, Code of Federal Regulations (or successor regulations), for vessel response plans.

“(2) TRIBAL.—The term ‘Tribal’ means:
“(i) a tribe under the Tribes self-determination and education assistance Act (25 U.S.C. 5304));
“(ii) a tank vessel or a nontank vessel under regulations issued by the President under section 311(j)(5) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)).”.

“(W) WESTERN ALASKA OIL SPILL PLANNING CRITERIA.—The term ‘Western Alaska oil spill planning criteria’ means the criteria required under paragraph (9) of section 311(j) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)).

(2) CLERICAL AMENDMENT.—The analysis for chapter 3 of title 14, United States Code, is amended by adding at the end the following:
“323. Western Alaska Oil Spill Planning Criteria Program.

(b) WESTERN ALASKA OIL SPILL PLANNING CRITERIA.—
“(1) AMENDMENT.—Section 311(j) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)) is amended by adding at the end the following:
“(9) ALTERNATIVE PLANNING CRITERIA PROGRAM.

“(A) DEFINITIONS.—In this paragraph:
“(i) ALTERNATIVE PLANNING CRITERIA.—The term ‘alternative planning criteria’ means criteria submitted under section 155.1065 or 155.5067 of title 33, Code of Federal Regulations (or successor regulations), for vessel response plans.

“(ii) PRINCE WILLIAM SOUND CAPTAIN OF THE PORT ZONE.—The term ‘Prince William Sound Captain of the Port Zone’ means the area described in section 3.85–15(a) of title 33, Code of Federal Regulations (or successor regulations).

“(iii) SECRETARY.—The term ‘Secretary’ means the Secretary of the department in which the Coast Guard is operating.

“(iv) TRIBAL.—The term ‘Tribal’ means:
“(a) a tank vessel or a nontank vessel under regulations issued by the President under paragraph (5);

“(v) VESSEL RESPONSE PLAN.—The term ‘vessel response plan’ means a plan required to be submitted by the owner or operator of a tank vessel or a nontank vessel under regulations issued by the President under section 311(j) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)).

“(W) WESTERN ALASKA CAPTAIN OF THE PORT ZONE.—The term ‘Western Alaska Captain of the Port Zone’ means the area described in section 3.85–15(a) of title 33, Code of Federal Regulations (as in effect on the date of enactment of this paragraph).

“(B) REQUIREMENT.—Except as provided in subparagraph (A), for any part of the area of responsibility of the Western Alaska Captain of the Port Zone or the Prince William Sound Captain of the Port Zone in which the Secretary has determined that the national planning criteria established pursuant to this subsection are inappropriate for a vessel operating in that area, a response plan required under paragraph (5) with respect to a discharge of oil for such a vessel shall comply with the planning criteria established under subparagraph (D)(i) of section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)).

“(C) RELATION TO NATIONAL PLANNING CRITERIA.—The planning criteria established under subparagraph (D)(i) shall, with respect to any part of the area of responsibility of the Western Alaska Captain of the Port Zone or Prince William Sound Captain of the Port Zone in which the Secretary has determined that the national planning criteria established pursuant to this subsection are inappropriate for a vessel operating in that area, be applied in lieu of any alternative planning criteria accepted for vessels operating in that area prior to the date on which such alternative planning criteria under subparagraph (D)(i) are established.

“(D) ESTABLISHMENT OF PLANNING CRITERIA.—The President, through the Commandant in consultation with the Western Alaska Oil Spill Criteria Program Manager, established under section 323 of title 14, United States Code—

“(i) shall establish—
“(I) Western Alaska oil spill planning criteria for a worst case discharge of oil, and a substantial threat of such a discharge, within any part of the area of responsibility of the Western Alaska Captain of the Port Zone or Prince William Sound Captain of the Port Zone in which the Secretary has determined that the national planning criteria established pursuant to this subsection are inappropriate for a vessel operating in that area; and
“(II) standards, review, approval, and compliance verification processes for the planning criteria established under clause (i), including the quantity and frequency of inspections of vessel response plans accepted pursuant to those planning criteria; and

“(ii) may, so required to develop standards that adequately reflect the needs and capabilities of various locations within the Western Alaska Captain of the Port Zone, develop uniform criteria for the Western Alaska oil spill planning criteria referred to in clause (i)(I) that are required for a subregion.

“(E) INCLUSIONS.—

“(i) IN GENERAL.—The Western Alaska oil spill planning criteria established under subparagraph (D)(i) shall include planning criteria for the following:
“(AA) to mobilize and sustain a response to a worst case discharge of oil, or a substantial threat of such a discharge, occurring within any part of the applicable subregion.

“(BB) to contain, recover, and temporarily store oil spill resources, to arrive on the scene of a worst case discharge of oil, or a substantial threat of such a discharge occurring within any part of the applicable subregion.

“(CC) to mobilize and sustain a response to a worst case discharge of oil, and

“(DD) to contain, recover, and temporarily store oil spill resources that are required to be located within that area.

“(F) REQUIREMENT FOR APPROVAL.—The President may approve a response plan for a vessel under this paragraph only if the owner or operator of the vessel demonstrates the ability to respond in all operating environments in that area; and

“(G) PERIODIC AUDITS.—The Secretary shall conduct periodic audits to ensure compliance of vessel response plans and oil spill removal organizations within the Western Alaska Captain of the Port Zone and the Prince William Sound Captain of the Port Zone with the planning criteria established pursuant to subparagraph (D)(i).

“(H) REVIEW OF DETERMINATION.—Not less frequently than once every 5 years, the Secretary shall review each determination of the President under section 311(j) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)), and make any changes determined necessary to ensure that the national planning criteria are appropriate for a vessel operating in the area of responsibility of the Western Alaska Captain of the Port Zone.

“(I) VESSELS IN COOK INLET.—Unless otherwise authorized by the Secretary, a vessel may only operate in Cook Inlet, Alaska, under a vessel response plan that meets the requirements of the national planning criteria established pursuant to paragraph (5).

“(J) SAVINGS PROVISIONS.—Nothing in this paragraph affects—

“(i) the requirements under this subsection applicable to vessel response plans for vessels operating within the area of responsibility of the Western Alaska Captain of the Port Zone, within Cook Inlet, Alaska;

“(ii) the requirements under this subsection applicable to vessel response plans for vessels operating within the area of responsibility of the Western Alaska Captain of the Port Zone, within Cook Inlet, Alaska; and

“(iii) the authority of a Federal On-Scene Coordinator to use any available resources without regard to any planning criteria for vessels in Cook Inlet, Alaska.

“(2) ESTABLISHMENT OF ALASKA OIL SPILL PLANNING CRITERIA.
SEC. 5324. COAST GUARD CLAIMS PROCESSING COSTS.

Section 1321(e)(4) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(e)(4)) is amended by striking "damages;" and inserting "damages, including, in the case of a spill of national significance, the costs of commercial claims processing, the administrative and personnel costs of the Coast Guard to process those claims (including the costs of commercial claims processing, expert services, training, and technical services), subject to the condition that the Coast Guard shall submit to Congress a report describing the spill of national significance not later than 30 days after the date on which the Coast Guard determines it necessary to process those claims;"

SEC. 5325. CAPSULE REPORTING OF INTEREST ON DEBT OWED TO THE NATIONAL POLLUTION FUND.

Section 1321(j)(7) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(j)(7)) is amended—

(1) in the heading, by striking "$1,000,000,000," and inserting "$500,000,000;"

(2) in clause (ii), by striking "$500,000,000," and inserting "$750,000,000;" and

(3) in the heading, by striking "$1,000,000,000," and inserting "$1,500,000,000."

SEC. 5327. ACCESS TO THE OIL SPILL LIABILITY INQUIRY.

Section 6002 of the Oil Pollution Act of 1990 (33 U.S.C. 2732) is amended by striking subsection (b) and inserting the following:

"(A) section 1006(f), 1012(a)(4), or 5006; or

"(B) an amount, which may not exceed $50,000,000 in any fiscal year, made available by the President from the Fund.

"(ii) to carry out section 311(c) of the Federal Water Pollution Control Act (33 U.S.C. 1321(c)); and

"(iii) to initiate the assessment of natural resources damages required under section 1006.

"(2) FUND ADVANCES—

"(A) IN GENERAL.—To the extent that the amounts described in subparagraph (B) of section 5324 are not adequate to carry out the activities described in that subparagraph, the President may initiate cost-reimbursable agreements with a State, a political subdivision of a State, or an Indian tribe, pursuant to a cost-reimbursable agreement.

"(B) FUND ADVANCES.—

"(i) the amount advanced; and

"(ii) the facts and circumstances that necessitated the advance.

"(C) REPAYMENT.—Amounts advanced under this paragraph shall be repaid to the Fund when, and to the extent that, removal costs are recovered by the Coast Guard from responsible parties for the discharge or substantial threat of a discharge or release of a hazardous substance.

"(3) AVAILABILITY.—Amounts to which this subsection applies shall remain available until expended.

SEC. 5329. OIL SPILL RESPONSE REVIEW.

(a) In General.—Subject to the availability of appropriations, the Commandant shall develop and implement a program—

(1) to increase collection and improve the quality of incident data on oil spill location and response capability by periodically evaluating the data, documentation, and analysis of—

(A) Coast Guard-approved vessel response plans, including vessel response plan audits and assessments of such plans;

(B) oil spill response drills conducted under section 311(j)(7) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)(7)) that occur within the Marine Transportation System; and

(C) responses to oil spill incidents that require mobilization of contracted response resources;

(2) to update, not less frequently than annually, information contained in the Coast Guard Response Resource Inventory and other Coast Guard tools used to document the availability and status of oil spill response equipment, so as to ensure that such information remains current.

(b) Policy.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall issue a policy—

(1) to establish procedures to maintain the program under subsection (a) and support Coast Guard oil spill prevention and response activities, including by incorporating oil spill incident data from after-action oil spill reports and data ascertained from vessel response plan exercises and audits into—

(A) review and approval process standards and metrics; and

(B) Alternative Planning Criteria (APC) review processes;

(2) to standardize and develop tools, training, and other relevant guidance that may be shared with vessel owners and operators to assist with accurately calculating and measuring the performance and viability of proposed alternatives to national planning criteria and standards and local government oil spill response plan requirements, including knowledge relating to the evaluation of proposed alternatives to national planning requirements; and

(3) to improve training of Coast Guard personnel to ensure continuity of planning activities under this section, including by identifying ways in which civilian staffing may improve the continuity of operations; and

(c) Periodic Updates.—Not less frequently than every 5 years, the Commandant shall update the processes established under subsection (b)(1) to incorporate relevant analyses of—

(1) incident data on oil spill location and response quality;

(2) oil spill risk assessments;

(3) oil spill response effectiveness and the effects of such response on the environment;

(4) oil spill response drills conducted under section 311(j)(7) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)(7));

(5) marine casualties reported to the Coast Guard; and

(6) oil spill incidents documented by a Vessel Traffic Service Center (as such terms are defined in section 70001 of title 46, United States Code).
annually thereafter for 5 years, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the status of ongoing and planned efforts to improve the effectiveness and oversight of the vessel response program.

(2) PUBLIC AVAILABILITY.—The Commandant shall publish the report required by subparagraph (A) on a publicly accessible internet website of the Coast Guard.

SEC. 5330. REVIEW AND REPORT ON LIMITED INDEMNITY PROVISIONS IN STANDARDS AND RESPONSE CONTRACTS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Commandant of the Coast Guard shall issue an order under title 46, Code of Federal Regulations (or successor regulations) to the vessels described in subparagraph (B), with respect to exceptions to the applicability of subchapter M of chapter I of title 46, Code of Federal Regulations (or successor regulations) to the vessels described in subparagraph (B), which policy shall ensure safe and effective operation of such vessels.

(b) DEFINITIONS.—In this section:
(1) FISHING VESSEL.—Oil spill response vessels, commercial fishing vessels, and ‘‘oil spill response vessel’’ have the meanings given such terms in section 2101 of title 46, United States Code.
(2) VESSEL OF OPPORTUNITY.—The term ‘‘vessel of opportunity’’ means a vessel engaged in spill response activities that is normally and substantially involved in activities other than spill response and is not a vessel carrying oil as a primary cargo.

Subtitle C—Environmental Compliance

SEC. 5341. REVIEW OF ANCHORAGE REGULATIONS.

(a) REGULARITY REVIEW.—Not later than 1 year after the date of enactment of this Act, the Secretary shall complete a review of existing anchorage regulations or other rules, which review shall include:
(1) identifying any such regulations or rules that may need modification or repeal in the interest of marine safety, security, environmental, and economic concerns, taking into account underwater pipelines, cables, or other infrastructure; and
(2) completing a cost-benefit analysis for any modification or repeal identified under paragraph (1).

(b) BRIEFING.—Upon completion of the review under subsection (a), but not later than 2 years after the date of enactment of this Act, the Secretary shall provide a briefing to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that summarizes the review.

SEC. 5342. STUDY ON IMPACTS ON SHIPPING AND OTHER DISPLACED FISHERIES FROM THE DEVELOPMENT OF RENEWABLE ENERGY INFRASTRUCTURE ON THE COAST.

(a) DEFINITIONS.—In this section:
(1) COVERED WATERS.—The term ‘‘covered waters’’ means Federal or State waters off of the Canadian coast and the further extent of the exclusive economic zone along the west coast of the United States.
(2) EXCLUSIVE ECONOMIC ZONE.—The term ‘‘exclusive economic zone’’ has the meaning given that term in section 107 of title 46, United States Code.
(b) STUDY.—Not later than 180 days after the date of enactment of this Act, the Secretary, the Secretary of the Interior, and the Under Secretary of Commerce for Oceans and Atmosphere, shall enter into an agreement with the National Academies of Science, Engineering, and Medicine under which the National Academy of Sciences shall carry out a study to:
(1) identify, document, and analyze—
(A) historic and current, as of the date of the study, Tribal, commercial, and recreational fishing grounds, as well as areas where fish that are likely to shift in the future, in all covered waters; and
(B) usual and accustomed fishing areas in all covered waters;
(2) historic, current, and potential future shipping lanes, based on projected growth in shipping traffic in all covered waters; and
(3) key types of data needed to properly site renewable energy sites on the West Coast with regard to assessing and mitigating conflicts;
(4) methods used to manage fishing, shipping, and other maritime activities; and
(b) how those activities could be impacted by the placement of renewable energy infrastructure and the associated construction, maintenance, and operation of such infrastructure; and
(c) review the current decision-making process for offshore wind in covered waters and outline a comprehensive approach to including all impacted coastal communities, particularly Tribal governments and fisheries communities, in the decision-making process for offshore wind in covered waters.

(c) SUBMISSION.—Not later than 1 year after commencing the study under subsection (b), the Secretary shall—
(1) submit the study to the Committee on Commerce, Science, and Transportation and the Committee on Natural Resources, and the Committee on Transportation and Infrastructure, the Committee on Natural Resources, and the Committee on Energy and Natural Resources of the Senate and the Committee on Transportation and Infrastructure, the Committee on Natural Resources, and the Committee on Energy and Natural Resources of the House of Representatives, including the review and outline provided under subsection (b)(3); and
(2) make the study publicly available.

Subtitle D—Environmental Issues

SEC. 5351. MODIFICATIONS TO THE SPORT FISH RESTORATION AND BOATING TRUST FUND ADMINISTRATION.

(a) DINGELL-JOHNSON SPORT FISH RESTORATION ACT AMENDMENTS.—
(1) AVAILABLE AMOUNTS.—Clause (i) of section 4(b)(1)(B) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777h(b)(1)(B)) is amended to read as follows:
‘‘(i) for the fiscal year that includes November 15, 2021, the product obtained by multiplying—
‘‘(I) $12,786,334; and
‘‘(II) the change, relative to the preceding fiscal year, in the Consumer Price Index for all Urban Consumers published by the Department of Labor; and’’.

(b) AUTHORIZED EXPENSES.—Section 9(a) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777a(i)(1)) is amended in paragraph (7), by striking ‘‘full-time’’ and—
(B) in paragraph (9), by striking ‘‘on a full-time basis’’.

(b) PITTMAN-RobERTSON WILDERNESS RESTORATION ACT AMENDMENTS.—
(1) AVAILABLE AMOUNTS.—Clause (i) of section 4(a)(1)(B) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 668c(a)(1)(B)) is amended to read as follows:
‘‘(i) for the fiscal year that includes November 15, 2021, the product obtained by multiplying—
‘‘(I) $12,786,334; and
‘‘(II) the change, relative to the preceding fiscal year, in the Consumer Price Index for all Urban Consumers published by the Department of Labor; and’’.

(2) AUTHORIZED EXPENSES.—Section 9(a) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 668c(a)(1)) is amended in paragraph (7), by striking ‘‘full-time’’ and—
(B) in paragraph (9), by striking ‘‘on a full-time basis’’.

SEC. 5352. IMPROVEMENTS TO COAST GUARD COMMUNICATION WITH NORTH PACIFIC MARITIME AND FISHING INDUSTRY.

(a) RESCUE 21 SYSTEM IN ALASKA.—The Commandant shall ensure the timely upgrade of the Rescue 21 system in Alaska so as to achieve, not later
than August 30, 2023, 98 percent operational availability of remote fixed facility sites.

(2) PLAN TO REDUCE OUTAGES.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Commandant shall develop an operations and maintenance plan for the Rescue 21 system in Alaska that anticipates maintenance needs for the Rescue 21 system outages to the maximum extent practicable.

(B) PUBLIC AVAILABILITY.—The plan required by subparagraph (A) shall be made available to the public on a publicly accessible Internet website.

(3) REPORT REQUIRED.—Not later than 180 days after the date of enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that—

(A) contains a plan for the Coast Guard to notify mariners of radio outages for towers owned and operated by the Seventeenth Coast Guard District;

(B) addresses in such plan how the Seventeenth Coast Guard District—

(i) disseminate updates regarding outages on social media not less frequently than every 48 hours;

(ii) provide updates on a publicly accessible website not less frequently than every 48 hours;

(iii) develop methods for notifying mariners in areas in which cellular connectivity does not exist; and

(iv) develop and advertise a web-based communications update hub on AM/FM radio for mariners; and

(C) identifies technology gaps necessary to implement the plan and provides a budgetary assessment necessary to Implement the plan.

(4) CONTINGENCY PLAN.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Commandant, in collaboration with relevant Federal and State entities (including the North Pacific Fishery Management Council, the National Oceanic and Atmospheric Administration, the National Oceanic and Atmospheric Administration Fisheries Service, agencies of the State of Alaska, local radio stations, and stakeholders) shall establish a contingency plan to ensure that notifications of an outage of the Rescue 21 system in Alaska are broadly disseminated in advance of such outage.

(B) ELEMENTS.—The plan required by subparagraph (A) shall require the Coast Guard to—

(i) disseminate updates regarding outages on social media not less frequently than every 48 hours during an outage;

(ii) provide updates on a publicly accessible website not less frequently than every 48 hours during an outage;

(iii) notify mariners in areas in which cellular connectivity does not exist;

(iv) develop and advertise a web-based communications update hub on AM/FM radio for mariners; and

(v) identify technology gaps that need to be addressed in order to implement the plan, and to provide a budgetary assessment necessary to implement the plan.

(b) IMPROVEMENT IN COMMUNICATION WITH THE FISHING INDUSTRY AND RELATED STAKEHOLDERS.—

(1) IN GENERAL.—The Commandant, in coordination with the National Commercial Fishing Safety Advisory Committee established by section 15102 of title 46, United States Code, shall develop a publicly accessible website that contains all Coast Guard-related information relating to the fishing industry, including safety information, inspection and enforcement requirements, hazards, training, regulations (including proposed regulations), Rescue 21 system outages and similar outages, and any information provided by authorized activities under the jurisdiction of the Coast Guard.

(2) AUTOMATIC COMMUNICATIONS.—The Commandant shall develop methods to disseminate updates and automatic email communications with stakeholders who elect, through the Internet website developed under paragraph (1), to receive such communications.

(c) ADVANCE NOTIFICATION OF MILITARY OR OTHER EXERCISES.—In consultation with the Secretary of Defense, the Secretary of State, and commercial fishing industry participants, the Commandant shall develop and publish on a publicly accessible Internet website a plan for notifying United States mariners and the operators of United States fishing vessels in advance of—

(1) military exercises in the exclusive economic zone of the United States (as defined in section 3 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1802)); or

(2) other military exercises that will impact recreational or commercial activities.

SEC. 5352. FISHING SAFETY TRAINING GRANTS PROGRAM

Section 5050 of title 46, United States Code, is amended by striking “2018 through 2021” and inserting “2023 through 2025”.

SEC. 5354. LOAD LIMITS FOR COVERED FISHING VESSELS

(a) IN GENERAL.—The term “covered fishing vessel” means a vessel that operates exclusively in one, or both, of the Thirteenth and Seventeenth Coast Guard Districts and that—

(1) was constructed, under construction, or tendered vessel before January 1, 1980;

(2) was converted for use as a fish tender vessel before January 1, 2022; and

(3) operates as a fish tender vessel for a period of less than 180 days.

(b) APPLICATION TO CERTAIN VESSELS.—

During the period beginning on the date of enactment of this Act and ending on the date that is 3 years after the date on which the report required under subsection (c) is submitted, the load line requirements of chapter 51 of title 46, United States Code, shall not apply to covered fishing vessels.

(c) GAO REPORT.—

(1) IN GENERAL.—Not later than 12 months after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives—

(A) a report on the safety and seaworthiness of vessels referenced in section 5102(b)(5) of title 46, United States Code; and

(B) recommendations for exempting certain vessels referenced in such sections from such requirements.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following—

(A) a description of the requirements of vessels referenced in section 5102(b)(5) of title 46, United States Code.

(B) an analysis of vessel casualties, mishaps, or other safety information relevant to load line requirements when a vessel is operating part-time as a fish tender vessel.

(C) An assessment of any other safety information as the Comptroller General determines appropriate.

(D) A list of all vessels that, as of the date of this section,—

(i) are covered under section 5102(b)(5) of title 46, United States Code; and

(ii) are acting as part-time fish tender vessels; and

(iii) are subject to any captain of the port zone subject to the oversight of the Commandant.

(3) CONSULTATION.—In preparing the report required under paragraph (1), the Comptroller General shall consider consultation with, at a minimum, the maritime industry, including—

(A) relevant Federal, State, and Tribal maritime associations and groups; and

(B) relevant federally funded research institutions, nongovernmental organizations, and academia.

(d) APPLICABILITY.—Nothing in this section shall limit any authority available, as of the date of enactment of this Act, the captain of a port with respect to safety measures or any other authority as necessary for the safety of covered fishing vessels.

SEC. 5355. ACTIONS BY NATIONAL MARINE FISHERIES SERVICE TO INCREASE ENERGY PRODUCTION

(a) IN GENERAL.—The National Marine Fisheries Service shall, immediately upon the enactment of this Act, take action to address the outstanding backlog of letters of authorization for the Gulf of Mexico.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the National Marine Fisheries Service should—

(1) take immediate action to issue a rule that allows the Service to approve outstanding and future applications for letters of authorization consistent with the Service’s permitting activities; and

(2) on or after the effective date of the rule, prioritize the consideration of applications in a manner that is consistent with applicable Federal law.

Subtitle E—Illegal Fishing and Forced Labor Prevention

SEC. 5361. DEFINITIONS

In this subtitle:

(1) FORCED LABOR.—The term “forced labor” means any labor or service provided for or obtained by any means described in section 1589(a) of title 18, United States Code.

(2) HUMAN TRAFFICKING.—The term “human trafficking” has the meaning given the term “severe forms of trafficking in persons” in section 103 of the Trafficking Victims Protection Act of 2000 ((22 U.S.C. 7102).

(3) ILLEGAL, UNREPORTED, OR UNREGULATED FISHING.—The term “illegal, unreported, or unregulated fishing” has the meaning given such term in the implementing regulations or any subsequent regulations issued pursuant to section 609(e) of the High Seas Fishing Moratorium Protection Act ((16 U.S.C. 1361)).

(4) OPPRESSIVE CHILD LABOR.—The term “oppressive child labor” has the meaning given in section 3 of the Fair Labor Standards Act of 1938 (29 U.S.C. 203).

(5) SEAFOOD.—The term “seafood” means all marine animal and plant life meant for human consumption as food, including marine mammals and birds, including fish, shellfish, shellfish products, and processed fish.

(6) SEAFOOD IMPORT MONITORING PROGRAM.—The term “Seafood Import Monitoring Program” means the Seafood Traceability Program established in subpart Q of part 300
CHAPTER 1—COMBATING HUMAN TRAFFICKING THROUGH SEAFOOD IMPORT MONITORING

SEC. 5362. ENHANCEMENT OF SEAFOOD IMPORT MONITORING PROGRAM AUTOMATED COMMERCIAL ENVIRONMENT SYSTEM

The Secretary, in coordination with the Commissioner of U.S. Customs and Border Protection, shall, not later than 6 months after the enactment of this Act, develop a strategy to improve the quality and verifiability of already collected Seafood Import Monitoring Program Message Set data elements in the Automated Commercial Environment system. Such strategy shall prioritize the use of enumerated data types, such as checkboxes, dropdown menus, or radio buttons, and any additional elements the Administrator of the National Oceanic and Atmospheric Administration finds appropriate.

SEC. 5364. DATA SHARING AND AGGREGATION.

(a) INTERAGENCY WORKING GROUP ON ILLEGAL, UNREPORTED, OR UNREGULATED FISHING.—Section 3551(c) of the Maritime SAFE GAL, UNREPORTED, OR UNREGULATED FISHING Act (16 U.S.C. 1826j(a)) is amended—

(1) by redesignating paragraphs (4) through (13) as paragraphs (5) through (14), respectively; and

(2) by inserting after paragraph (3) the following:

"(4) maximizing the utility of the import data collected by the members of the Working Group by harmonizing data standards and entry fields;"

(b) PROHIBITION ON AGGREGATED CATCH DATA FOR CERTAIN SPECIES.—Beginning not later than 1 year after the date of enactment of this Act, for the purposes of compliance with respect to Northern red snapper under the Seafood Import Monitoring Program, the Secretary may not allow an aggregated harvest report of such species, regardless of vessel size.

SEC. 5365. AVAILABILITY OF FISHERIES INFORMATION.

Section 609 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1853c(b)(1)) is amended—

(1) in subparagraph (G), by striking "or" after the semicolon;

(2) in subparagraph (H), by striking the period and inserting "; or";

(3) by adding at the end the following:

"(I) to Federal agencies, to the extent necessary and appropriate, to administer Federal programs established to combat illegal, unreported, or unregulated fishing (as defined in section 609 of the Maritime SAFE Act (Public Law 116–92));"

SEC. 5366. IMPORT AUDITS.

(a) AUDIT PROCEDURES.—The Secretary shall, not later than 1 year after the date of enactment of this Act, implement procedures to audit information and supporting records of sufficient numbers of imports of seafood products not provided to the Seafood Import Monitoring Program to support statistically robust conclusions that the samples audited are representative of all seafood imports covered by the Seafood Import Monitoring Program with respect to a given year.

(b) EXPANSION OF MARINE FORENSICS LABORATORY.—The Secretary shall, not later than 1 year after the date of enactment of this Act, begin the process of expanding the National Oceanic and Atmospheric Administration’s Marine Forensics Laboratory, including by establishing sufficient capacity for the development and deployment of rapid, and follow-up, analysis of field-based tests focused on identifying Seafood Import Monitoring Program species, and prioritizing such species at high risk of illegal, unreported, or unregulated fishing and seafood fraud.

(c) ANNUAL REVISION.—In developing the procedures required in subsection (a), the Secretary shall develop a predictive analysis to inform whether to revise such procedures to prioritize for audit those imports originating from nations—

(1) the subject of pursuant to section 609(a) or 610(a) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826b(a) or 1826b(a) that have not yet received a subsequent positive certification pursuant to section 609(d) or 610(c) of such Act, respectively; (2) identified by an appropriate regional fishery management organization as being in illegal, unreported, or unregulated fishing; (3) identified as having human trafficking or forced labor in any part of the seafood supply chain, including on vessels flagged in such nation or region for such activity; (4) identified as having fishing for cultured production, in the most recent Trafficking in Persons Report issued by the Department of State in accordance with the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.); and

(4) identified as having producing goods that contain seafood using forced labor or oppressive child labor in the most recent List of Goods Produced by Child Labor or Forced Labor in accordance with the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.); and

(d) IDENTIFIED AS AT RISK FOR HUMAN TRAFFICKING, including forced labor, in their seafood catching and processing industries by the report required under section 3563 of the Maritime SAFE Act (Public Law 116–92); and

(e) IDENTIFIED AS AT RISK FOR HUMAN TRAFFICKING, including forced labor, in their seafood catching and processing industries by the report required under section 3563 of the Maritime SAFE Act (Public Law 116–92); and

(f) the seafood species with respect to which violations described in paragraphs (4) and (5) were most prevalent;

(g) the location of catch or harvest with respect to which violations described in paragraphs (4) and (5) were most prevalent;

(h) the additional tools, such as high performance computing and associated costs, that the Secretary needs to improve the efficacy of the Seafood Import Monitoring Program;

(i) of other information as the Secretary considers appropriate with respect to monitoring and enforcing compliance with the Seafood Import Monitoring Program.

SEC. 5367. AUTHORIZATION OF APPROPRIATIONS.

There is appropriated to be authorized to the Commissioner of U.S. Customs and Border Protection to carry out actions pursuant to section 307 of the Tariff Act of 1930 (19 U.S.C. 1307) $20,000,000 for each of fiscal years 2023 through 2027.

CHAPTER 2—STRENGTHENING INTERNATIONAL FISHERIES MANAGEMENT TO COMBAT HUMAN TRAFFICKING

SEC. 5370. DENIAL OF PORT PRIVILEGES.

Section 101(a)(2) of the High Seas Driftnet Fisheries Enforcement Act (16 U.S.C. 1826a(a)(2)) is amended to read as follows:

"(3) the percentage of import shipments subject to the Seafood Import Monitoring Program, reported by 10-digit Harmonized Tariff Schedule of the United States codes, for any large-scale driftnet fishing vessel of a nation that has been listed pursuant to section 609(b) or 610(a) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826b(d) or 1826b(d)), or fishing vessels of a nation that has been listed pursuant to section 609(b) or 610(a) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826b(d) or 1826b(d)), or fishing vessels of a nation that has been listed pursuant to section 609(b) or 610(a) of such Act (16 U.S.C. 1826b(b) or 1826b(c)) in 2 or more consecutive reports under this paragraph, as described under section 607 of such Act (16 U.S.C. 1826h), until a positive certification has been received;

"(b) withhold or revoke the clearance required by section 60105 of title 46, United States Code, for any large-scale driftnet fishing vessel of a nation that has been listed pursuant to section 609(b) or 610(a) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826a(a) or 1826b(a)) in 2 or more consecutive reports under this paragraph, as described under section 607 of such Act (16 U.S.C. 1826h), until a positive certification has been received;

"(c) deny entry of that vessel to any place in the United States and to the navigable waters of the United States, except for the purpose of inspection or conducting an investigation, or taking other appropriate enforcement action."

SEC. 5371. IDENTIFICATION AND CERTIFICATION CRITERIA.

(a) DENIAL OF PORT PRIVILEGES.—Section 609(a) or 610(a) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826b(a)) is amended—

(1) by striking paragraph (2) and inserting the following:

"(2) FOR ACTIONS OF A NATION.—The Secretary shall, not later than 6 months after the date of enactment of this Act, upon a request from the Committee on Natural Resources and the Committee on Finance of the Senate and the Committee on Commerce, Science, and Transportation of the Senate, withhold or revoke the clearance required by section 60105 of title 46, United States Code, for large-scale driftnet fishing vessels of a nation that has been listed pursuant to section 609(b) or 610(a) of such Act (16 U.S.C. 1826b(b) or 1826b(c)), or fishing vessels of a nation that has been listed pursuant to section 609(b) or 610(a) of such Act (16 U.S.C. 1826b(b) or 1826b(c)) in 2 or more consecutive reports under this paragraph, as described under section 607 of such Act (16 U.S.C. 1826h), until a positive certification has been received;

"(b) withhold or revoke the clearance required by section 60105 of title 46, United States Code, for fishing vessels of a nation that has been listed pursuant to section 609(b) or 610(a) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826b(a) or 1826b(a)) in 2 or more consecutive reports as described under section 607 of such Act (16 U.S.C. 1826h), until a positive certification has been received;

"(c) deny entry of that vessel to any place in the United States and to the navigable waters of the United States, except for the purpose of inspection or conducting an investigation, or taking other appropriate enforcement action."
“(A) Any nation that is violating, or has violated at any point during the 3 years preceding the date of the determination, conservation and management measures, including data reporting obligations and requirements, required under an international fishery management agreement to which the United States is a party.

“(B) Any nation that has failed in the 3-year period preceding the date of the determination, to effectively address or regulate illegal, unreported, or unregulated fishing within its fisheries in any areas where its vessels are fishing.

“(C) Any nation that fails to discharge duties imposed by, or to which legislation as a flag, port, or coastal state to take action to prevent, deter, and eliminate illegal, unreported, or unregulated fishing.

“(D) Any nation that has been identified as producing for export to the United States seafood-related goods through forced labor or oppressive child labor (as those terms are defined in section 5361 of the Foreign Labor Certification Act of 2022) in the most recent List of Goods Produced by Child Labor or Forced Labor in accordance with the Trafficking Victim Protection Act of 2000 (22 U.S.C. 7101 et seq.), and

“(4) by adding at the end the following:

“(4) TIMING.—The Secretary shall make an identification under paragraph (1) at any time that the Secretary has sufficient information to make such identification.”.

“(b) CONSULTATION AND NEGOTIATION.—Section 610(b) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826b(b)) is amended to read as follows:

“(b) CONSULTATION AND NEGOTIATION.—The Secretary of State, acting in consultation with the Secretary, shall—

“(1) notify, as soon as practicable, the President and nations that are engaged in, or that have any fishing vessels engaged in, fishing activities or practices described in subsection (a), about the provisions of this Act; and

“(2) initiate discussions as soon as practicable with all foreign nations that are engaged in, or that have any fishing vessels engaged in, fishing activities or practices described in subsection (a), for implementing measures to address illegal, unreported, or unregulated fishing; and

“(3) initiate the amendment of any existing international treaty for the protection and conservation of such species to which the United States is a party in order to make such treaty consistent with the purposes and policies of this section.”.

“(c) CONSERVATION CERTIFICATION PROCEDURE.—Section 610(c) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826c(c)) is amended—

“(1) in paragraph (2), by striking “the public” and “by” after “comment by”;

“(2) in paragraph (6), by striking “except to the extent that such provisions apply to sport fishing equipment or fish or fish products not caught by the vessels engaged in illegal fishing”;

“(C) the Convention on International Maritime Traffic; and

“(D) the Convention on International Rights for Aircraft.
that is 15 percent less than the amount of the fee otherwise chargeable for the attendance of the first such child enrolled at the center, or another fee as the Commandant determines appropriate, consistent with multiple children.".

(b) CHILD DEVELOPMENT CENTER STANDARDS AND INSPECTIONS.—Section 2923(a) of title 14, United States Code, is amended to read as follows:

“(a) STANDARDS.—The Commandant shall require each Coast Guard child development center to meet standards of operation:

“(1) that the Commandant considers appropriate to ensure the health, safety, and welfare of the children and employees at the center;

“(2) necessary for accreditation by an appropriate national early childhood programs accrediting entity.

(c) CHILD CARE SUBSIDY PROGRAM.—

(1) AUTHORIZATION.—

(A) IN GENERAL.—Subchapter II of chapter 29 of title 14, United States Code, is amended by adding at the end the following:

"§ 2927. Child care subsidy program

“(a) AUTHORITY.—The Commandant may operate a child care subsidy program to provide financial assistance to eligible providers that provide child care services or youth program services to members of the Coast Guard, members of the Coast Guard with dependents who are participating in the child care services programs; and any other individual the Commandant considers appropriate, if—

“(1) providing such financial assistance—

"(A) is in the best interests of the Coast Guard; and

"(B) enables supplementation or expansion of the provision of Coast Guard child care services or youth programs to members of the Coast Guard, members of the Coast Guard with dependents who are participating in the child care services programs; and any other individual the Commandant considers appropriate; or—

“(2) the Commandant ensures, to the extent practicable, that the eligible provider is able to comply, and does comply, with the regulations, policies, and standards applicable to Coast Guard child care services.

(b) ELIGIBLE PROVIDERS.—A provider of child care services or youth program services is eligible for financial assistance under this section if the provider—

"(1) provides such services under applicable State and local law; and

"(2) is registered in an au pair program of the Department of Homeland Security; and

"(3) is a provider of family home day care; or

"(4) is a provider of family child care services that—

"(A) otherwise provides federally funded or federally sponsored child development services; or

"(B) provides such services in a child development center owned and operated by a private not-for-profit organization; or

"(C) provides a before-school or after-school child care program in a public school facility; or

"(D) conducts an otherwise federally funded or federally sponsored school-age child care or youth services program; or

"(E) conducts a school-age child care or youth services program operated by a not-for-profit organization; or

"(F) provides in-home child care, such as a nanny or an au pair; or

"(G) is a provider of a new category of child care services or youth program services the Commandant considers appropriate for meeting the needs of members of or civilian employees of the Coast Guard.

(c) AUTHORIZATION.—There are authorized to be appropriated such sums as necessary to carry out this section.

(d) STATISTICS.—

"(1) IN GENERAL.—In carrying out a child care subsidy program under subsection (a), subject to paragraph (3), the Commandant shall provide financial assistance under the program to an eligible member or individual the Commandant considers appropriate by direct payment to such eligible member or individual through monthly pay, direct deposit, or other direct form of payment.

"(2) POLICY.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall establish a policy to provide direct payment as described in paragraph (1).

"(3) ELIGIBLE PROVIDER FUNDING CONTINUATION.—With the approval of an eligible member or an individual the Commandant considers appropriate, which shall include the written consent of such member or individual, the Commandant may continue to provide financial assistance under the child care subsidy program directly to an eligible provider on behalf of such member or individual.

"(4) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to affect any preexisting reimbursement arrangement between the Coast Guard and a qualified provider.

(b) CHILD DEVELOPMENT CENTER STANDARDS AND INSPECTIONS.—Section 2923(a) of title 14, United States Code, is amended by inserting after the item relating to section 2926 the following:

"§ 2927. Child care subsidy program.

(2) EXPANSION OF CHILD CARE SUBSIDY PROGRAM.—

(A) IN GENERAL.—The Commandant shall—

"(1) evaluate potential eligible uses for the child care subsidy program established under section 2927 of title 14, United States Code (referred to in this paragraph as the "program"); and

"(2) expand the eligible uses of funds for the program to accommodate the child care needs of members of the Coast Guard (including such members with nonstandard work hours or other deployment cycles), including by providing funds directly to such members instead of care providers.

(B) CONSIDERATIONS.—In evaluating potential eligible uses under subparagraph (A), the Commandant shall consider au pairs, nanny services, nanny shares, in-home child care services, care services such as supplemental care for disabilities, and any other child care delivery method the Commandant considers appropriate.

(C) REQUIREMENTS.—In establishing expanded eligible uses for the program, the Commandant shall ensure that such uses—

"(1) are in the best interests of the Coast Guard;

"(2) provide flexibility for eligible members and individuals the Commandant considers appropriate, including such members and individuals with nonstandard work hours; and

"(3) ensure a safe environment for dependent members and individuals.

(D) PUBLICATION.—Not later than 18 months after the date of the enactment of this Act, the Commandant shall publish an updated Commandant Instruction Manual (referred to in this paragraph as the "manual") that describes the expanded eligible uses of the program.

(E) REPORT.—

"(1) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report outlining the expansion of the program.

"(ii) the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report outlining the expansion of the program.

(E) REPORT.—

"(1) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report outlining the expansion of the program.

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"(1) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report outlining the expansion of the program.

(E) REPORT.—

"(1) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report outlining the expansion of the program.
SEC. 5405. STUDY ON FOOD SECURITY.

(a) In general.—Not later than 180 days after the date of enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the standards developed under subsection (a) that includes a plan and a description of the resources and budgetary needs required to implement the standards.

(b) Periodic updates.—The Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the standards developed under subsection (a) that includes a plan and a description of the resources and budgetary needs required to implement the standards.

(c) Periodic updates.—The Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the standards developed under subsection (a) that includes a plan and a description of the resources and budgetary needs required to implement the standards.

(d) Periodic updates.—The Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the standards developed under subsection (a) that includes a plan and a description of the resources and budgetary needs required to implement the standards.

(e) Periodic updates.—The Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the standards developed under subsection (a) that includes a plan and a description of the resources and budgetary needs required to implement the standards.

(f) Periodic updates.—The Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the standards developed under subsection (a) that includes a plan and a description of the resources and budgetary needs required to implement the standards.

(g) Periodic updates.—The Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the standards developed under subsection (a) that includes a plan and a description of the resources and budgetary needs required to implement the standards.

(h) Periodic updates.—The Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the standards developed under subsection (a) that includes a plan and a description of the resources and budgetary needs required to implement the standards.

(i) Periodic updates.—The Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the standards developed under subsection (a) that includes a plan and a description of the resources and budgetary needs required to implement the standards.

SEC. 5421. DEVELOPMENT OF MEDICAL STAFFING STANDARDS FOR THE COAST GUARD.

(a) In general.—Not later than 180 days after the date of enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the standards developed under subsection (a) that includes a plan and a description of the resources and budgetary needs required to implement the standards.

(b) Periodic updates.—The Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the standards developed under subsection (a) that includes a plan and a description of the resources and budgetary needs required to implement the standards.

(c) Periodic updates.—The Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the standards developed under subsection (a) that includes a plan and a description of the resources and budgetary needs required to implement the standards.

(d) Periodic updates.—The Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the standards developed under subsection (a) that includes a plan and a description of the resources and budgetary needs required to implement the standards.

(e) Periodic updates.—The Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the standards developed under subsection (a) that includes a plan and a description of the resources and budgetary needs required to implement the standards.

(f) Periodic updates.—The Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the standards developed under subsection (a) that includes a plan and a description of the resources and budgetary needs required to implement the standards.

(g) Periodic updates.—The Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the standards developed under subsection (a) that includes a plan and a description of the resources and budgetary needs required to implement the standards.

(h) Periodic updates.—The Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the standards developed under subsection (a) that includes a plan and a description of the resources and budgetary needs required to implement the standards.

(i) Periodic updates.—The Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the standards developed under subsection (a) that includes a plan and a description of the resources and budgetary needs required to implement the standards.

SEC. 5422. HEALTHCARE SYSTEM REVIEW AND STRATEGIC PLAN.

(a) In general.—Not later than 270 days after the completion of the studies conducted by the Comptroller General of the United States under sections 8259 and 8260 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 4679), the Commandant shall—

(1) conduct a comprehensive review of the Coast Guard healthcare system; and

(2) develop a strategic plan for improvements to, and modernization of, such system to—

(A) enhance access to high-quality, timely healthcare for members of the Coast Guard and their dependents; and

(B) ensure that the plan improves Needed for Determining Staffing Standards for the Coast Guard.

(b) Review committee.—

(1) In general.—The Commandant shall—

(A) establish a review committee to conduct a comprehensive analysis of the Coast Guard healthcare system (referred to in this section as the 'Review Committee');

(B) include the representation of members of the Coast Guard and their dependents, and applicable Coast Guard retirees;

(C) include representatives of the Department of Defense; and

(D) include representatives of health care providers, including—

(i) a medical representative from each branch of the Armed Forces;

(ii) a medical representative from the Uniformed Services University of the Health Sciences; and

(iii) the representative of the Defense Health Agency.

(c) Staff.—The Review Committee shall be staffed by employees of the Coast Guard.
SEC. 5425. MEMBERS ASSERTING POST-TRAUMATIC STRESS DISORDER OR TRAUMATIC BRAIN INJURY.

(a) IN GENERAL.—Subchapter I of chapter 25 of title 14, United States Code, is amended by inserting at the end thereof the following new subsection:

"2515. Members asserting post-traumatic stress disorder or traumatic brain injury

"(a) MEDICAL EXAMINATION REQUIRED.—(1) The Secretary shall ensure that a member of the Coast Guard who has performed Coast Guard operations or has been sexually assaulted during the preceding 2-year period, and who is diagnosed by an appropriate licensed or certified healthcare professional as experiencing post-traumatic stress disorder or traumatic brain injury or who otherwise alleges, based on the service of the member or on such sexual assault, that the influence of such a condition, receives a medical examination to evaluate a diagnosis of post-traumatic stress disorder or traumatic brain injury.

"(2) A member described in paragraph (1) shall not be administratively separated under conditions other than honorable, including administrative separation in lieu of court-martial, until the results of the medical examination have been reviewed by appropriate authorities responsible for evaluation and processing a separation case, as determined by the Secretary.

"(3) In a case involving post-traumatic stress disorder, the medical examination shall be:

"(i) performed by

"(I) a board-certified or board-eligible psychiatrist; or

"(II) a licensed doctorate-level psychologist;

"(ii) performed by

"(I) a board-certified or board-eligible psychiatrist; or

"(II) a licensed doctorate-level psychologist.

(b) INTERIM BEHAVIORAL HEALTH POLICY.—(A) In a case involving post-traumatic brain injury, the medical examination shall be performed by a psychiatrist, psychologist, neurosurgeon, or neurologist.

(c) PURPOSE OF MEDICAL EXAMINATION.—The medical examination required by subsection (a) shall assess whether the effects of mental or neurocognitive disorders, including post-traumatic stress disorder and traumatic brain injury, constitute matters in extension that relate to the basis for administrative separation under conditions other than honorable or the overall characterization of the service of the member as other than honorable.

"(c) INAPPLICABILITY TO PROCEEDINGS UNDER SUBCHAPTER I OF CHAPTER 25 OF TITLE 14.—The medical examination and procedures required by this section do not apply to courts-martial or other proceedings conducted pursuant to the Uniform Code of Military Justice.

"(d) COAST GUARD OPERATIONS DEFINED.—In this section, the term "Coast Guard operations" includes the term used in section 888(a) of the Homeland Security Act of 2002 (6 U.S.C. 468(a))."
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(b) CLERICAL AMENDMENT.—The analysis for subchapter I of chapter 23 of title 14, United States Code, is amended by adding at the end the following:


SEC. 5426. IMPROVEMENTS TO THE PHYSICAL DISABILITY EVALUATION SYSTEM AND TRANSITION PROGRAM.

(a) TEMPORARY POLICY.—Not later than 60 days after the date of the enactment of this Act, the Commandant shall develop a temporary policy that—

(1) improves timeliness, communication, and coordination of the Coast Guard undergoing the Physical Disability Evaluation System, or a related formal or informal process;

(2) provides maximum career transition benefits to members of the Coast Guard determined by a Medical Evaluation Board to be unfit for retention in the Coast Guard; and

(3) is designed to minimize any negative impact on the member’s career trajectory.

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

(1) A requirement that any member of the Coast Guard who is undergoing the Physical Disability Evaluation System, or a related formal or informal process, shall be placed in a duty status that allows the member the opportunity to attend necessary medical appointments and other activities relating to the Physical Disability Evaluation System, including completion of any application of the Department of Veterans Affairs and career transition planning.

(2) In the case of a Medical Evaluation Board report that is not completed within 120 days after the date on which an evaluation by the Medical Evaluation Board was initiated, the Commandant shall provide a written request for such a member to enter permisive duty status.

(3) A requirement that the date of initiation of an evaluation by a Medical Evaluation Board, including completion of any application under subsection (a), shall be provided to a member who is determined by a Medical Evaluation Board to be unfit for retention in the Coast Guard.

(4) An option for such member to seek an internship under the SkillBridge program established under section 1124(e) of title 10, United States Code, outside of military employment and aimed at improving the transition of the member to civilian life, only if such an internship or employment does not interfere with the provision of medical appointments required for the member’s physical disability evaluation.

(5) A requirement that not less than 21 days prior to a determination by a Medical Evaluation Board report that finds the member unfit to continue active duty, the Commandant shall provide such a member with written notice of the determination and an opportunity to appeal to the Medical Evaluation Board.

(6) A requirement that the Coast Guard shall provide written notice of any Medical Evaluation Board report that finds the member unfit to continue active duty.

(7) To provide certainty to such a member with respect to a separation date, a policy that—

(A) that accountability measures are in place with respect to Coast Guard delays through the Physical Disability Evaluation System, including—

(i) placement of the member in an excess leave status after 270 days have elapsed since the date on which the report of an evaluation by the Medical Evaluation Board by any competent authority, and

(ii) a calculation of the costs to retain the member on active duty, including the pay, allowances, and other associated benefits of the member, for the period beginning on the date of the enactment of this Act and ending on the date on which the member is separated;

(B) the availability of administrative solutions to any such delay.

(8) With respect to a member of the Coast Guard determined by a Medical Evaluation Board to be unfit for retention in the Coast Guard, the Commandant shall—

(A) make a request for a reasonable delay in the Physical Disability Evaluation System for any such member, including between stages of the processes, the Medical Evaluation Board, the Informal Physical Evaluation Board, and the Formal Physical Evaluation Board.

(B) A requirement that, not later than 7 days after receipt of a delay described in paragraph (9), the Personnel Service Center shall take corrective action, which shall ensure that the Coast Guard exercises maximum discretion to continue the Physical Disability Evaluation System of such a member in a timely manner, unless such delay is caused by the member.

(9) A requirement that each respective command shall report to the Commandant Personnel Service Center any delay of more than 21 days between each stage of the Physical Disability Evaluation System for any such member, including between stages of the processes, the Medical Evaluation Board, the Informal Physical Evaluation Board, and the Formal Physical Evaluation Board.

(c) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing the policy developed under subsection (a) and a permanent policy of the Coast Guard.

(2) PERSONALLY IDENTIFIABLE INFORMATION.—A report under paragraph (1) shall not include the personally identifiable information of any member of the Coast Guard.

SEC. 5427. EXPANSION OF ACCESS TO COUNSELING.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall hire, train, and deploy no fewer than an additional 5 behavioral health specialists.

(b) REQUIREMENT.—Through the hiring process prescribed by subsection (a), the Commandant shall ensure that at least 35 percent of behavioral health specialists employed by the Coast Guard have experience in behavioral health specialties, at least 20 percent of such specialists are non-United States citizens, and at least 20 percent of such specialists are non-United States citizens.

(c) ACCESSIBILITY.—The support provided by the behavioral health specialists described in subsection (a) may—

(1) include care delivered via telemedicine; and

(2) shall be made widely available to members of the Coast Guard.

SEC. 5428. EXPANSION OF POSTGRADUATE OPPORTUNITIES FOR MEMBERS OF THE COAST GUARD IN MEDICAL AND RELATED FIELDS.

(a) IN GENERAL.—The Commandant shall—

(1) provide opportunities for members of the Coast Guard to secure postgraduate degrees in the disciplines for the purpose of supporting Coast Guard clinics and operations;

(b) MANDATORY REPORT.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing the policy developed under subsection (a) and a permanent policy of the Coast Guard.

(c) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall provide the Comptroller General a written report detailing the aggregate service-wide costs described in subsection (b)(7)(A)(ii) for members of the Coast Guard whose Physical Disability Evaluation System process has exceeded maximum acceptable service-wide costs.

SEC. 5429. STUDY ON COAST GUARD TELEMEDICINE PROGRAM.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall commence a study on the Coast Guard telemedicine program.

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

(1) An assessment of—

(A) the current capabilities and limitations of the Coast Guard telemedicine program;

(B) the degree of integration of such program with existing electronic health records;

(C) the capability and accessibility of such program, including as compared to the capability and accessibility of the telemedicine programs of the Department of Defense and commercial medical providers;

(2) the manner in which the Coast Guard telemedicine program may be expanded to provide better clinical and behavioral medical services to members of the Coast Guard, including such members stationed at remote units or onboard Coast Guard cutters at sea; and

(E) the costs savings associated with the provision of—

(i) care through telemedicine; and

(ii) preventative care.

(2) An identification of barriers to full use or expansion of such program.

(3) A description of the resources necessary to expand such program to its full capability.

(b) REPORT.—Not later than 1 year after commencing the study required by subsection (a), the Comptroller General shall...
SEC. 5430. STUDY ON COAST GUARD MEDICAL FACILITIES NEEDS.
(a) In General.—Not later than 270 days after the date of the enactment of this Act, the Comptroller General of the United States shall commence a study on Coast Guard medical facilities.

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

(1) A current list of Coast Guard medical facilities, including clinics, sickbays, and shipboard facilities.

(2) A summary of capital needs for Coast Guard medical facilities, including construction and renovation.

(3) A summary of equipment upgrade backlogs of Coast Guard medical facilities.

(4) An assessment of improvements to Coast Guard medical facilities, including improvements to IT infrastructure, required to enable the Coast Guard to fully use telemedicine and implement other modernization initiatives.

(5) An evaluation of the process used by the Coast Guard to identify, monitor, and construct Coast Guard medical facilities.

(c) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the study.

SEC. 5441. STRATEGY TO IMPROVE QUALITY OF LIFE AT REMOTE UNITS.
(a) In General.—Not more than 180 days after the date of the enactment of this Act, the Commandant shall develop a strategy to improve the quality of life for members of the Coast Guard and their dependents who are stationed in remote units.

(b) ELEMENTS.—The strategy required by subsection (a) shall address the following:

(1) Methods to improve the availability or affordability of housing options for members of the Coast Guard and their dependents through:

(A) Coast Guard-owned housing;

(B) Coast Guard-facilitated housing; or

(C) basic allowance for housing adjustments to rates that are more competitive for members of the Coast Guard seeking privately owned or privately rented housing.

(2) Methods to improve access by members of the Coast Guard and their dependents to—

(A) medical, dental, and pediatric care; and

(B) behavioral health care that is covered by health insurance.

(3) Recommendations for actions the Commandant should take to improve the availability and affordability of housing for members of the Coast Guard and their dependents, including whether the Commandant has established best practices to manage low-data areas.

(4) An assessment as to whether it is advantageous for the Coast Guard to continue to use the Department of Defense basic allowance for housing system.

(5) Recommendations for actions the Commandant should take to improve the affordability of housing for members of the Coast Guard and their dependents who are stationed in—

(A) remote units located in areas in which members of the Coast Guard and their dependents are eligible for TRICARE Prime Remote; or

(B) units located in areas with a high number of vacation rental properties.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the strategy contained in subsection (b).

(d) REMOTE UNIT DEFINED.—In this section:

(1) the term "remote unit" means a unit located in an area in which members of the Coast Guard and their dependents are eligible for TRICARE Prime Remote.

SEC. 5442. STUDY ON COAST GUARD HOUSING ACCESS, COST, AND CHALLENGES.
(a) In General.—Not later than 90 days after the date of the enactment of this Act, the Comptroller General of the United States shall commence a study on housing access, cost, and associated challenges facing members of the Coast Guard and their families.

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

(1) An assessment of—

(A) the extent to which—

(i) the Commandant has evaluated the sufficiency, availability, and affordability of housing options for members of the Coast Guard and their dependents; and

(ii) the Coast Guard owns and leases housing for members of the Coast Guard and their dependents;

(B) the methods used by the Commandant to manage housing data, and the manner in which the Commandant uses such data—

(i) to inform Coast Guard housing policy; and

(ii) to guide investments in Coast Guard-owned housing capacity and other investments in housing, such as long-term leases and other options; and

(C) the process used by the Commandant to gather and provide information used to calculate housing allowances for members of the Coast Guard and their dependents, including whether the Commandant has established best practices to manage low-data areas.

(2) An assessment as to whether it is advantageous for the Coast Guard to continue to use the Department of Defense basic allowance for housing system.

(3) Recommendations for actions the Commandant should take to improve the availability and affordability of housing for members of the Coast Guard and their dependents, including whether the Commandant has established best practices to manage low-data areas.

(d) REPORT.—Not later than 90 days after the commencement of the audit under subsection (a), the Comptroller General shall submit to the appropriate committees of Congress a report on the results of the audit.

(2) PRIVATIZED MILITARY HOUSING.—The term "privatized military housing" means military housing provided under subchapter IV of chapter 169 of title 10, United States Code.

SEC. 5443. AUDIT OF CERTAIN MILITARY HOUSING CONDITIONS OF ENLISTED MEMBERS OF THE COAST GUARD IN KEY WEST, FLORIDA.
(a) In General.—Not later than 30 days after the date of the enactment of this Act, the Comptroller General of the United States shall conduct the audit of the conduct of an audit to assess—

(1) the conditions of housing units of enlisted members of the Coast Guard located at Naval Air Station Key West Sigsbee Park Annex;

(2) the percentage of those units that are unsafe or unhealthy housing units for enlisted members of the Coast Guard and their families;

(3) the process used by enlisted members of the Coast Guard and their families to report housing concerns; and

(4) the extent to which enlisted members of the Coast Guard and their families who experience unsafe or unhealthy housing units incur relocation, per diem, or similar expenses.

(b) REPORT.—Not later than 100 days after the date of the commencement of the audit under subsection (a), the Comptroller General shall submit to the appropriate committees of Congress a report on the findings of the audit.

(c) DEFINITIONS.—In this section:

(1) AGRICULTURAL AND HORTICULTURAL HOUSING.—The term "agricultural and horticultural housing" means housing in which is present, at levels exceeding standards established by the United States Department of Agriculture, any of the following hazards:

(A) Physiological hazards, including the following:

(i) Dampness or microbial growth.

(ii) Lead-based paint.

(iii) Asbestos or manmade fibers.

(iv) Ionizing radiation.

(v) Biodates.

(vi) Carbon monoxide.

(vii) Volatile organic compounds.

(viii) Infectious agents.

(ix) Fine particulate matter.

(B) Psychological hazards, including the following:

(i) Ease of access by unlawful intruders.

(ii) Lighting issues.

(iii) Poor ventilation.

(iv) Safety hazards.

(v) Other hazards similar to the hazards specified in clauses (i) through (iv), as determined by the Secretary of the Navy.

SEC. 5444. STUDY ON COAST GUARD HOUSING AUTHORIZED, AND PRIVATIZED HOUSING.
(a) STUDY.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall commence a study to—

(1) (A) to evaluate the authorities of the Coast Guard relating to construction, operation, and maintenance of housing provided to members of the Coast Guard and their dependents; and

(B) to assess other options to meet Coast Guard housing needs in urban housing markets, including public-private partnerships, long-term lease agreements,
privately owned housing, and any other housing option the Comptroller General identifies.

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

(A) A review of authorities, regulations, and policies available to the Secretary of the department in which the Coast Guard is operating in this section (the "Secretary") with respect to construction, maintenance, and operation of housing for members of the Coast Guard and their dependents, nonaccompanied member housing, that considers—

(i) housing that is owned and operated by the Coast Guard;

(ii) long-term leasing or extended-rental housing;

(iii) public-private partnerships or other privatized housing options for which the Secretary may enter into 1 or more contracts with a private entity to build, maintain, and operate privatized housing for members of the Coast Guard and their dependents;

(iv) on-installation and off-installation housing options, and the availability of, and authorities relating to, such options; and

(v) housing availability near Coast Guard units, readiness needs, and safety.

(B) A review of the housing-related authorities, regulations, and policies available to the Secretary of Defense, and an identification of the differences between authorities afforded to the Secretary of Defense and the housing-related authorities, regulations, and policies afforded to the Secretary.

(C) A description of lessons learned or recommendations for the Coast Guard based on the use by the Department of Defense of privatized military housing, including the recommendations set forth in the report of the Government Accountability Office entitled "Privatized Military Housing: Update on DOD's Efforts to Address Oversight and Management Challenges" (GAO-22-105866), issued in March 2022.

(D) An assessment of the extent to which the Secretary has used the authorities provided in subchapter IV of chapter 169 of title 10, United States Code.

(E) An analysis of immediate and long-term impacts associated with housing owned and operated by the Coast Guard, as compared to opportunities for long-term leases, privatized housing, and other public-private partnerships and remote location housing.

(2) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General shall submit to the appropriate committees of Congress a report on the results of the study conducted under subsection (a).

(c) BRIEFING.—Not later than 180 days after the date on which the report required by subparagraph (a) is submitted, the Commandant or the Secretary shall provide a briefing to the appropriate committees of Congress on—

(1) the actions the Commandant has, or has not, taken with respect to the results of the study;

(2) a plan for addressing areas identified in the report that present opportunities for improving the housing options available to members of the Coast Guard and their dependents; and

(3) the need for, or potential manner of use of, any authorities the Coast Guard does not have with respect to housing, as compared to the Department of Defense.

(d) AUTHORIZED ACTIVITIES.—In this section, the term "appropriate committees of Congress" means the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.
Representatives a final report regarding an assessment of the execution of the pilot program and implications for maintaining navigation safety, the safety of maritime workers, and the protection of the environment.

(1) GAO REPORT.—(A) The term ‘Secretary’ means the Secretary of the Department of Commerce.

(2) SECRETARY.—The term ‘Secretary’ means the Secretary of the Department in which the Coast Guard is operating.

SEC. 5505. EXONERATION AND LIMITATION OF LIABILITY FOR SMALL PASSENGER VESSELS.

(a) RESTRUCTURING.—Chapter 305 of title 46, United States Code, is amended—

(1) by inserting before section 30501 the following:

"Subchapter I—General Provisions;"

and

(2) by redesigning sections 30503 through 30512 as sections 30521 through 30530, respectively.

(b) DEFINITIONS.—Section 30501 of title 46, United States Code, is amended to read as follows:

"§ 30501. Definitions

"In this chapter:

"(1) COVERED PASSENGER VESSEL—The term ‘covered passenger vessel’—"(A) means a covered passenger vessel, as defined in section 2101, that is—

"(i) not a wing-in-ground craft; and

"(ii) carrying—

"(I) not more than 49 passengers on an overnight domestic voyage; and

"(II) not more than 150 passengers on any voyage that is not an overnight domestic voyage; and

"(B) includes any vessel constructed prior to March 11, 1996, carrying at least 1 passenger for hire.

"(2) OWNER.—The term ‘owner’ includes a charterer that mans, supplies, and navigates a vessel at the charterer’s own expense or by the charterer’s own procurement.

(c) APPLICATION.—Section 30502 of title 46, United States Code, is amended—

(1) by striking ‘section 30503’ and inserting ‘section 30521’;

(2) by striking ‘section 30503’ and inserting ‘section 30521’;

and

(3) by adding at the end the following:

"(b) APPLICATION.—Notwithstanding subsection (a), the requirements of section 30502 of this title shall apply to covered small passenger vessels and as otherwise provided;

"(c) PROVISIONS REQUIRING NOTIFICATION.—Section 30522 of title 46, United States Code, is amended—

(1) in subsection (a), by inserting ‘and covered passenger vessels’ after ‘seagoing vessels’; and

(2) in subsection (b), by striking ‘6 months’ and inserting ‘2 years’; and

(d) PROVISIONS REQUIRING NOTIFICATION OF CLAIM OR LIMITATION OF LIABILITY.—Section 30526 of title 46, United States Code, is amended by redesigning subsection (a) as follows:

(1) in subsection (a), by inserting ‘and covered passenger vessels’ after ‘seagoing vessels’; and

(2) in subsection (b), by striking ‘section 30506(n)(3)(A)(v)’ and inserting ‘section 30526’.

(e) CHARTERER.—The analysis for chapter 305 of title 46, United States Code, is amended—

(1) by striking before the item relating to section 30501 the following:

"Subchapter I—General Provisions;

"Subchapter II—Exoneration and Limitation of Liability;

and

(2) by redesigning the items relating to sections 30503 through 30512 as items relating to sections 30521 through 30530, respectively.

(f) CONFORMING AMENDMENTS.—Title 46, United States Code, is further amended—

(1) in section 14305(a)(5), by striking ‘section 30506’ and inserting ‘section 30521’;

and

(2) in section 30524(b), as redesignated by subsection (a), by striking ‘section 30506’ and inserting ‘section 30524’;

(3) in section 30524(b), as redesignated by subsection (a), by adding at the end the following:

"(d) CERTAIN HISTORIC PASSENGER VESSELS.

(a) REPORT ON COVERED HISTORIC VESSELS.—Notwithstanding section 915 of the Frank LoBiondo Coast Guard Authorization Act of 2018 (14 U.S.C. 96 note; Public Law 115–282), and the promulgation of regulations to establish specific inspection fees for such vessels, the Comptroller General determines are appropriate for compliance with such subchapter, until—

(1) the completion of the review required under section 101 of the Frank LoBiondo Coast Guard Authorization Act of 2018 (14 U.S.C. 96 note; Public Law 115–282), and

(2) the promulgation of regulations to establish specific inspection fees for such vessels.

SEC. 5507. CERTAIN HISTORIC PASSENGER VESSELS.

(a) REPORT ON COVERED HISTORIC VESSELS.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report evaluating the practicability of the application of section 3006(n)(3)(A)(v) of title 46, United States Code, to covered historic vessels.

(b) ELEMENTS.—The report required under paragraph (1) shall include the following:

(1) An assessment of the compliance, as of the date on which the report is issued, in accordance with paragraph (1), of covered historic vessels with section 3006(n)(3)(A)(v) of title 46, United States Code.

(2) An assessment of the safety record of covered historic vessels.

(3) An assessment of the risk, if any, that modifying the requirements under section 3006(n)(3)(A)(v) of title 46, United States Code, would meaningfully improve safety of passengers and crew in a manner that is both feasible and economically practicable.

(4) An evaluation of the economic practicability of the compliance covered historic vessels with such section 3006(n)(3)(A)(v) and whether that compliance would meaningfully improve safety of passengers and crew in a manner that is both feasible and economically practicable.

(5) Any other recommendations as the Comptroller General determines are appropriate for compliance with the applicability of such section 3006(n)(3)(A)(v) to covered historic vessels.

(6) An assessment of the ability in addition to, or in lieu of, such section 3006(n)(3)(A)(v) to cover historic vessels.
771. Responses to safety recommendations. (a) In General.—Not later than 90 days after a safety recommendation is issued, the Commandant shall submit to the National Transportation Safety Board a written response to the recommendation, which shall include whether the Commandant—

1. concurs with the recommendation;

2. partially concurs with the recommendation; or

3. does not concur with the recommendation.

(b) Explanation of Concurrency.—A response under subsection (a) shall include—

1. with a recommendation with which the Commandant concurs, an explanation of the actions the Commandant intends to take to implement such recommendation;

2. with a recommendation with which the Commandant partially concurs, an explanation of the actions the Commandant intends to take to implement the portion of such recommendation with which the Commandant partially concurs; and

3. with a recommendation with which the Commandant does not concur, the reasons the Commandant does not concur.

(c) Failure to Respond.—If the National Transportation Safety Board has not received the written response required under subsection (a) by the end of the time period described in that subsection, the National Transportation Safety Board shall notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that such response has not been received."

5510. Comptroller General of the United States Oversight of Third Party Organizations. (a) In General.—The Comptroller General of the United States shall initiate a study that assesses the extent the Coast Guard has ascertained examination compliance in the third party organizations.

(b) Elements.—The study shall analyze the following:

1. Coast Guard utilization of third party organizations in its prevention mission, and the extent the Coast Guard plans to increase such use to enhance prevention mission performance, including resource utilization and specialized expertise;

2. the extent to which the components of the global supply chain are responsible for maritime security issues have identified such components of the global supply chain.

5512. Alternate Safety Compliance Program Exception for Certain Vessels. Section 4505a of title 46, United States Code, is amended—

1. by redesignating subsections (d) through (f) as subsections (e) through (g), respectively; and

2. by inserting after subsection (c) the following:

"(d) The extent to which the components of the global supply chain are responsible for maritime security issues have identified such components of the global supply chain.

(e) Certificate of Inspection.—The term "certificate of inspection" means a certificate of inspection under subchapter M of chapter 1 of title 46, Code of Federal Regulations.
(3) The extent to which the Department of Homeland Security has assessed the effectiveness of its maritime security strategy.


(c) Report.—Not later than 1 year after initiating the study under subsection (a), the Comptroller General of the United States shall submit the results of the study to the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure and the Committee on Homeland Security and Governmental Affairs of the House of Representatives.

SEC. 5524. STUDY TO MODERNIZE THE MERCHANT MARINER LICENSING AND DOCUMENTATION SYSTEM DATABASE.

(a) In General.—Not later than 90 days after the date of enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate, and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives, a report on the financial, human, and information technology infrastructure resources needed to establish an electronic merchant mariner licensing and documentation system.

(b) Legislative and Regulatory Suggestion.—The report submitted under subsection (a) shall include recommendations for such legislative or administrative actions as the Commandant determines necessary to establish the electronic merchant mariner licensing and documentation system described in subsection (a) as soon as possible.

(c) GAO Report.—(1) Findings.—By not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States, in consultation with the Commandant, shall prepare and submit a report to Congress that evaluates the current processes, as of the date of enactment of this Act, of the National Maritime Center for processing and approving merchant mariner credentials.

(2) Contents of Evaluation.—The evaluation conducted under paragraph (1) shall include—

(A) an analysis of the effectiveness of the current merchant mariner credentialing process, as of the date of enactment of this Act;

(B) an analysis of the backlogs relating to the merchant mariner credentialing process and the reasons for such backlogs; and

(C) recommendations for improving and expediting the merchant mariner credentialing process.

(d) Definition of Merchant Mariner Credential.—In this subsection, the term ‘merchant mariner credential’ has the meaning given in section 40102 of title 46, United States Code.

SEC. 5525. STUDY AND REPORT ON DEVELOPMENT AND MAINTENANCE OF MERCHANT MARINER RECORDS DATABASE.

(a) Study.—(1) In General.—The Secretary, in coordination with the Commandant and the Administrator of the Maritime Administration and the Commander of the United States Transportation Command, shall conduct a study to determine the benefits and feasibility of developing and maintaining a Coast Guard database that—

(A) contains records with respect to each credentialed merchant mariner, including creditability, drug and alcohol testing results, and information on any final adjudicated agency action involving a credentialed merchant mariner or regarding any involvement in a marine casualty; and

(B) maintains such records in a manner such that data can be readily accessed by the Federal Government for the purpose of assessing workforce needs and for the purpose of the economic and national security of the United States.

(2) Elements.—The study required under paragraph (1) shall—

(A) include an assessment of the resources, information technology, and authorities necessary to develop and maintain the database described in such paragraph; and

(B) specifically address the protection of the privacy interests of any individuals whose information may be contained within the database, which shall include limiting access to the database or having access to the database be monitored by, or accessed through, a member of the Coast Guard.

(b) Report.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results of the study under subsection (a), including findings, conclusions, and recommendations.

(c) Definitions.—In this section:

(1) Credentialed Mariner.—The term ‘credentialed mariner’ means an individual with a merchant mariner license, certificate, or document that the Secretary is authorized to issue pursuant to title 46, United States Code.

(2) Merchant Mariner Credentialing Application.—The term ‘merchant mariner credentialing application’ means a merchant mariner credentialing application to the maximum extent practicable.

(3) Definition of Merchant Mariner Licensing and Documentation System Database.—In this subsection, the term ‘merchant mariner licensing and documentation system database’ means the database described in subsection (a) as soon as possible.

(d) Authorization of Appropriations.—There are authorized to be appropriated to carry out this section $2,000,000.

SEC. 5526. ASSESSMENT REGARDING APPLICATION PROCESS FOR MERCHANT MARINER CREDENTIALS.

(a) In General.—The Secretary of the department in which the Coast Guard is operating shall conduct an assessment to determine the resources, including personnel and computing resources, required to—

(1) reduce the amount of time necessary to process merchant mariner credentialing applications to not more than 2 weeks after the date of receipt; and

(2) develop and maintain an electronic merchant mariner credentialing application.

(b) Briefing Required.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committees on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a briefing to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives with the results of the assessment required under subsection (a).

(c) Definitions.—In this section:

(1) Merchant Mariner Licensing and Documentation System Database.—In this subsection, the term ‘merchant mariner licensing and documentation system database’ means the database described in subsection (a) as soon as possible.

(2) Credentialed Mariner.—The term ‘credentialed mariner’ means an individual with a merchant mariner license, certificate, or document that the Secretary is authorized to issue pursuant to title 46, United States Code.

(3) Merchant Mariner Credentialing Application.—The term ‘merchant mariner credentialing application’ means a merchant mariner credentialing application to the maximum extent practicable.

(4) Report.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committees on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study conducted under this section, including findings, conclusions, and recommended actions.

SEC. 5527. MILITARY TO MARINERS ACT OF 2022.

(a) Short Title.—This section may be cited as the ‘Military to Mariner Act of 2022’.

(b) Findings; Sense of Congress.—(1) Findings.—Congress makes the following findings:

(A) The United States Uniformed Services are composed of the world’s most highly trained and professional service members.

(B) A robust Merchant Marine and ensuring Uniformed Services mariners can compete in the global workforce are vital to economic and national security.

(2) Sense of Congress.—It is the sense of Congress that—

(A) veterans and members of the Uniformed Services who have served on active duty shall be eligible to join the United States Merchant Marine should receive vigorous support; and

(B) it is incumbent upon the regulatory bodies of the United States to streamline regulations to facilitate transition of veterans and members of the Uniformed Services into the United States Merchant Marine to maintain a strong maritime presence in the United States and worldwide.

(c) Modification of Sea Service Requirements for Merchant Mariner Credentials for Veterans and Members of the Uniformed Services.—(1) Definitions.—In this subsection:

(A) Merchant Mariner Credential.—The term ‘merchant mariner credential’ has the meaning given in title 46, United States Code.

(B) Secretary.—The term ‘Secretary’ means the Secretary of the department in which the Coast Guard is operating.

(2) Uniformed Services.—The term ‘Uniformed Services’ has the meaning given in title 5, United States Code.

(d) Review and Regulations.—Notwithstanding any other provision of law, not later than 2 years after the date of enactment of this Act, the Secretary shall—

(A) review and examine—

(i) the requirements and procedures for veterans and members of the Uniformed Services to receive a merchant mariner credential;

(ii) the classifications of sea service acquired through training and service as a member of the Uniformed Services and level of equivalence to sea service on merchant vessels;

(iii) the amount of sea service, including percent of the total time onboard for purposes of equivalence to sea service, that will be accepted as required experience for all endorsements for applicants for a merchant mariner credential who are veterans or members of the Uniformed Services;

(B) provide the availability for a fully internet-based application process for a merchant mariner credential, to the maximum extent practicable; and

(C) issue new regulations to—

(i) reduce paperwork, delay, and other burdens for applicants for a merchant mariner credential who are veterans or members of the Uniformed Services, and, if determined to be appropriate, increase the acceptable percentages of time equivalent to sea service for such applicants; and

(ii) reduce burdens and create a means of alternative compliance to demonstrate instructor competency for Standards of Training, Certification and Watchkeeping for Seafarers courses.

(3) Consultation.—In carrying out paragraph (2), the Secretary shall consult with the National Merchant Marine Personnel Advisory Committee taking into account the present and future needs of the United States Merchant Marine labor workforce.
shall submit to the Committee on Com-
merce, Science, and Transportation of the
Senate, the Committee on Armed Services of
the Senate, the Committee on Energy and
Commerce of the House of Representatives,
and the Committee on Armed Services of the
House of Representatives, a report that con-
tains an update on the activities carried out to
implement—
(A) the July 2020 report by the Committee
on the Marine Transportation System to the
White House Office of Trade and Manufac-
turing, implementing the Interagency Ex-
ecutive Order 13860 (84 Fed. Reg. 8407; relat-
ing to supporting the transition of active
duty military members and military veterans into
the Merchant Marine; and
(B) section 3511 of the National Defense
(d) ASSESSMENT OF SKILLBRIDGE FOR
EMPLOYMENT AS A MERCHANT MARINER.—The Secretary
of the department in which the Coast Guard is operating, in collaboration with the Secretary of Defense, shall assess the use of the SkillBridge program of the Department of Defense as a means for transitioning active duty sea service per-
sonnel toward employment as a merchant mariner.

SEC. 5602. FLOATING DRY DOCKS.
Section 5512(a) of title 46, United States
Code, is amended—
(1) in paragraph (1)(C), by striking "(C)" and inserting "(C)(i)";
(2) by striking "2015; or"; and
(3) by adding at the end the following:
"(ii) had a letter of intent for purchase by
such shipyard or affiliate signed prior to
such date of enactment; and"
(4) in paragraph (2), by inserting "or occurs
between Honolulu, Hawaii, and Pearl Harbor,
Hawaii" before the period at the end.

TITLE LVI—SEXUAL ASSAULT AND SEX-
UAL HARASSMENT PREVENTION AND
RESPONSE

SEC. 5601. DEFINITIONS.
(a) IN GENERAL.—Section 2011 of title 46,
United States Code, is amended—
(1) by redesignating paragraphs (45) through
(54) as paragraphs (47) through (56),
respectively; and
(2) by inserting after paragraph (44) the fol-
lowing:
"(45) ‘sexual assault’ means any form of
abuse or contact as defined in chapter 109A of
title 18, United States Code, or any
crimes of similar offense under a State,
local, or Tribal law.
(46) ‘sexual harassment’ means any of the
following:
"(A) Conduct towards an individual (which
may have been by the individual’s super-
visor, a supervisor in another area, a
coworker, or another credentialed mariner) that—
"(i) involves unwelcome sexual advances,
requests for sexual favors, or deliberate or
repetitive unwelcome sexual comments or gestures of a
sexual nature when—
"(I) submission to such conduct is made ei-
ther explicitly or implicitly a term or condi-
tion of employment, pay, career, benefits, or
entitlements of the individual;
"(II) any submission to, or rejection of,
such conduct by the individual is used as a
basis for determining any aspect of the individual’s
job, pay, career, benefits, or entitlements; or
"(III) such conduct has the purpose or ef-
fect of unreasonably interfering with the
individual’s work performance, or creates an
intimidating, hostile, or offensive working
environment; and
"(ii) is so severe or pervasive that a rea-
sonable person would perceive, and the indi-
vidual does perceive, the environment as
hostile or offensive.
"(B) Any use or condonation by any person
in a supervisory or command position of
any form of sexual behavior to control, influence,
or affect the career, pay, or job of an indi-
vidual who is under the personal supervi-
sion of a supervisor, a supervisor in an-
other area, a coworker, or another
credentialed mariner:―
"(C) Any intentional or repeated unwel-
come verbal comment or gesture of a sexual
nature towards or about an individual by the
individual’s supervisor, a supervisor in an-
other area, a coworker, or another
credentialed mariner:―
(b) RIFEPART.—The Commandant shall sub-
mit to the Committee on Transportation and
Infrastructure of the House of Representa-
tives and the Committee on Commerce,
Science, and Transportation of the Senate a
report that describes the procedures and
resources the Commandant may propose to the definitions
added by the amendments in subsection (a).
(c) CONFORMING AMENDMENTS.—
(1) Section 2133(3) of title 46, United States
Code, is amended by striking "section
2101(51)(A):" and inserting "section
2101(51)(A):".
(2) Section 4105 of title 46, United States
Code, is amended—
(A) in subsections (b)(1) and (c), by striking "section
2101(51)(A):" and inserting "section
2101(51)(A):";
(B) in subsection (d), by striking "section
2101(51)(A):" and inserting "section
2101(51)(A):";
(C) by adding at the end the following:
"(45) ‘sexual assault’ means any form of
sexual behavior to control, influence,
or affect the career, pay, or job of an
individual; or
(ii) such conduct by the individual is used as a
means for
coalition for the SkillBridge program of the
Department of Defense as a means for
transitioning active duty sea service per-
sonnel toward employment as a merchant mariner.

SEC. 5602. SEXUAL OFFENDER AS
GROUNDS FOR DENIAL.
(a) IN GENERAL.—Chapter 75 of title 46,
United States Code, is amended by adding at
the end the following:
"§ 7511. Convicted sexual offender as grounds for
denial.
"(44) SEXUAL ABUSE.—A license,
certificate of registry, or merchant mariner’s document
authorized to be issued under this part shall
be denied to an individual who has been con-
victed of a sexual offense prohibited under—
"(1) chapter 109A of title 18, except for sub-
section (b) of section 2244 of title 18; or
"(2) a substantially similar offense under a
State, local, or Tribal law.
"(b) ABUSIVE SEXUAL CONTACT.—A license,
certificate of registry, or merchant mariner’s document
authorized to be issued under this part shall
be denied to an individual who has been con-
victed of a sexual offense prohibited under—
"(1) chapter 109A of title 18, except for sub-
section (b) of section 2244 of title 18; or
"(2) a substantially similar offense under a
State, local, or Tribal law.
"(c) CLERICAL AMENDMENT.—The analysis for
chapter 75 of title 46, United States Code,
is amended by adding at the end the fol-
lowing:
"§ 7511. Convicted sexual offender as grounds for
denial.

SEC. 5603. ACCOMMODATION; NOTICES.
Section 5603 of title 46, United States
Code, is amended—
(1) in subsection (a)–
(A) in paragraph (3), by striking "and"
and inserting a semicolon;
(B) in paragraph (4), by striking the period at the end and inserting "and; and"
and (C) by adding at the end the following:
"(d) each crew berthing area shall be equipped with information regarding—
"(A) vessel owner or company policies pro-
hibiting sexual assault, sexual harassment, retaliation, and drug and alcohol use;
"(B) procedures and resources to report al-
egations of sexual assault and sexual har-
assment, including information—
"(i) on the Coast Guard Investigative Services and the Coast
Guard National Command Center, in order to report allegations of sexual assault or sexual
harassment;
"(ii) on vessel owner or company proce-
dures for reporting violations of company policy and
access resources;
"(iii) on resources provided by outside or-
ganizations such as sexual assault hotlines available;
"(iv) on the retention period for surveil-
ance video recording after an incident of
sexual harassment or sexual assault is re-
ported; and
"(v) on additional items specified in regu-
lations issued by, and at the discretion of,
the Secretary;
and
(2) by inserting after subparagraph (A) the fol-
lowing:
"(B) any use or condonation by any person
in a supervisory or command position of
any form of sexual behavior to control, influence,
or affect the career, pay, or job of an
individual under the personal supervi-
sion of a supervisor, a supervisor in an-
other area, a coworker, or another
credentialed mariner:—

SEC. 5604. PROTECTION AGAINST DISCRIMI-
NAITION.
Section 2114(a) of title 46, United States
Code, is amended—
(1) in paragraph (1)–
(A) by redesigning subparagraphs (B) through (G) as subparagraphs (C) through
(H), respectively; and
(B) by inserting after subparagraph (A) the fol-
lowing:
"(C) the seaman in good faith has reported
or is about to report to the vessel owner,
Coast Guard, or other appropriate Federal
agency or department sexual harassment or
sexual assault against the seaman or
knowledge of sexual harassment or sexual assault
against another seaman; and
"(D) a substantially similar offense under a
State, local, or Tribal law.
"(2) in paragraphs (2) and (3), by striking
"paragraph (1)(B)" each place it appears and
inserting "paragraph (1)(C)".

SEC. 5605. ALCOHOL AT SEA.
(a) IN GENERAL.—The Commandant shall
seek to enter into an agreement with the Na-
tional Academy of Sciences not later than 1
year after the date of the enactment of this
Act under which the National Academy of
Sciences shall prepare an assessment to de-
terminate safe levels of alcohol consumption
and possession by crew members aboard ves-
sels of the United States engaged in commer-
cial service, except when such possession is
associated with the commercial sale to indi-
viduals aboard the vessel who are not crew
members.
(b) ASSESSMENT.—The assessment under this
section shall—
(1) take into account the safety and secur-
ity of every individual on the vessel;
(2) take into account reported incidences
of sexual harassment or sexual assault, as
defined in section 2011 of title 46, United
States Code; and
(3) provide any appropriate recommenda-
tions for any changes to laws, including regu-
lations, or employer policies.

SEC. 5606. SUBMISSION.—Upon completion of
the assessment under this section, the National
Academy of Sciences shall submit the assess-
ment to the Committee on Commerce,
Science, and Transportation of the Senate,
the Committee on Transportation and Infrac-
structure of the House of Representatives,
the Commandant, and the Secretary of the
department in which the Coast Guard is
operating.

SEC. 5607. REGULATIONS.—The Commandant
shall review the findings and recom-
mendations of the assessment under this
section by not later than 180 days after re-
cieving the assessment under subsection (c); and
(2) taking into account the safety and se-
curity of every individual on vessels of the

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United States engaged in commercial service, may issue regulations relating to alcohol consumption on such vessels.

(e) REPORT REQUIRED.—If, by the date that is 2 years after the receipt of the assessment under subsection (c), the Commandant does not issue regulations under subsection (d), the Commandant shall provide a report by such date to the appropriate committees of Congress—

(1) regarding the rationale for not issuing such regulations; and

(2) including other recommendations as necessary to ensure safety at sea.

SEC. 5006. SEXUAL HARASSMENT OR SEXUAL ASSAULT AS GROUNDS FOR SUSPENSION OR REVOCATION.

(a) IN GENERAL.—Chapter 77 of title 46, United States Code, is amended by inserting after section 7707 the following:

"§ 7704a. Sexual harassment or sexual assault as grounds for suspension and revocation.

"(a) SEXUAL HARASSMENT.—If it is shown at a hearing under this chapter that a holder of a license, certificate of registry, or merchant mariner's document issued under this part, within 10 years before the beginning of the suspension and revocation proceedings, is the subject of a substantiated claim of sexual harassment, then the license, certificate of registry, or merchant mariner's document shall be suspended or revoked.

"(b) SEXUAL ASSAULT.—If it is shown at a hearing under this chapter that a holder of a license, certificate of registry, or merchant mariner's document issued under this part, within 20 years before the beginning of the suspension and revocation proceedings, is the subject of a substantiated claim of sexual assault, then the license, certificate of registry, or merchant mariner's document shall be suspended or revoked.

"(c) SUBSTANTIATED CLAIM.—

"(1) In general.—In this section, the term 'substantiated claim' means—

"(A) a legal proceeding or agency action in which this section applies shall provide clear and conspicuous signs on board the vessel notifying the crew of the presence of video and audio surveillance equipment.

"(e) LIMITATIONS ON VIDEO AND AUDIO RECORDS.—The owner of a vessel to which this section applies shall retain all records of audio and video surveillance for not less than 4 years after the foot- age is obtained. Any video and audio surveillance is subject to inspection under section 3301.

"(f) PERSONNEL TRAINING.—A vessel owner, charterer, managing operator, or employer of a seafarer shall provide training on applicable Federal, State, local, or Tribal law or regulation and for which all appeals have been exhausted, as applicable; or

"(g) PENALTY.—Any crew member who violates section 7704a shall be subject to a penalty of not more than $1,000, and may be subject to suspension or revocation under section 3203(a)(3);'';

SEC. 5507. SURVEILLANCE REQUIREMENTS.

(a) IN GENERAL.—The owner of a vessel engaged in commercial service that do not carry passengers and are any of the following:

"(A) A documented vessel with overnight accommodations for at least 10 persons on board that used the master key; and

"(B) a determination after an investigation against a crew member or employment dispute not used as part of a labor action or remedy

"(c) PENALTY.—Any crew member who violates section 7704a shall be subject to a penalty of not more than $1,000, and may be subject to suspension or revocation under section 3203(a)(3);'';

SEC. 5008. MASTER KEY CONTROL.

(a) IN GENERAL.—Chapter 77 of title 46, United States Code, is amended by adding at the end the following:

"§ 3106. Master key control system.

"(a) IN GENERAL.—The owner of a vessel subject to inspection under section 3301 shall—

"(1) ensure that such vessel is equipped with a vessel master key control system, manual or electronic, which provides control access to all copies of the vessel's master key of which access shall only be available to the individuals described in paragraph (2);

"(2) establish a list of all crew members, identified by position, allowed to access and use the master key; and

"(b) PROHIBITED USE.—A crew member not included on the list described in subsection (a)(2) shall not have access to or use the master key unless in an emergency and shall immediately notify the master and owner of the vessel following access or use of such key.

"(c) PENALTY.—Any crew member who violates section 3106(a)(2) shall be subject to a penalty of not more than $1,000, and may be subject to suspension or revocation under section 7701.

(b) CLERICAL AMENDMENT.—The analysis for chapter 31 of title 46, United States Code, is amended by adding at the end the following:

"3106. Master key control system."

SEC. 5609. SAFETY MANAGEMENT SYSTEMS.

Section 3203 of title 46, United States Code, is amended—

(1) in subsection (a)—

(A) by redesigning paragraphs (5) and (6) as paragraphs (7) and (8), respectively; and

(B) by inserting after paragraph (4) the following:

"(g) PERSONNEL TRAINING.—A vessel owner, managing operator, or employer of a seafarer (in this subsection referred to as the 'company') shall provide training for all individuals employed by the company for the purpose of responding to incidents of sexual harassment or sexual assault, including—

"(1) such training to ensure the individuals—

"(A) retain audio and visual records and other evidence objectively; and

"(B) act impartially without influence from the company or others; and

"(2) training on applicable Federal, State, Tribal, and local laws and regulations relating to sexual assault and sexual harassment investigations and reporting requirements.

"(h) DEFINITION OF OWNER.—In this section, the term 'owner' means the owner, charterer, managing operator, master, or other individual in charge of a vessel.'';

(c) CLERICAL AMENDMENT.—The analysis of subtitle II at the beginning of title 46, United States Code, is amended by adding after the item relating to chapter 47 the following:

"CHAPTER 49—OCEANGOING NONPASSENGER COMMERCIAL VESSELS'';

SEC. 5608. MASTER KEY CONTROL.

(a) IN GENERAL.—Chapter 31 of title 46, United States Code, is amended by adding at the end of the following:

"§ 3106. Master key control system.

"(a) IN GENERAL.—The owner of a vessel subject to inspection under section 3301 shall—

"(1) ensure that such vessel is equipped with a vessel master key control system, manual or electronic, which provides control access to all copies of the vessel's master key of which access shall only be available to the individuals described in paragraph (2);

"(2) establish a list of all crew members, identified by position, allowed to access and use the master key; and

"(B) maintain such list upon the vessel with other vessel records and in the vessel safety management system under section 3203(a)(6);

"(3) record in a log book, which may be electronic or manual, and shall be maintained in the vessel safety management system under section 3203(a)(6), information on all access and use of the vessel's master key, including—

"(A) dates and times;

"(B) the room or location accessed; and

"(C) the name and rank of the crew member that used the master key; and

"(d) make the list available—

"(2) training on applicable Federal, State, local, or Tribal law or regulation and for which all appeals have been exhausted, as applicable; or

"(e) LIMITATIONS ON VIDEO AND AUDIO RECORDS.—The owner of a vessel to which this section applies shall provide clear and conspicuous signs on board the vessel notifying the crew of the presence of video and audio surveillance equipment.

"(f) RETENTION REQUIREMENTS.—The owner of a vessel to which this section applies shall retain all records of audio and video surveillance for not less than 4 years after the footage is obtained. Any video and audio surveillance is subject to inspection under section 3301.

"(g) PERSONNEL TRAINING.—A vessel owner, managing operator, or employer of a seafarer (in this subsection referred to as the 'company') shall provide training for all individuals employed by the company for the purpose of responding to incidents of sexual harassment or sexual assault, including—

"(1) such training to ensure the individuals—

"(A) retain audio and visual records and other evidence objectively; and

"(B) act impartially without influence from the company or others; and

"(2) training on applicable Federal, State, Tribal, and local laws and regulations relating to sexual assault and sexual harassment investigations and reporting requirements.

"(h) DEFINITION OF OWNER.—In this section, the term 'owner' means the owner, charterer, managing operator, master, or other individual in charge of a vessel.'';
(2) by redesignating subsections (b) and (c) as subsections (d) and (e), respectively; and
(3) by inserting after subsection (a) the following:
"(b) PROCEDURES AND TRAINING REQUIREMENTS.—In prescribing regulations for the procedures and training requirements described in subsection (a), such procedures and requirements shall be consistent with the requirements to report sexual harassment or sexual assault under section 10104.

(2) CONTENTS—
(i) IN GENERAL.—Upon discovery of a failure of a responsible person or vessel to comply with a requirement under section 10104 during a safety management system or from other sources of information acquired by the Coast Guard (including an audit, review, or investigation conducted under section 10104(e)), the Secretary shall conduct an audit of the safety management system of a vessel under this section to determine if there is a failure to comply with any other requirement under section 10104.

(2) REVOCATION.—At the conclusion of an audit of a safety management system required under paragraph (1), the Secretary shall revoke the Safety Management Certificate issued for the vessel under section 3205 if the Secretary determines—
(i) that the holder of the Safety Management Certificate knowingly, or repeatedly, failed to comply with section 10104; or
(ii) that other failure of the safety management system resulted in the failure to comply with such section.

(2) DOCUMENTS OF COMPLIANCE—
(A) IN GENERAL.—Following an audit of the safety management system of a vessel required under paragraph (1), the Secretary may audit the safety management system of the responsible person for the vessel.

(B) SUSPENSION.—During an audit under subparagraph (A), the Secretary may suspend the Safety Management Certificate issued for the vessel under section 3205 if the Secretary determines—
(i) that the holder of the Safety Management Certificate knowingly, or repeatedly, failed to comply with section 10104; or
(ii) other failure of the safety management system resulted in the failure to comply with such section.

(C) REVOCATION.—At the conclusion of an assessment or an audit of a safety management system under subparagraph (A), the Secretary shall revoke the Document of Compliance issued to the responsible person if the Secretary determines—
(i) that the holder of the Document of Compliance knowingly, or repeatedly, failed to comply with section 10104; or
(ii) that other failure of the safety management system resulted in the failure to comply with such section.

SEC. 5610. REQUIREMENT TO REPORT SEXUAL ASSAULT AND ASSAULT. Section 10104 of title 46, United States Code, is amended by striking subsections (a) and (b) and inserting the following:
"(a) REQUIREMENT REPORTING BY VESSEL OWNER, MASTER, MANAGING OPERATOR, OR EMPLOYER.—
(1) IN GENERAL.—A vessel owner, master, or managing operator of a documented vessel or the employer of a seafarer on that vessel shall report to the Commandant in accordance with subsection (b) any complaint or incident that involves a sexual assault or sexual assault involving a crew member in violation of employer policy or law of which such vessel owner, master, managing operator, or employer of the seafarer is made aware. Such reporting shall include results of any investigation into the incident, if applicable, and any action taken against the offending crew member.

(2) PENALTY.—A vessel owner, master, or managing operator of a documented vessel or the employer of a seafarer who fails to comply with subsection (a) shall be liable to the United States Government for a civil penalty of not more than $25,000.

(b) REPORTING PROCEDURES.—
(1) TIMING OF REPORTS BY VESSEL OWNERS, MASTERS, MANAGING OPERATORS, OR EMPLOYERS.—A report required under subsection (a) shall be made immediately after the vessel owner, master, managing operator, or employer of the vessel has knowledge of a sexual assault or sexual harassment incident by the fastest telecommunications channel available. Such report shall be made to the Commandant and the appropriate officer or agency of the government of the country in whose waters the incident occurs.

(2) CONTENTS.—A report required under subsection (a) shall include, to the best of the knowledge of the individual making the report—
(A) the name, official position or role in relation to the vessel, and contact information of the individual making the report;
(B) the name and official number of the documented vessel;
(C) the time and date of the incident;
(D) the geographic position or location of the vessel when the incident occurred; and
(E) a brief description of the alleged sexual harassment or sexual assault being reported.

(3) RECEIVING REPORTS AND COLLECTION OF INFORMATION.—
(A) RECEIVING REPORTS.—With respect to reports submitted under this subsection to the Commandant, the Commandant shall—
(i) establish additional reporting procedures, including procedures for receiving reports through—
(I) a telephone number that is continuously manned at all times; and
(II) an email address that is continuously monitored; and
(ii) shall use procedures that include preserving confidentiality of such reports and providing emergency service referrals.

(B) COLLECTION OF INFORMATION.—After receiving a report under this subsection, the Commandant shall collect information related to the identity of each alleged victim, alleged perpetrator, and witness identified in the report through a means designed to protect, to the extent practicable, the personal identifiable information of such individuals.

(c) SUBPOENA AUTHORITY.—
(1) IN GENERAL.—The Commandant may compel the responses and the production of any evidence by subpoena to determine compliance with this section.

(2) JURISDICTIONAL LIMITS.—The jurisdictional limits of a subpoena issued under this section are the same as, and are enforceable in the same manner as, subpoenas issued under chapter 63 of this title.

(d) COMPASS APPLICATION SUMMARY.—A vessel owner, master, managing operator, or employer of a seafarer that makes a report under subsection (a) shall—
(1) submit to the Commandant a document with detailed information to describe the actions taken by the vessel owner, master, managing operator, or employer of the seafarer after it became aware of the sexual assault or sexual harassment incident; and
(2) make such submission not later than 10 days after a document, vessel owner, managing operator, or employer of a seafarer made the report under subsection (a).

(e) INVESTIGATORY AUDIT.—The Commandant shall periodically perform an audit or other systematic review of the submissions made under this section to determine if there were any failures to comply with the requirements of this section.

(f) CIVIL PENALTY.—A vessel owner, master, managing operator, or employer of a seafarer who fails to comply with subsection (e) is liable to the United States Government for a civil penalty of $50,000 for each day a failure continues.

(2) REQUIREMENTS.—The Commandant may issue regulations to implement the requirements of this section.

(3) REPORTS.—Any report required to be made to the Commandant under this section shall be made to the Coast Guard National Command Center, until regulations establishing other reporting procedures are issued.”.

SEC. 5611. ACCESS TO CARE AND SEXUAL ASSAULT FORENSIC EXAMINATIONS

(a) IN GENERAL.—Subchapter IV of chapter 5 of title 14, United States Code, as amended by section 5211, is further amended by adding at the end the following:

"(1) Access to care and sexual assault forensic examinations

(1) IN GENERAL.—Before embarking on any prescribed voyage, a Coast Guard vessel shall have in place a written operating procedure that ensures that an embarked victim of sexual assault shall have access to a sexual assault forensic examination—
(1) as soon as possible after the victim requests such examination and
(2) that is treated with the same level of urgency as emergency medical care.

(2) REQUIREMENTS.—The written operating procedure required by subsection (a) shall, at a minimum, account for—
(1) the health, safety, and privacy of a victim of sexual assault;
(2) the proximity of ashore or afloat medical facilities, including coordination as necessary with the Department of Defense, in conjunction with other military departments (as defined in section 10101, title 10, United States Code);
(3) the availability of aeromedical evacuation;
(4) the operational capabilities of the vessel concerned;
(5) the qualifications of medical personnel onboard;
(6) coordination with law enforcement and the preservation of evidence;
(7) the means of accessing a sexual assault forensic examination and medical care with a restricted report of sexual assault;
(8) the availability of nonprescription pregnancy prophylactics; and
(9) other unique military considerations.

(b) STUDY.—
(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall seek to enter into an agreement with the National Academy of Sciences under which the National Academy of Sciences shall conduct a study to assess the feasibility of the development of a self-administered sexual assault forensic examination device or test kit for sexual assault onboard a vessel at sea.

(2) ELEMENTS.—The study under paragraph (1) shall—
(A) take into account—
(i) the safety and security of the alleged victim of sexual assault;
(ii) the ability to properly identify, document, and preserve any evidence relevant to the allegation of sexual assault; and

(iii) the applicable criminal procedural laws, evidentiary rules, preservation of evidence, chain of custody, and any other matter relating to evidentiary admissibility; and

(b) provide for appropriate recommendation for changes to existing laws, regulations, or employer policies.

(3) REPORT.—Upon completion of the study under subsection (a), the National Commission on the Prevention of Sexual Harassment of the House of Representatives and the Secretary of the Department in which the Coast Guard is operating shall report on the findings of the study.

(c) PERSPECTIVAL AMENDMENT.—The analysis for chapter IV of chapter 101 of title 14, United States Code, as amended by section 5211, is further amended by adding at the end the following:

"§ 565. Access to care and sexual assault forensic examinations.

SEC. 5612. REPORTS TO CONGRESS.

(a) In General.—Chapter 101 of title 46, United States Code, is amended by adding at the end the following:

"§ 10105. Reports to Congress.

''(1) An analysis of the methods, standards, and processes used by the Department of Defense Office of Inspector General and the inspectors general of the armed forces (as defined in section 101 of title 10, United States Code), other than the Coast Guard, to conduct oversight and investigation activities.

''(2) An analysis of the methods, standards, and processes used by the Department of Homeland Security Office of Inspector General and the Department of the Treasury, Department of Justice, and the Committee on Transportation and Infrastructure of the House of Representatives a report to include—

''(i) the number of reports received under section 10104;

''(ii) the number of penalties issued under such section;

''(iii) the number of open investigations under such section, completed investigations under such section, and the outcomes of such open or completed investigations;

''(iv) the number of assessments or audits conducted under section 3203 and the outcomes of those assessments or audits;

''(v) a statistical analysis of compliance with the safety management system criteria under section 3203;

''(vi) the number of credentials denied or revoked due to sexual harassment, sexual assault, or other offenses, as applicable;

''(vii) recommendations to support efforts of the Coast Guard to improve investigations and oversight of sexual harassment and sexual assault in the maritime sector, including funding requirements and legislative change proposals necessary to ensure compliance with title LVI of the Coast Guard Authorization Act of 2022 and the amendments made by such title;''.

(b) CEREMONIAL AMENDMENT.—The analysis for chapter 101 of title 46, United States Code, is amended by adding at the end the following:

"10105. Reports to Congress.

SEC. 5615. STUDY ON COAST GUARD OVERSIGHT AND INVESTIGATIONS.

(a) In General.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall commence a study to assess the oversight over Coast Guard activities, including investigations, personnel management, whistleblower protection, and other activities carried out by the Department of Homeland Security Office of Inspector General.

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

(1) An analysis of the ability of the Department of Homeland Security Office of Inspector General and the Committee on Transportation and Infrastructure of the House of Representatives to conduct oversight and investigation activities.

(2) An analysis of the methods, standards, and processes employed by the Department of Defense Office of Inspector General and the inspectors general of the armed forces (as defined in section 101 of title 10, United States Code), other than the Coast Guard, to conduct oversight and investigation activities.

(3) An analysis of the methods, standards, and processes of the Department of Homeland Security Office of Inspector General with respect to oversight over the civilian and military members of the Coast Guard and any other matter relating to the Coast Guard.

(4) An analysis of the methods, standards, and processes of the Department of Homeland Security Office of Inspector General with respect to oversight over the civilian and military members of the Coast Guard.


(6) A description of the staffing, expertise, training, and other resources of the Department of Homeland Security Office of Inspector General, and an assessment as to whether such staffing, expertise, training, and other resources meet the requirements necessary for meaningful, timely, and effective oversight over the Coast Guard.

(c) REPORT.—Not later than 1 year after commencing the study required by subsection (a), the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the study, including recommendations with respect to oversight over Coast Guard activities.

(d) OTHER REVIEWS.—The study required by subsection (a) shall include reviews of recently completed or ongoing reviews by the Comptroller General or other entities, as applicable.

SEC. 5616. STUDY ON SPECIAL VICTIMS' COUNSEL PROGRAM.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of the Department in which the Coast Guard is operating shall enter into an agreement with a federally funded research and development center for the conduct of a study on—

(1) the Special Victims' Counsel program of the Coast Guard;

(2) Coast Guard investigations of sexual assault, with recommendations for changes to existing laws, regulations, or employer policies.

(b) REQUIREMENTS.—The study required by subsection (a) shall assess the following:

(1) The Special Victims' Counsel program of the Coast Guard, including training, effectiveness, capacity to handle the number of cases referred, and experience with cases involving members of the Coast Guard and members of another armed force (as defined in section 101 of title 10, United States Code).

(2) The experience of Special Victims' Counsel programs in representation of the Coast Guard during a court-martial.

(3) Policies concerning the availability and detailing of Special Victims' Counsel for sexual assault allegations, in particular sexual assault allegations in which the accused is a member of another armed force (as defined in section 101 of title 10, United States Code), and the impact that the cross-service relationship had on—

(A) the competence and sufficiency of services provided to the accused victim;

(B) the interaction between—

(1) the investigating agency and the Special Victims' Counsel; and

(2) the prosecuting entity and the Special Victims' Counsel.

(4) Training provided to, or made available for, Special Victims' Counsel and paralegals with respect to Department of Defense procedures governing sex crimes involving Special Victims' Counsel programs and Special Victims' Counsel representation of sexual assault victims.

(5) The ability of Special Victims' Counsel to operate independently without undue influence from third parties, including the command of the accused, the command of the victim, the Judge Advocate General of the Coast Guard, and the Judge Advocate General of the United States Navy, including the Judge Advocate General of the Air Force.

(6) The skill level and experience of Special Victims' Counsel, as compared to Special Victims' Counsel available to members of the Army, Navy, Air Force, Marine Corps, and Space Force.

(7) Policies regarding access to an alternate Special Victims' Counsel, if requested by the member of the Coast Guard concerned, and potential improvements for such policies.

(c) REPORT.—Not later than 180 days after entering into an agreement under subsection (a), the federally funded research and development center shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes—

(1) the findings of the study required by that subsection;

(2) recommendations to improve the coordination, training, and other elements of Special Victims' Counsel of the Coast Guard so as to improve outcomes for members of the
(33 U.S.C. 3001 et seq.) is amended by adding
a commercial mariner or mariner serving
in a temporary promotion position who
shall submit to the committees specified in
section (a) shall include consideration of—
(A)Except as provided by subparagraph
(b), the records of ratings shall be
maintained by the Administration who has
the necessary expertise to serve in the engineering,
deck, steward, electronic technician, or survey de-
partment."
(b) CLERICAL AMENDMENT.—The table of
contents in section 1 of the Act entitled "An
Act to authorize the Hydrographic Serv-
ces Improvement Act of 1998, and for other
purposes'' (Public Law 107–372) is amended by
inserting the item relating to section 223 and
striking the item relating to section 223 and
inserting the following:
"SEC. 223. SEPARATION OF ENSIGNS AFTER 3 YEARS
OF SERVICE.
(a) IN GENERAL.—Section 223 of the Na-
tional Oceanic and Atmospheric Administra-
cion Commissioned Officer Corps Act of 2002
(33 U.S.C. 3023) is amended by striking "may not be
given" and inserting the following: "may—"
"(1) be given only to an individual who is
a citizen of the United States; and
(2) not be given—"
(b) RETIREMENT OF REQUIREMENT TO PRO-
MOTE ENSIGNS AFTER 3 YEARS OF
SERVICE.
"If an officer in the permanent grade of en-
sign is at any time found not fully qualified,
the officer’s commission shall be revoked
and the officer shall be separated from
the Administration who has the necessary
means an individual employed on a vessel of
this section, the term 'professional mariner'
shall include—"
(b) CLERICAL AMENDMENT.—The table of
contents in section 1 of the Act entitled "An
Act to reauthorize the Hydrographic Serv-
ces Improvement Act of 1998, and for other
purposes'' (Public Law 107–372) is amended by
inserting the item relating to section 223 and
striking the item relating to section 223 and
inserting the following:
"SEC. 223. SEPARATION OF ENSIGNS FOUND NOT
FULLY QUALIFIED.
"(1) be given only to an individual who is
a citizen of the United States; and
(2) not be given—"
(b) RETIREMENT OF REQUIREMENT TO PROM-
OTE ENSIGNS AFTER 3 YEARS OF
SERVICE.
"If an officer in the permanent grade of en-
sign is at any time found not fully qualified,
the officer’s commission shall be revoked
and the officer shall be separated from
the Administration who has the necessary
means an individual employed on a vessel of
this section, the term 'professional mariner'
shall include—"
(b) CLERICAL AMENDMENT.—The table of
contents in section 1 of the Act entitled "An
Act to authorize the Hydrographic Serv-
ces Improvement Act of 1998, and for other
purposes'' (Public Law 107–372) is amended by
inserting the item relating to section 223 and
striking the item relating to section 223 and
inserting the following:
"SEC. 223. SEPARATION OF ENSIGNS FOUND NOT
FULLY QUALIFIED.
"(1) be given only to an individual who is
a citizen of the United States; and
(2) not be given—"
(b) RETIREMENT OF REQUIREMENT TO PROM-
OTE ENSIGNS AFTER 3 YEARS OF
SERVICE.
"If an officer in the permanent grade of en-
sign is at any time found not fully qualified,
the officer’s commission shall be revoked
and the officer shall be separated from
The term “Property” means the parcel of real property consisting of approximately 2.4 acres, including tidelands, that is owned by United States agencies consensually recognized appraisal standards, in accordance with nationally recognized appraisal standards, including—
(A) the Uniform Appraisal Standards for Federal Land Acquisitions; and
(B) the Uniform Standards of Professional Appraisal Practice.

(b) PRIME.—The factors described in this section may be construed to affect or modify any treaty or other provision of law, any proceeds from a conveyance of the Property under this section shall—
(1) be deposited in an account or accounts of the National Oceanic and Atmospheric Administration to be used as of the date of the enactment of this Act; and
(2) to affect or modify any treaty or other right of any Tribal government.

DIVISION L—OCEANS AND ATMOSPHERE

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Sec. 5603. Establishment of National Oceanic and Atmospheric Administration.

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Sec. 5608. Definitions to ocean and coastal mapping program of the National Oceanic and Atmospheric Administration.

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TITLE LV—MARINE MAMMAL RESEARCH AND RESPONSE

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Sec. 5503. Stranding or entanglement response agreements.

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TITLE LVII—WILDFIRE AND FIRE WEATHER PREPAREDNESS

Sec. 5701. Short title.

Sec. 5702. Definitions.

Sec. 5703. Establishment of fire weather services program.

Sec. 5704. National Oceanic and Atmospheric Administration data management.

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Sec. 5706. High-performance computing.

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Sec. 5708. Fire weather testbed.

Sec. 5709. Fire weather surveys and assessments.

Sec. 5710. Incident Meteorologist Service.

Sec. 5711. Augmented surface observing system.

Sec. 5712. Emergency response activities.

Sec. 5713. Government Accountability Office report on interagency wildfire forecasting, prevention, planning, and management bodies.
“(7) monitoring and responding to severe bleaching or mortality events, disease outbreaks, invasive species outbreaks, and significant maritime accidents, including chemical spills and the removal of grounded vessels; and

“(8) conducting scientific research that contributes to the understanding, sustainable use, and long-term conservation of coral reefs;

“(9) enhancing public awareness, understanding, and appreciation of coral reefs and coral reef ecosystems; and

“(10) centrally archiving, managing, and distributing data sets and coral reef ecosystem assessments and publishing such information on publicly available internet websites, by means such as leveraging and partnering with existing data repositories, of—

“(A) the Coral Reef Conservation Program of the National Oceanic and Atmospheric Administration; and

“(B) the Task Force.

“(c) FEDERAL AGENCIES SPECIFIED.—A Federal agency specified in this subsection is one of the following:

“(1) The National Oceanic and Atmospheric Administration.

“(2) The National Park Service.

“(3) The United States Fish and Wildlife Service.

“(4) The Office of Insular Affairs.

“SEC. 204. NATIONAL CORAL REEF RESILIENCE STRATEGY.

“(a) In general.—The Administrator shall—

“(1) not later than 2 years after the date of the enactment of the Restoring Resilient Reefs Act of 2022, develop a national coral reef resilience strategy; and

“(2) periodically thereafter, but not less frequently than once every 15 years (and not less frequently than once every 5 years, in the case of guidance on best practices under subsection (b)(1)), review and revise the strategy as appropriate.

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

“(1) A discussion addressing—

“(A) continuing and emerging threats to the resilience of United States coral reef ecosystems;

“(B) remaining gaps in coral reef ecosystem research, monitoring, and assessment;

“(C) the status of management cooperation and integration among Federal reef managers and covered reef managers; and

“(D) the status of efforts to manage and disseminate critical information, and enhance interjurisdictional data sharing, related to research, reports, datasets, and maps;

“(2) short- and mid-term coral reef conservation and restoration objectives within the jurisdiction of the manager;

“(3) estimated budgetary and resource considerations necessary to carry out the plan;

“(4) contingencies for response to and recovery from emergencies and disasters; and

“(5) Tools, strategies, and partnerships necessary to identify, monitor, and address pollution and water quality impacts to coral reef ecosystems within the jurisdiction of the manager.

“(c) CONSULTATIONS.—In developing all elements of the strategy required by subsection (a), the Administrator shall—

“(1) consult with the Secretary of the Interior, the Task Force, covered States, and covered Commonwealth entities;

“(2) consult with the Secretary of Defense, as appropriate;

“(3) engage stakeholders, including covered States, coral reef stewardship partnerships, reef research coordination institutes and research centers designated under section 214, and recipients of grants under section 215, and solicits public review and comment regarding scoping and the draft strategy.

“(d) SUBMISSION TO CONGRESS; PUBLICATION.—The Administrator shall—

“(1) submit the strategy required by subsection (a) by a Federal reef manager that the plan is consistent with the national coral reef resilience strategy in effect under section 204.

“(2) publish the strategy and any such revisions to the strategy, and:—

“(A) improve natural coral recruitment;

“(B) prevent avoidable losses of corals and the status of management cooperation and integration among Federal reef managers and covered reef managers; and

“(C) the status of efforts to manage and disseminate critical information, and enhance interjurisdictional data sharing, related to research, reports, datasets, and maps.

“(2) areas of special focus, which may include—

“(i) improving natural coral recruitment;

“(ii) preventing avoidable losses of corals and the status of management cooperation and integration among Federal reef managers and covered reef managers; and

“(iii) enhancing the resilience of coral populations;

“(iv) supporting a resilience-based management approach;

“(v) developing, coordinating, and implementing watershed management plans;

“(vi) building and sustaining watershed management capacity at the local level;

“(vii) providing data essential for coral reef fisheries management;

“(vii) building capacity for coral reef fisheries management;

“(ix) increasing understanding of coral reef ecosystem services;

“(x) educating the public on the importance of coral reefs, threats and solutions; and

“(x) evaluating intervention efficacy; and

“(F) the status of conservation efforts, including the use of marine protected areas to serve as replenishment zones developed consistent with local practices and traditions and the scientific, technical, and management expertise and responsibilities of, covered reef managers;

“(G) science-based adaptive management and restoration efforts; and

“(H) management of coral reef emergencies and disasters.

“(2) A statement of national goals and objectives designed to guide—

“(A) future Federal coral reef management and restoration activities authorized under section 205, including guidance on the science-based practices under subsection (b)(1), and the development of coral reef action plans under section 205, including guidance on the science-based practices under subsection (b)(1), and the science-based adaptive management framework to inform research, monitoring, and assessment needs.

“(B) Tools, strategies, and partnerships necessary to identify, monitor, and address pollution and water quality impacts to coral reef ecosystems within the jurisdiction of the manager.

“(C) the status of efforts to improve coral reef ecosystem management cooperation and integration between Federal reef managers and covered reef managers, including the identification of existing research and monitoring activities that can be leveraged for coral reef status and trends assessments within the jurisdiction of the manager.

“(d) CONSULTATIONS.—In developing all elements of the strategy required by subsection (a), the Administrator shall—

“(1) consult with the Secretary of the Interior, the Task Force, covered States, and covered Commonwealth entities;

“(2) consult with the Secretary of Defense, as appropriate;

“(3) engage stakeholders, including covered States, coral reef stewardship partnerships, reef research coordination institutes and research centers designated under section 214, and recipients of grants under section 215, and solicits public review and comment regarding scoping and the draft strategy.

“(d) SUBMISSION TO CONGRESS; PUBLICATION.—The Administrator shall—

“(1) submit the strategy required by subsection (a) by a Federal reef manager to the Task Force, and maintain a coral reef action plan to guide management and restoration activities to be undertaken within the jurisdiction of the manager.

“(2) EFFECTIVE PERIOD.—A plan prepared under this subsection shall remain in effect for 5 years, or until an updated plan is submitted to the Task Force, whichever occurs first.

“(3) ELEMENTS.—A plan prepared under paragraph (1) by a covered reef manager shall contain a discussion of—

“(i) short- and mid-term coral reef conservation and restoration objectives within the jurisdiction of the manager;

“(ii) estimated budgetary and resource considerations necessary to carry out the plan;

“(iii) in the case of an updated plan, annual records of significant management and restoration actions taken under the previous plan, cash and non-cash resources used to undertake the actions, and the source of such resources; and

“(iv) contingencies for response to and recovery from emergencies and disasters; and

“(B) a coral reef action plan.

“(B) a current adaptive management framework to inform research, monitoring, and assessment needs.

“(B) the Task Force.

“SEC. 205. CORAL REEF ACTION PLANS.

“(a) PLANS PREPARED BY FEDERAL REEF MANAGERS.—

“(1) IN GENERAL.—A coral reef manager may elect to prepare, submit to the Task Force, and maintain a coral reef action plan to guide management and restoration activities to be undertaken within the jurisdiction of the manager.

“(2) EFFECTIVE PERIOD.—A plan prepared under this subsection shall remain in effect for 5 years, or until an updated plan is submitted to the Task Force, whichever occurs first.

“(3) ELEMENTS.—A plan prepared under paragraph (1) by a covered reef manager shall contain a discussion of—

“(i) short- and mid-term coral reef conservation and restoration objectives within the jurisdiction of the manager;

“(ii) estimated budgetary and resource considerations necessary to carry out the plan;

“(B) a coral reef action plan.

“(B) a current adaptive management framework to inform research, monitoring, and assessment needs.

“(B) the Task Force.

“SEC. 206. DUTY ACT.

“(a) PLANS PREPARED BY FEDERAL REEF MANAGERS.—

“(1) IN GENERAL.—Not later than 3 years after the date of the enactment of the Restoring Resilient Reefs Act of 2022, each Federal reef manager shall—

“(A) prepare a coral reef action plan to guide management and restoration activities to be undertaken within the responsibilities and jurisdiction of the manager; or

“(B) in the case of a reef under the jurisdiction of a Federal reef manager for which there is a management plan in effect as of such date of enactment, update that plan to guide management and restoration actions taken under the previous plan.

“(2) ELEMENTS.—A plan prepared under paragraph (1) by a Federal reef manager shall include a discussion of the following:

“(A) A short-term coral reef conservation and restoration objectives within the jurisdiction of the manager;
(iii) tools, strategies, and partnerships necessary to identify, monitor, and address pollution and water quality impacts to coral reef ecosystems within the jurisdiction of the Harvesting and Processing Division; and
(iv) a data management plan to ensure data, assessments, and accompanying information are appropriately preserved, curated, published, and broadly reusable.

(c) TECHNICAL ASSISTANCE.—The Administrator and the Task Force shall make all reasonable efforts to provide technical assistance to a Federal reef manager or covered reef manager developing a coral reef action plan under this section.

(2) The Administrator shall publish each coral reef action plan prepared and submitted to the Task Force under this section on publicly available internet websites.

(1) the Coral Reef Conservation Program of the National Oceanic and Atmospheric Administration; and
(2) the Task Force.

SEC. 206. CORAL REEF STEWARDSHIP PARTNER- SHIPS.

(a) In General.—To further the community-based stewardship of coral reefs, coral reef stewardship partnerships for Federal and non-Federal coral reefs may be established with this section.

(b) STANDARDS AND PROCEDURES.—The Administrator shall develop and adopt—

(1) standards for identifying individual coral reefs and ecologically significant units of coral reefs; and
(2) processes for adjudicating multiple applicants for stewardship of the same coral reef or ecologically significant unit of a reef to ensure no geographic overlap in representation among stewardship partnerships authorized by this section.

(c) RESTRICTING FUND FOR FEDERAL CORAL REEFS.—A coral reef stewardship partnership that has identified, as the subject of its stewardship activities, a coral reef or ecologically significant unit of a reef that is fully or partially under the management jurisdiction of any Federal agency specified in section 203(c) shall, at a minimum, include the following:

(1) That Federal agency, a representative of which shall serve as chairperson of the coral reef stewardship partnership.
(2) The national or county’s resource management agency.
(3) A coral reef research center designated under section 214(b).
(4) A nongovernmental organization.
(5) Such other members as the partnership considers appropriate, such as intersted stakeholder groups and covered Native entities.
(6) MEMBERSHIP FOR NON-FEDERAL CORAL REEFS.—

(i) IN GENERAL.—A coral reef stewardship partnership that has identified, as the subject of its stewardship activities, a coral reef or ecologically significant component of a coral reef that is not under the management jurisdiction of any Federal agency specified in section 203(c) shall, at a minimum, include the following:

(A) A State or county’s resource management agency or a covered Native entity, a representative of which shall serve as the chairperson of the coral reef stewardship partnership.
(B) A coral reef research center designated under section 214(b).
(C) A nongovernmental organization.
(D) ADDITIONAL MEMBERS.—In general, subject to subparagraph (B), a coral reef stewardship partnership described in paragraph (1) may also include representatives of one or more Federal agencies.

(1) REQUESTS; APPROVAL.—A representative of a Federal agency described in subsection (a) may become a member of a coral reef stewardship partnership described in paragraph (1) if—

(i) the representative submits a request to become a member of the partnership referred to in paragraph (1)(A); and
(ii) the chairperson consents to the request.

(2) NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. app. 2) does not apply to coral reef stewardship partnerships under this section.

SEC. 207. BLOCK GRANTS.

(a) In General.—The Administrator shall provide block grants of financial assistance to covered States to support management and restoration activities and further the implementation of coral reef action plans in effect under section 205 by covered States and non-Federal coral reef stewardship partnerships in accordance with this section. The Administrator shall review each covered State’s application for block grant funding to ensure that applications are consistent with this section, a covered State’s coral reef management and restoration activities in effect under section 204, and the national coral reef strategy in effect under section 201.

(b) ELIGIBILITY FOR ADDITIONAL AMOUNTS.—

(1) IN GENERAL.—A covered State shall qualify for and receive additional grant amounts beyond the base award specified in subsection (c) if there is at least one coral reef action plan in effect within the jurisdiction of the covered State developed by that covered Federal or non-Federal coral reef stewardship partnership.

(2) WAIVER FOR CERTAIN FISCAL YEARS.—The Administrator may waive the requirement under paragraph (1) during fiscal years 2023 and 2024.

(3) FUNDING FORMULA.—Subject to the availability of appropriations, the amount of each block grant awarded to a covered State under this section shall be the sum of—

(1) a base award of $100,000; and
(2) if the State is eligible under subsection (b)—

(A) an amount that is equal to non-Federal expenditures of up to $3,000,000 on coral reef management and restoration activities within the jurisdiction of the State, as reported within the previous fiscal year; and
(B) an additional amount, from any funds appropriated for grants under this section that remain after distribution under subparagraph (A) and paragraph (1), based on the proportion of the State’s share of total non-Federal expenditures on coral reef management and restoration activities, as reported within the previous fiscal year, in excess of $3,000,000, relative to other covered States.

(c) EXCLUSIONS.—For the purposes of calculating block grant amounts under subsection (a), Federal funds provided to a covered State will not be considered as non-Federal expenditures and the proper documentation of such expenditures shall be considered as qualifying non-Federal expenditures, but non-Federal matching funds used to leverage Federal awards may be considered as qualifying non-Federal expenditures.

(d) RESPONSIBILITIES OF THE ADMINISTRATOR.—The Administrator is responsible for—

(1) providing guidance on qualifying non-Federal expenditures and the proper documentation of such expenditures;
(2) issuing annual solicitations to covered States for awards under this section; and
(3) determining the allocation of additional amounts among covered States in accordance with this section.

(1) RESPONSIBILITIES OF COVERED STATES.—Each covered State is responsible for—

(a) providing documentation of non-Federal expenditures and the proper documentation of such expenditures;
(b) issuing annual solicitations to covered States for awards under this section; and
(c) determining the allocation of additional amounts among covered States in accordance with this section.

(b) FUNDING.—Cooperative agreements under subsection (a) shall provide not less than $500,000 to each covered State and are not subject to any matching requirement.

(c) FUNDING.—The Administrator shall seek to enter into an agreement with the National Fish and Wildlife Foundation (in this section referred to as the ‘‘Foundation’’) authorizing the Foundation to receive, hold, and administer funds received under this section.

(d)技術 assistance.—The Foundation shall de- posit funds received under this section into the Fund.

(e) FUNDING FORMULA.—The Fund shall be available solely to support coral reef stewardship activities that—

(1) are consistent with the national coral reef resilience strategy in effect under section 204; and
(2) are consistent with the national coral reef resilience strategy in effect under section 204.

(f) INVESTMENT OF AMOUNTS.—The Fund shall invest such portion of the Fund as is not required to meet current withdrawing in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.

(g) INTEREST AND PROCEEDS.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to and form a part of the Fund.

(h) REVIEW OF PERFORMANCE.—The Admin- istrator shall conduct a periodic review of the performance of each of the private foundations that the Administrator or the Secretary of the Interior, as applicable, has authorized to receive contributions under this section.

(i) AUTHORIZATION TO SOLICIT DONATIONS.—The Administrator may accept, on behalf of the Foundation, any contributions of money or property.
Foundation may accept, receive, solicit, hold, administer, and use any gift (including, notwithstanding section 1342 of title 31, United States Code, donations of services) to further this title—

(2) DEPOSITS IN FUND.—Notwithstanding section 3362 of title 31, United States Code, any funds received as a gift shall be deposited into the Fund.

(d) ADMINISTRATION.—Under an agreement entered into pursuant to subsection (a), and subject to the availability of appropriations, the Administrator may transfer funds appropriated to carry out this title to the Foundation. Amounts received by the Foundation under this subsection may be used for matching any gift (whether in money, services, or property) made to the Foundation by private persons, State or local government agencies, or covered Native entities.

SEC. 210. EMERGENCY ASSISTANCE.

(a) IN GENERAL.—Notwithstanding any other provision of law, from funds appropriated pursuant to the authorization of appropriations under section 217, the Administrator may provide emergency assistance to any covered State or coral reef stewardship partnership to immediately address coral reefs or coral reef ecosystems arising from any of the exigent circumstances described in subsection (b).

(b) EXIGENT CIRCUMSTANCES.—The Administrator shall develop a list of, and criteria for, circumstances that pose an exigent threat to coral reefs, including—

(1) new and ongoing outbreaks of disease;

(2) new and ongoing outbreaks of invasive or nuisance species;

(3) new and ongoing coral bleaching events;

(4) natural disasters;

(5) industrial or mechanical incidents, such as vessel groundings, hazardous spills, or coastal construction accidents; and

(6) other circumstances that pose an urgent threat to coral reefs.

(c) ANNUAL REPORT ON EXIGENT CIRCUMSTANCES.—On February 1 of each year, the Administrator shall submit to the appropriate congressional committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a report that—

(1) describes locations with exigent circumstances described in subsection (b) that were considered but declined for emergency assistance, and the rationale for the decision; and

(2) with respect to each instance in which emergency assistance under this section was provided—

(A) the location and a description of the exigent circumstances that prompted the emergency assistance, the entity that received the assistance, and the current and expected assistance to the assistance recipient;

(B) a description of activities of the National Oceanic and Atmospheric Administration that were curtailed as a result of providing the emergency assistance; and

(C) in the case of an incident described in subsection (b)(5), a statement of whether legal action was commenced under subsection (c), and the rationale for the decision; and

(D) an assessment of whether further action is needed to restore the affected coral reef, recommendations for such restoration, and a cost estimate to implement such recommendations.

SEC. 211. CORAL REEF DISASTER FUND.

(a) AGREEMENTS.—The Administrator shall enter into an agreement with the National Fish and Wildlife Foundation (in this section referred to as the 'Foundation'), authorizing the Foundation to receive, hold, and administer funds received under this section.

(b) FUND.—

(1) IN GENERAL.—The Foundation shall establish an account, to be known as the 'Coral Reef Disaster Fund' (in this section referred to as the 'Fund').

(2) DEPOSITS.—The Foundation shall deposit funds received under this section into the Fund.

(c) PURPOSES.—The Fund shall be available for long-term recovery of coral reefs from exigent circumstances described in this section—

(A) in partnership with non-Federal stakeholders;

(B) in a manner that is consistent with—

(i) the national coral reef resilience strategy in effect under section 204; and

(ii) coral reef action plans in effect, if any, under section 205.

(d) INVESTMENT OF AMOUNTS.—

(A) INVESTMENT OF AMOUNTS.—The Foundation shall invest such portion of the Fund as is not required to meet current withdrawals in interest-bearing obligations of the United States or in obligations guaranteed as to principal and interest by the United States.

(B) INTEREST AND PROCEEDS.—The interest and proceeds on any obligation of the Fund are deposited in, and become part of, the Fund.

(d) ADMINISTRATION.—Under an agreement entered into under subsection (a), the Administrator shall—

(1) establish a program (to be known as the 'Ruth D. Gates Coral Reef Conservation Grant Program') for providing grants for projects for the conservation and restoration of coral reef ecosystems (in this section referred to as the 'coral reef projects') pursuant to proposals approved by the Administrator in accordance with this section;

(2) MATCHING REQUIREMENTS FOR GRANTS.—

(A) IN GENERAL.—Except as provided in paragraph (3), Federal, non-Federal or local entities may apply for a coral reef project for which a grant is provided under subsection (a) may not exceed 50 percent of the total cost of the project.

(B) NON-FEDERAL SHARE.—The non-Federal share of the cost of a coral reef project may be provided by in-kind contributions and other noncash support.

(c) ELIGIBILITY.—

(1) IN GENERAL.—An entity described in paragraph (1) of this section may apply for a coral reef project if the Administrator determines that the project meets the matching requirement with respect to a coral reef project and the probability that the project will achieve the public interest that is the basis for the matching requirement.

(2) ELIGIBILITY.—An entity described in this paragraph is—

(A) a covered reef manager or a covered Native entity;

(B) a regional fishery management council established under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.); and

(C) a coral reef stewardship partnership seeking to implement a coral reef action plan adopted under paragraph (3) of section 215.
“(4) An estimate of the funds and time required to complete the project; 

“(5) Evidence of support for the project by appropriate representatives of States or other organizations in jurisdictions in which the project will be conducted; 

“(6) Information regarding the source and amount of matching funding available to the applicant; 

“(7) A description of how the project meets one or more of the criteria under subsection (f)(2); 

“(8) In the case of a proposal submitted by a coral reef stewardship partnership, a description of how the project aligns with the application for a coral reef action plan in effect under section 205. 

“(9) Any other information the Administrator considers to be necessary for evaluating paragraph (1) shall be submitted under this subsection. 

“(e) Project Review and Approval.— 

“(1) In general.—The Administrator shall review each coral reef project proposal submitted under this section to determine if the project meets the criteria set forth in subsection (f). 

“(2) Prioritization of Conservation Projects.—The Administrator shall prioritize the awarding of funding for projects that meet the criteria for approval under subparagraphs (A) through (G) of subsection (f)(2) that are proposed to be conducted within priority areas identified for coral reef restoration by the Administrator under the national coral reef resilience strategy in effect under section 204. 

“(3) Prioritization of Restoration Projects.—The Administrator shall prioritize the awarding of funding for projects that meet the criteria for approval under subparagraphs (B) through (L) of subsection (f)(2) that are proposed to be conducted within priority areas identified for coral reef restoration by the Administrator under the national coral reef resilience strategy in effect under section 204. 

“(4) Review, Approval or Disapproval.—Not later than 180 days after receiving a proposal for a coral reef project under this section, the Administrator shall— 

“(A) request and consider written comments (concerning the project proposal from each Federal agency, State government, covered Native entity, or other organization in jurisdictions including the relevant regional fishery management councils established under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), or any National Marine Sanctuary or Marine National Monument, with jurisdiction or management authority over coral reef ecosystems in the area where the project is to be conducted, including the extent to which the project is consistent with locally established priorities, unless such entities were directly involved in the development of the project proposal; 

“(B) provide for the merit-based peer review of the proposal and require standardized documentation for the peer review; 

“(C) after considering any written comments and recommendations based on the reviews under subparagraphs (A) and (B), approve, disapprove, or modify the proposal; and 

“(D) provide written notification of that approval or disapproval, with summaries of all written comments, recommendations, and provisions of the proposal that submitted the proposal, and each of those States, covered Native entity, and other government jurisdiction that provided comments under subparagraph (A). 

“(f) Criteria for Approval.—The Administrator may not approve a proposal for a coral reef project under this section unless the project— 

“(1) is consistent with— 

“(A) the national coral reef resilience strategy in effect under section 204; and 

“(B) any Federal or non-Federal coral reef action plans in effect under section 205 covering the same region or an area where the project is to be conducted; 

“(2) address— 

“(A) addressing conflicts arising from the use of environments near coral reefs or from the use of coral reefs, species associated with coral reefs, and coral products, including providing support consensus-driven, community-based planning and management initiatives for the protection of coral ecosystems; 

“(B) improving compliance with laws that prohibit or regulate the taking of coral products or species associated with coral reefs or the management and control of coral reef ecosystems; 

“(C) designing and implementing networks of real-time water quality monitoring along coral reefs, including data collection related to turbidity, nutrient availability, harmful algal blooms, and plankton assemblages, with an emphasis on coral reefs impacted by agriculture and urban development; 

“(D) promoting ecologically sound navigation and anchorages, including mooring buoy systems to promote enhanced recreational access, near coral reefs; 

“(E) furthering the goals and objectives of coral reef action plans in effect under section 205; 

“(F) mapping the location and distribution of coral reefs and potential coral reef habitat; 

“(G) stimulating innovation to advance the ability of the United States to understand, research, or monitor coral reef ecosystems, or to develop management or adaptation options to conserve and restore coral reef ecosystems; 

“(H) implementing research to ensure the population viability of listed coral species in United States waters as detailed in the population-based recovery criteria included in species-specific recovery plans consistent with the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); 

“(I) developing and implementing cost-effective methods to restore degraded coral reef ecosystems or to create geographically appropriate suitable habitats for native species in suitable waters, including by improving habitat or promoting success of keystone species, with an emphasis on novel restoration strategies and techniques to advance coral reef recovery and growth near population centers threatened by rising sea levels and storm surges; 

“(J) translating and applying coral genomics research to coral reef ecosystem restoration, including research related to traits that promote resilience to increasing ocean temperatures, ocean acidification, coral bleaching, coral diseases, and invasive species; 

“(K) developing and maintaining situ native coral reef propagation sites; or 

“(L) developing and maintaining ex situ coral propagation nurseries and land-based coral research centers to— 

“(i) conserve or augment genetic diversity of native coral populations; 

“(ii) support captive breeding of rare coral species; 

“(iii) enhance resilience of native coral populations to increasing ocean temperatures, ocean acidification, coral bleaching, and coral disease through selective breeding, conditioning, or other approaches that target genes, gene expression, phenotypic traits, or phenotypic plasticity. 

“(g) Funding.—To the extent practicable based upon proposals for coral reef projects submitted to the Administrator, the Administrator shall ensure that funding for grants awarded under this section during a fiscal year is distributed as follows: 

“(1) Not less than 40 percent of funds available shall be awarded for projects in the Pacific Ocean within the maritime areas and zones subject to the jurisdiction or control of the United States. 

“(2) Not less than 40 percent of the funds available shall be awarded for projects in the Atlantic Ocean, the Gulf of Mexico, or the Caribbean Sea within the maritime areas and zones subject to the jurisdiction or control of the United States. 

“(3) Not less than 20 percent of the funds distributed in each region in accordance with paragraphs (1) and (2) shall be made exclusively available to projects that are— 

“(A) submitted or supported by a coral reef stewardship partnership; and 

“(B) consistent with the coral reef action plan in effect under section 205 by such a partnership or the Coral Reef Task Force. 

“(4) Of the funds distributed to support projects in accordance with paragraph (3), not less than 20 percent and not more than 30 percent shall be awarded for projects that are— 

“(a) submitted to or supported by a Federal coral reef stewardship partnership; 

“(b) submitted or supported by the Coral Reef Task Force. 

“(f) Reef Research Coordination Institutes.— 

“(1) Establishment.—The Administrator shall designate 2 reef research coordination institutes for the purpose of advancing and sustaining essential capabilities in coral reef research, one each in the Atlantic and Pacific basins, to be known as the ‘Atlantic Reef Research Coordination Institute’ and the ‘Pacific Reef Research Coordination Institute’, respectively. 

“(2) Membership.—Each institute designated under paragraph (1) shall— 

“(A) conduct federally directed research to fill identified gaps and regional or ecosystem research gaps and improve understanding of, and responses to, continuing and emerging threats to the resilience of United States coral reef ecosystems consistent with the National Coral Reef Resilience Strategy in effect under section 204; 

“(B) support ecological research and monitoring to study the conservation and restoration activities funded by this title on promoting more effective coral reef management and restoration; and 

“(C) through agreements— 

“(i) collaborate directly with governmental resource management agencies, coral reef stewardship partnerships, nonprofit organizations, and other coral reef research centers designated under subsection (b); 

“(ii) assist in the development and implementation of national coral reef resilience strategy under section 204; and 

“(III) coral reef action plans under section 205; 

“(g) Build capacity within non-Federal governmental resource management agencies to establish research priorities and
translate and apply research findings to management and restoration practices; and
(iv) conduct public education and awareness programs for policymakers, resource managers, and the general public on—
(I) coral reefs and coral reef ecosystems;
(II) best practices for coral reef ecosystem management and restoration;
(III) the threats to the sustainability of coral reef ecosystems;
(IV) the threats to the sustainability of coral reef ecosystems.
(b) CORAL REEF RESEARCH CENTERS.—
(1) IN GENERAL.—The Administrator shall—
(A) periodically solicit applications for designation of qualifying institutions in covered States as coral reef research centers; and
(B) designate all qualifying institutions in covered States as coral reef research centers.
(2) QUALIFYING INSTITUTIONS.—For purposes of paragraph (1), an institution is a qualifying institution if the Administrator determines that the institution—
(A) is operated by an institution of higher education or nonprofit marine research organization;
(B) has established management-driven national or regional coral reef research or restoration programs;
(C) developed abilities to coordinate closely with appropriate Federal and State agencies, as well as other academic and nonprofit organizations; and
(D) is engaged in sound navigation and anchoring.
SEC. 215. REPORTS ON ADMINISTRATION.
Not later than 3 years after the date of the enactment of the Restoring Resilient Reefs Act of 2022, and every 2 years thereafter, the Administrator shall submit to the appropriate congressional committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a report on the administration of this title during the 2-year period preceding submission of the report, including—
(1) a description of all activities undertaken to implement the most recent national coral reef resilience strategy under section 204;
(2) a statement of all funds obligated under the authorities of this title; and
(3) a summary, disaggregated by State, of Federal and non-Federal contributions toward the costs of each project or activity funded under this title in part, under the authorities of this title.
SEC. 216. CORAL REEF PRIZE COMPETITIONS.
(a) IN GENERAL.—The head of any Federal agency with a representative serving on the United States Coral Reef Task Force established by Executive Order 13089 (16 U.S.C. 6491) relating to coral reef protection, may, individually or in cooperation with one or more agencies, carry out a program to award prizes competitively under section 24 of the Small Business Innovation Research Act of 1980 (15 U.S.C. 3719).
(b) PURPOSES.—Any program carried out under this section shall be for the purpose of stimulating innovation to advance the ability of the United States to understand, research, or monitor coral reef ecosystems, or to develop management or adaptation options to preserve, sustain, and restore coral reef ecosystems.
(c) PRIORITY PROGRAMS.—Priority shall be given to programs under this section that address communities, environments, or industries that are in distress as a result of the decline or degradation of coral reef ecosystems.
(1) scientific research and monitoring that furthers the understanding of causes behind coral reef decline and degradation and the generally slow recovery following disturbances, including ocean acidification, temperature-related bleaching, disease, and the associated impacts on coral physiology;
(2) the development of monitoring or management options for communities or industries that are experiencing significant financial hardship;
(3) the development of adaptation options to alleviate economic harm and job loss caused by damage to coral reef ecosystems;
(4) the development of measures to help vulnerable communities or industries, with an emphasis on rural communities and businesses; and
(5) the development of adaptation and management options for impacted tourism industries.

(3) in section 217, as redesignated by paragraph (1)—
(A) in subsection (c), by striking “section 204” and inserting “section 213”;
(B) in subsection (d), by striking “under section 207” and inserting “authorized under this title”;
(C) by adding at the end the following:
"(e) BLOOM GRANTS.—The term ‘Bloom Grants’ means a grant that is authorized to be appropriated to the Administrator $10,000,000 for each of fiscal years 2023 through 2027 to carry out section 206.

(f) CITIES.—The Administrator shall provide grants to cities, such as federal or state entities and organizations that provide or support the management of a coral reef ecosystem.

(g) NON-FEDERAL CORAL REEF RESEARCH.—There is authorized to be appropriated to the Administrator $1,000,000,000 for each of fiscal years 2023 through 2027 for grants under this section.

(h) the development of measures to help communities or industries that are in distress as a result of the decline or degradation of coral reef ecosystems.

(i) the development of measures to help vulnerable communities or industries, with an emphasis on rural communities and businesses; and

(j) the development of adaptation and management options for impacted tourism industries.

SEC. 218. DEFINITIONS.
In this title:
(1) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of the National Oceanic and Atmospheric Administration.
(2) ALASKA NATIVE CORPORATION.—The term ‘Alaska Native Corporation’ has the meaning given the term ‘Native Corporation’ in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602).
(3) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives.
(4) THE CONSERVATION.—The term ‘conservation’ means the use of methods and procedures necessary to preserve or sustain native corals and associated species as diverse, viable, and self-perpetuating coral reef ecosystems with minimal impacts from invasive species, including—
(A) all activities associated with resource management, including monitoring, management, conservation, protection, restoration, sustainable use, management of habitat, and maintenance or augmentation of genetic diversity;
(B) mapping;
(C) scientific expertise and technical assistance in the development and implementation of management strategies for marine protected areas and marine resources consistent with the National Marine Sanctuaries Act (16 U.S.C. 1431 et seq.) and the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.);
(D) law enforcement;
(E) conflict resolution initiatives;
(F) community outreach and education; and
(G) promotion of safe and ecologically sound navigation and anchoring.
(5) CORAL.—The term ‘coral’ means species of the phylum Cnidaria, including—
(A) all species of the orders Antipatharia (black corals), Scleractinia (stony corals), Alcyonacea (soft corals, organ pipe corals, gorgonians), and Helioporacea (blue coral), of the class Anthozoa; and
(B) all species of the order Anthoathecata (fire corals and other hydrocorals) of the class Hydrozoa.
(6) CORAL PRODUCTS.—The term 'coral products' means any living or dead specimens, parts, or derivatives, or any product containing specimens of any type, of any species referred to in paragraph (5).
(7) CORAL REEF.—The term ‘coral reef’ means calcium carbonate structures in the form of a reef or reef complex, whole or in part by living coral, skeletal remains of coral, crustose coralline algae, and other associated sessile marine plants and animals.
(8) COVERED REEF MANAGER.—The term ‘covered reef manager’ means—
(A) a reef management or protected area management authority of a Federal agency or partnership.
(9) COVERED STATE.—The term ‘covered State’ means Florida, Hawaii, and the territories of American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, Puerto Rico, and the United States Virgin Islands.
(10) COVERED REEF MANAGER.—
(A) a management unit of a covered State with jurisdiction over a coral reef ecosystem; or
(B) a covered State.
(11) COVERED REEF STEWARDSHIP PARTNERSHIP.—
(A) a covered reef stewardship partnership under section 206(d).
(13) FEDERAL REEF MANAGER.—
(A) in general.—The term ‘Federal reef manager’ means—
(vi) a management unit of a Federal agency specified in subparagraph (B) or (C) to coral reef management jurisdiction over a coral reef ecosystem; or
(ii) a coral reef stewardship partnership under section 206(c).
(B) FEDERAL AGENCIES SPECIFIED.—A Federal agency specified in this subparagraph is one of the following:
(1) The National Oceanic and Atmospheric Administration.
(2) The National Park Service.
(3) The United States Fish and Wildlife Service.
(4) The Office of Insular Affairs.
(C) AGENCY JURISDICTION.—Nothing in this Act shall be construed to expand the management authority of a Federal agency specified in subparagraph (B) or (C) to coral reef or coral reef ecosystems outside the boundaries of the jurisdiction of the agency or partnership.
(14) INSTITUTION OF HIGHER EDUCATION.—The term ‘institution of higher education’ includes any public or private institution that confers degrees at the baccalaureate level or higher, and any public or private institution that awards certificates, or degrees at any level, including—
(i) the National Institute of Higher Education.
(15) INTERESTED STAKEHOLDER GROUPS.—The term ‘interested stakeholders’ includes—
(A) interested stakeholders in the management or protection of coral reef ecosystems; and
(B) other parties that may be interested in, or affected by, the management or protection of coral reef ecosystems.
entities, Federal, State, and local government units with related jurisdiction, institutions of higher education, and nongovernmental organizations.

(15) The Secretary.—The term ‘Secretary’ means the United States Coral Reef Task Force (in this subtitle referred to as the ‘Task Force’).

SEC. 5121. ESTABLISHMENT.

There is established a task force to lead, coordinate, and strengthen Federal Government actions to better preserve, conserve, and restore coral reef ecosystems, to be known as the ‘United States Coral Reef Task Force’ (in this subtitle referred to as the ‘Task Force’).

SEC. 5122. DUTIES.

The duties of the Task Force shall be—

(1) to coordinate, in cooperation with covered States, covered Native entities, Federal reef managers, coastal infrastructure, coral reef research centers designated under section 214(b) of the Coral Reef Conservation Act of 2000 (as amended by section 5111), and other governmental and nongovernmental parties as appropriate, activities regarding the mapping, monitoring, research, conservation, mitigation, and restoration of coral reefs and related infrastructure.

(2) to monitor and advise regarding implementation of the policy and Federal agency responsibilities set forth in—

(A) Executive Order 13089 (63 Fed. Reg. 32761); relating to coral reef protection; and

(B) the national coral reef resilience strategy developed under section 204 of the Coral Reef Conservation Act of 2000, as amended by section 5111;

(3) to work, in coordination with the other members of the Task Force—

(A) to assess the United States role in international trade and protection of coral species;

(B) to encourage implementation of appropriate management plans to promote strategies of coral protection and sustainable use of coral reef resources worldwide; and

(C) to collaborate with international communities successful in managing coral reefs;

(4) to provide technical assistance for the development and implementation, as appropriate, of—

(A) the national coral reef resilience strategy under section 204 of the Coral Reef Conservation Act of 2000, as amended by section 5111; and

(B) coral reef action plans under section 205 of that Act; and

(5) to produce a report each year, for submission to the appropriate congressional committees and publication on a publicly available internet website of the Task Force, highlighting the status of the coral reef equities of a covered State on a rotating basis, including—

(A) a summary of recent coral reef management and restoration activities undertaken in that State; and

(B) updated information of the direct and indirect economic activity supported by, and other benefits associated with, those coral reef equities.

SEC. 5123. MEMBERSHIP.

(a) VOTING MEMBERS.—The voting members of the Task Force shall be—

(1) the Under Secretary of Commerce for Oceans and Atmosphere and the Secretary of Interior, who shall be co-chairs of the Task Force;

(2) such representatives from other Federal agencies, as the co-chairs in consultation with the Under Secretary, determines appropriate; and

(3) the Governor, or a representative of the Governor, of each covered State.

(b) NONVOTING MEMBERS.—The Task Force shall have the following nonvoting members:

(1) a member of the South Atlantic Fishery Management Council who is designated by the Governor of Florida under section 302(b)(1) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852(b)(1));

(2) a member of the Gulf of Mexico Fishery Management Council who is designated by the Governor of Florida under such section.

(3) a member of the Western Pacific Fishery Management Council who is designated under such section and selected as follows:

(A) for the period beginning on the date of the enactment of this Act and ending on December 31 of the calendar year during which such date of enactment occurs, the member shall be selected jointly by the governors of Hawaii, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands.

(B) for each calendar year thereafter, the governors of Hawaii, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands shall, on a rotating basis, take turns selecting the member.

(4) a member of the Caribbean Fishery Management Council who is designated under such section and selected as follows:

(A) for the period beginning on the date of the enactment of this Act and ending on December 31 of the calendar year during which such date of enactment occurs, the member shall be selected jointly by the governors of Puerto Rico and the United States Virgin Islands.

(B) for each calendar year thereafter, the governors of Puerto Rico and the United States Virgin Islands shall, on an alternating basis, take turns selecting the member.

(5) a member appointed by the President of the Federated States of Micronesia.

(6) a member appointed by the President of the Republic of the Marshall Islands.

(7) a member appointed by the President of the Republic of Palau.

(c) NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEES.—(a) In general.—A member of the Task Force described in section 5123(a) shall—

(1) identify the actions of the agency that member represents that may affect coral reef ecosystems;

(2) utilize the programs and authorities of that agency to protect and enhance the conditions of such ecosystems, including through the promotion of basic and applied scientific research;

(3) collaborate with the Task Force to appropriately reflect budgetary needs for coral reef conservation and restoration activities in all agency budget planning and justification documents and processes; and

(4) engage in any other coordinated efforts approved by the Task Force.

(b) Co-chairpersons.—In addition to their responsibilities under subsection (a), the co-chairs shall have the authority to coordinate Federal involvement and administer performance of the functions of the Task Force and facilitate the coordination of the members of the Task Force described in section 5123(a).

SEC. 5124. RESPONSIBILITIES OF FEDERAL AGENCIES.

(a) In general.—A member of the Task Force described in section 5123(a) shall—

(1) identify the actions of the agency that member represents that may affect coral reef ecosystems;

(2) utilize the programs and authorities of that agency to protect and enhance the conditions of such ecosystems, including through the promotion of basic and applied scientific research;

(3) collaborate with the Task Force to appropriately reflect budgetary needs for coral reef conservation and restoration activities in all agency budget planning and justification documents and processes; and

(4) engage in any other coordinated efforts approved by the Task Force.

SEC. 5125. WORKING GROUPS.

(a) In general.—The co-chairpersons of the Task Force may establish working groups as necessary to meet the goals and carry out the duties of the Task Force.

(b) Requests from members.—The members of the Task Force may request that the co-chairpersons establish a working group under subsection (a).

(c) Participation by nongovernmental organizations.—The co-chairpersons may allow nongovernmental organizations as appropriate, including academic institutions, conservation groups, and commercial and recreational fishing associations, to participate in a working group established under subsection (a).

SEC. 5126. DEFINITIONS.

(a) In general.—The term ‘appropriate congressional committees’ means—
In this section:

(a) IN GENERAL.—The Secretary of the Interior may provide scientific expertise and technical assistance, and subject to the availability of appropriations, financial assistance for the conservation and restoration of coral reefs consistent with all applicable laws governing resource management in Federal, State, and Tribal waters, including—

(1) the national coral reef resilience strategy in effect under section 204 of the Coral Reef Conservation Act of 2000, as amended by section 5111; and
(2) coral reef action plans in effect under section 205 of that Act, as applicable.

(b) CORAL REEF INITIATIVE.—The Secretary may establish a Coral Reef Initiative Program—

(1) to provide grant funding to support local management, conservation, and protection of coral reef ecosystems in—
(A) coastal areas of covered States; and
(B) Freely Associated States;
(2) to enhance resource availability of National Park Service and National Wildlife Refuge System management units to implement coral reef conservation and restoration activities;
(3) to complement the other conservation and assistance activities conducted under this Act or the Coral Reef Conservation Act of 2000, as amended by section 5111; and
(4) to provide other technical, scientific, and financial assistance and conduct conservation and restoration activities that advance the purposes of this title and the Coral Reef Conservation Act of 2000, as amended by section 5111.

(c) CONSULTATION WITH THE DEPARTMENT OF COMMERCE.—

(1) CORAL REEF CONSERVATION AND RESTORATION ACTIVITIES.—The Secretary of the Interior may consult with the Secretary of Commerce for Oceans and Atmosphere regarding the conduct of any activities to conserve and restore coral reefs and coral reef ecosystems in waters managed under the jurisdiction of the Federal agencies specified in paragraphs (2) and (3) of section 203(c) of the Coral Reef Conservation Act of 2000, as amended by section 5111.

(2) AWARD OF CORAL REEF MANAGEMENT FELLOWSHIP.—The Secretary of the Interior shall consult with the Secretary of Commerce to award the Susan L. Williams Coral Reef Management Fellowship under subtitle D.

(d) INDIAN TRIBES.—Subject to the availability of appropriations, the Secretary of the Interior may enter into cooperative agreements with covered reef managers to fund coral reef conservation and restoration activities in waters managed under the jurisdiction of such managers that—

(1) are consistent with the national coral reef resilience strategy in effect under section 204 of the Coral Reef Conservation Act of 2000, as amended by section 5111; and
(2) support and enhance the success of coral reef management plans in effect under section 205 of that Act.

(e) DEFINITIONS.—In this section:

(1) CONSERVATION, CORAL, CORAL REEF, ETC.—The terms ‘‘conservation’’, ‘‘coral reef’’, ‘‘covered reef manager’’, ‘‘covered State’’, ‘‘restoration’’, and ‘‘State’’ have the meanings given those terms in section 218 of the Coral Reef Conservation Act of 2000, as amended by section 5111.

(2) TRIBE; TRIBAL.—The terms ‘‘Tribe’’ and ‘‘Tribal’’ (as defined in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5310)).

Title II—Bolstering Long-term Understanding and Exploration of the Great Lakes, Oceans, Bays, and Estuaries

SEC. 5201. SHORT TITLE.

This title may be cited as the ‘‘Bolstering Long-term Understanding and Exploration of the Great Lakes, Oceans, Bays, and Estuaries Act’’ or the ‘‘BLUE GLOBE Act’’.

SEC. 5202. PURPOSE.

The purpose of this title is to promote and support—

(1) the monitoring, understanding, and exploration of the Great Lakes, oceans, bays, estuaries, and coasts; and
(2) the collection, analysis, synthesis, and sharing of data related to the Great Lakes, oceans, bays, estuaries, and coasts to facilitate science and operational decision making.

SEC. 5203. SENSE OF CONGRESS.

It is the sense of Congress that Federal agencies should optimize data collection, management, and dissemination, to the extent practicable, to maximize their impact for research, conservation, commercial, regulatory, national security, and educational benefits and to foster innovation, scientific discoveries, the development of commercial products, and the development of sound policy with respect to the Great Lakes, oceans, bays, estuaries, and coasts.

SEC. 5204. DEFINITIONS.

In this title:

(a) ADMINISTRATOR.—The term ‘‘Administrator’’ means the Under Secretary of Commerce for Oceans and Atmosphere in the Department of Commerce, as designated by the Secretary of Commerce for Oceans and Atmosphere.

(b) INDIAN TRIBE.—The term ‘‘Indian Tribe’’ has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(c) Native Hawaiian organization.—The term ‘‘Native Hawaiian organization’’ has the meaning given that term in section 203(d)(3) of the Native Hawaiian Housing Act (25 U.S.C. 5302a).

Title V—Establishment of Fellowship Program

SEC. 5141. SHORT TITLE.

This subtitle may be cited as the ‘‘Susan L. Williams National Coral Reef Management Fellowship Act of 2022’’.

SEC. 5142. DEFINITIONS.

In this subtitle:

(1) ALASKA NATIVE CORPORATION.—The term ‘‘Alaska Native Corporation’’ has the meaning given the term ‘‘Native Corporation’’ in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602).

(2) FELLOW.—The term ‘‘fellow’’ means a National Coral Reef Management Fellow.

(3) FELLOWSHIP.—The term ‘‘fellowship’’ means the National Coral Reef Management Fellowship established in section 5143.

(4) COVERED NATIVE ENTITY.—The term ‘‘covered Native entity’’ means a Native entity of a covered State with interests in a coral reef ecosystem.


(6) NATIVE ENTITY.—The term ‘‘Native entity’’ means any of the following:
(A) An Indian Tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).
(B) An Alaska Native Corporation.
(C) The Department of Hawaiian Home Lands.
(D) The Office of Hawaiian Affairs.
(E) A Native Hawaiian organization (as defined in section 6207 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7607)).

(7) SECRETARY.—The term ‘‘Secretary’’ means the Secretary of Commerce.

SEC. 5143. ESTABLISHMENT OF FELLOWSHIP PROGRAM.

(a) IN GENERAL.—There is established a National Coral Reef Management Fellowship Program.

(b) PURPOSES.—The purposes of the fellowship are—

(1) to encourage future leaders of the United States to develop additional coral reef management capacity in States and local communities with coral reefs;
(2) to provide management agencies of covered States and covered Native entities with highly qualified candidates whose education and work experience meet the specific needs of each covered State or covered Native entity; and
(3) to provide fellows with professional experience in management of coastal and coral reef resources.

SEC. 5144. FELLOWSHIP AWARDS.

(a) IN GENERAL.—There is established a Susan L. Williams National Coral Reef Management Fellowship Program.

(b) PURPOSES.—The purposes of the fellowship are—

(1) to encourage future leaders of the United States to develop additional coral reef management capacity in States and local communities with coral reefs;
(2) to provide management agencies of covered States and covered Native entities with highly qualified candidates whose education and work experience meet the specific needs of each covered State or covered Native entity; and
(3) to provide fellows with professional experience in management of coastal and coral reef resources.

(1) CONSERVATION, CORAL, CORAL REEF, ETC.—The terms ‘‘conservation’’, ‘‘coral reef’’, ‘‘covered reef manager’’, ‘‘covered State’’, ‘‘restoration’’, and ‘‘State’’ have the meanings given those terms in section 218 of the Coral Reef Conservation Act of 2000, as amended by section 5111.

(2) TRIBE; TRIBAL.—The terms ‘‘Tribe’’ and ‘‘Tribal’’ (as defined in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5310)).
(6) in paragraph (6), by striking “‘into Federal” and all that follows and inserting “technical, professional, and tradespeople into Federal career positions.”.

(7) paragraphs (2) through (6) as paragraphs (3) through (7), respectively;

(b) by inserting after paragraph (1) the following:

“(2) whether there is a shortage in the number of individuals with technical or trade-based skillsets or credentials suited to a career in oceanic and atmospheric data collection, processing, satellite production, or satellite operations;”;

(9) by adding at the end the following:

“(9) by adding at the end the following:”;

(c) by striking “Secretary of Commerce” and inserting “Under Secretary of Commerce for Oceans and Atmosphere”;

(d) by striking “Administrator of the National Oceanographic and Atmospheric Administration” and inserting “Secretary of Commerce” and inserting “Under Secretary of Commerce for Oceans and Atmosphere”;

and

(3) by striking “to each committee” and all that follows through “section 302 of this Act” and inserting “the Committee on Commerce, Science, and Transportation of the Senate the Committee on Natural Resources and the Committee on Science, Space, and Technology of the House of Representatives”;

(d) PROGRAM AND PLAN.—Section 305(d) of such Act (33 U.S.C. 886c(d)) is amended—

(1) by striking “the date of the enactment of this Act” and inserting “after the date of the enactment of this Act”;

(2) by striking “Secretary of Commerce” and inserting “Under Secretary of Commerce for Oceans and Atmosphere”;

and

(3) by striking “the value and impact of” and inserting “the value and impact of the Blue Economy”.;

(e) REPORT.—Section 305(c) of such Act (33 U.S.C. 886c(c)) is amended—

(1) by striking “the date of the enactment of this Act” and inserting “after the date of the enactment of this Act”; and

(2) by striking “Secretary of Commerce and inserting “Under Secretary of Commerce for Oceans and Atmosphere”;

(f) by striking “academic partners” and all that follows and inserting “academic partners”;

SEC. 5206. ACCELERATING INNOVATION AT COOPERATIVE INSTITUTES.

(a) FOCUS ON EMERGING TECHNOLOGIES.—The Administration shall consider whether the goals of one or more Cooperative Institutes of the National Oceanic and Atmospheric Administration to include focusing on advancing or applying emerging technologies, which may include—

(1) applied uses and development of real-time and other advanced genetic technologies, including those that emerge from new knowledge important for the stewardship of the Great Lakes, oceans, bays, estuaries, and coasts to the overall economy of the United States; and

(2) deployment of, and improvements to, the durability, maintenance, and other lifecycle concerns of advanced unmanned vehicles; and

(3) supercomputing and big data management, data collected through model outputs, electronic monitoring, and remote sensing;

(b) COORDINATION WITH OTHER PROGRAMS.—If appropriate, the Cooperative Institutes shall work with the Interagency Ocean Observation Committee, the regional associations managed by the National Ocean Observing System, and other ocean observing programs to coordinate technology needs and the transition of new technologies from research to operations.

SEC. 5207. BLUE ECONOMY VALUATION.

(a) MEASUREMENT OF BLUE ECONOMY INDUSTRIES.—In consultation with the heads of other relevant Federal agencies, shall establish a program to improve the collection, aggregation, and analysis of data to measure the value and impact of industries related to the Great Lakes, oceans, bays, estuaries, and coasts on the economy of the United States, including fishing and aquaculture uses, living resources, marine construction, marine transportation, offshore energy development and siting including for renewable energy, offshore mineral production, ship and boat building, tourism, recreation, subsistence, commercial, recreational, and charter fishing, seafood processing, and other fishery-related businesses, aquaculture such as kelp and shellfish, and other industries the Administrator considers appropriate (known as “Blue Economy” industries).

(b) COLLABORATION.—In carrying out subsection (a), the Administrator shall—

(1) work with the Director of the Bureau of Economic Analysis and the heads of other relevant Federal agencies to coordinate technology needs and the transition of new technologies from research to operations,";

(2) by adding at the end the following:

“(B) to the extent possible, the qualified value and impact of the natural capital of the Great Lakes, oceans, bays, estuaries, and coasts with respect to tourism, recreation, natural resources, and cultural heritage, including other indirect values;”;

SEC. 5208. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are to be authorized to carry out this title.

SEC. 5209. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are to be authorized to carry out this title.
Great Lakes resources and provide resources to support Indian Tribe participation in and engagement with Regional Ocean Partnership.

(7) To enable Regional Ocean Partnerships, or designated fiscal management entities of such partnerships, to receive Federal funding to conduct the scientific research, conservation and restoration activities, and priority coordination on shared regional priorities necessary to achieve the purposes described in paragraphs (1) through (6).

SEC. 6003. REGIONAL OCEAN PARTNERSHIPS.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the National Oceanic and Atmospheric Administration.

(2) COASTAL STATE.—The term “coastal state” has the meaning given that term in section 304 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1453).

(3) INDIAN TRIBE.—The term “Indian Tribe” has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(4) REGIONAL OCEAN PARTNERSHIP.—The term “Regional Ocean Partnership” means a Regional Ocean Partnership, a Regional Coastal Partnership, or a Regional Great Lakes Partnership.

(b) REGIONAL PARTNERSHIPS.—

(1) IN GENERAL.—A coastal state may participate in a Regional Ocean Partnership with one or more—

(A) coastal states that share a common ocean or coastal area with the coastal state, without regard to whether the coastal states are contiguous; and

(B) States—

(i) with which the coastal state shares a common watershed; or

(ii) that would contribute to the priorities of the partnership.

(2) GREAT LAKES.—A partnership consisting of one or more coastal states bordering one or more of the Great Lakes may be known as a “Regional Great Lakes Partnership” or a “Regional Great Lakes Partnership”.

(3) APPLICATION.—The Governor of a coastal state or the Governors of a group of coastal states may apply to the Secretary of Commerce for a Regional Ocean Partnership for the partnership to receive designation as a Regional Ocean Partnership if the partnership—

(A) meets the requirements under paragraph (4); and

(B) submits an application for such designation in such manner, in such form, and containing such information as the Secretary may require.

(c) REQUIREMENTS.—A partnership is eligible for designation as a Regional Ocean Partnership by the Secretary under paragraph (3) if the partnership—

(A) is established to coordinate the management of ocean, coastal, and Great Lakes resources among State governments and Indian Tribes;

(B) focuses on the environmental issues affecting the ocean, coastal, and Great Lakes areas of members participating in the partnership;

(C) complements existing coastal and ocean management efforts of States and Indian Tribes, including regional, nationwide, and local projects, on shared regional priorities; and

(D) does not have a regulatory function; and

(E) is not duplicative of an existing Regional Ocean Partnership designated under paragraph (5), as determined by the Secretary.

(5) DESIGNATION OF CERTAIN ENTITIES AS REGIONAL OCEAN PARTNERSHIPS.—Notwithstanding paragraph (3) or (4), the following entities are designated as Regional Ocean Partnerships:

(A) The Gulf of Mexico Alliance, comprised of the States of Alabama, Florida, Louisiana, Mississippi, Texas, and the Federal Government.

(B) The Northeast Regional Ocean Council, comprised of the States of Maine, Vermont, New Hampshire, Massachusetts, Connecticut, and Rhode Island.

(C) The Mid-Atlantic Regional Council on the Ocean, comprised of the States of New York, New Jersey, Delaware, Maryland, and Virginia.

(D) The West Coast Ocean Alliance, comprised of the States of California, Oregon, and Washington and the coastal Indian Tribes therein.

(c) GOVERNING BODIES OF REGIONAL OCEAN PARTNERSHIPS.—

(1) IN GENERAL.—A Regional Ocean Partnership designated under subsection (b) shall have a governing body.

(2) MEMBERSHIP.—A governing body described in paragraph (1)—

(A) shall be comprised, at a minimum, of voting members from each coastal state participating in the Regional Ocean Partnership, designated by the Governor of the coastal state; and

(B) may include such other members as the partnership determines appropriate.

(d) FUNCTIONS.—A Regional Ocean Partnership designated under subsection (b) may perform the following functions:

(1) Promote the conservation and sustainable use of the actions of the agencies of coastal states participating in the partnership with the actions of the appropriate officials of Federal agencies, State governments, and Indian Tribes in developing strategies—

(A) to conserve living resources, increase valuable habitats, enhance coastal resilience and ocean management, promote ecological and economic health, and address other issues related to the shared ocean, coastal, or Great Lakes areas as are determined to be a shared, regional priority by those states; and

(B) to manage regional data portals and develop associated data products for purposes that support the priorities of the partnership.

(2) In cooperation with appropriate Federal and State agencies, Indian Tribes, and local authorities, develop an action plan to carry out coordination goals.

(3) Coordinate and implement priority plans and projects, and facilitate science, research, monitoring, data collection, and other activities that support the goals of the partnership through the provision of grants and contracts under subsection (f).

(4) Engage, coordinate, and collaborate with relevant governmental entities and stakeholders to address ocean and coastal related matters that require interagency or intergovernmental solutions.

(5) Implement outreach programs for public information, education, and participation to foster partnerships of the resources of the ocean, coastal, and Great Lakes areas, as relevant.

(6) Develop and make available, through publications, technical assistance, and other appropriate means, information pertaining to cross-jurisdictional issues being addressed through the coordinated activities of the partnership.

(7) Serve as a liaison with, and provide information to, international counterparts, as appropriate on priority issues for the partnership.

(e) COORDINATION, CONSULTATION, AND ENGAGEMENT.—

(1) IN GENERAL.—A Regional Ocean Partnership designated under subsection (b) shall maintain mechanisms for coordination, consultation, and engagement with the following:

(A) The Federal Government.

(B) Indian Tribes.

(C) Nongovernmental entities, including academic organizations, nonprofit organizations, and private sector entities.

(D) Other federally mandated regional entities, including the Regional HCF Management Councils, the regional associations of the National Integrated Coastal and Ocean Observation System, and relevant Marine Fisheries Commissions.

(2) RULE OF CONSTRUCTION.—Nothing in paragraph (1)(B) may be construed as affecting the requirement to consult with Indian Tribes under Executive Order 13175 (25 U.S.C. 5301 note; relating to consultation and coordination with Indian tribal governments) or any other applicable Federal law or policy.

(f) GRANTS AND CONTRACTS.—

(1) IN GENERAL.—A Regional Ocean Partnership designated under subsection (b) may, in coordination with existing Federal and State management programs, from amounts made available to the partnership by the Administrator or the head of another Federal agency, provide grants and enter into contracts for the purposes described in paragraph (2).

(2) PURPOSES.—The purposes described in this paragraph include any of the following:

(A) Monitoring the water quality and living resources of multi-State ocean and coastal ecosystems and ocean and coastal ecosystems; and

(B) Researching and addressing the effects of natural and human-induced environmental changes on—

(i) ocean and coastal ecosystems; and

(ii) coastal communities.

(C) Developing and executing cooperative strategies that—

(i) address regional data issues identified by the partnership; and

(ii) will result in more effective management of common ocean and coastal areas.

(g) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 5 years after the date of the enactment of this Act, the Administrator, in coordination with the Regional Ocean Partnerships designated under subsection (b), shall submit to Congress a report on the partnerships.

(2) REPORT REQUIREMENTS.—The report required by paragraph (1) shall include the following:

(A) An assessment of the overall status of the work of the Regional Ocean Partnerships designated under subsection (b) by the partnerships;

(B) An assessment of the effectiveness of the partnerships in supporting regional priorities relating to the management of common ocean, coastal, and Great Lakes areas;

(C) An assessment of the effectiveness of the strategies that the partnerships are supporting or implementing, and the extent to which priorities covered by the partnerships are being met through such strategies;

(D) An assessment of how the efforts of the partnerships support the purposes of this Act.

(E) Such recommendations as the Administrator may have for improving—

(i) efforts of the partnerships to support the purposes of this title; and

(ii) strategies to support the purposes of this title in coordination with all relevant Federal and State entities and Indian Tribes.

(F) The distribution of funds from each partnership for each fiscal year covered by the report.

(G) AVAILABILITY OF FEDERAL FUNDS.—In addition to amounts made available to the Regional Ocean Partnerships designated under subsection (b) by the Administrator...
SEC. 5401. SHORT TITLE.
This title may be cited as the "National Ocean Exploration Act".

SEC. 5402. FINDINGS.
Congress makes the following findings:
(1) The health and resilience of the ocean are vital to the security and economy of the United States and to the lives of the people of the United States.
(2) The United States depends on the ocean to regulate weather and climate, to sustain and protect biodiversity, to support maritime shipping, for national defense, and for food, energy, medicine, recreation, and other services essential to the people of the United States;
(3) The prosperity, security, and well-being of the United States depend on successful understanding and stewardship of the ocean;
(4) Interdisciplinary cooperation and engagement among government agencies, research institutions, nongovernmental organizations, States, Indian Tribes, and the private sector are essential for successful stewardship of ocean and coastal environments, national economic growth, national security, and development of agile strategies that develop, promote, and use new technologies;
(5) Ocean exploration can help the people of the United States understand how to be effective stewards of the ocean and serve as catalysts and enablers for other sectors of the economy.
(6) Mapping, exploration, and characterization of the ocean provides basic, essential information that protect and restore the marine environment, stimulate economic activity, and provide security for the United States.
(7) A robust national ocean exploration program supported by a multiplicity of Federal agencies, Indian Tribes, the private sector, nongovernmental organizations, and academia is—
(A) essential to the interests of the United States;
(B) essential to the economy and the health and well-being of all people of the United States and;
(C) critical to reestablish the United States at the forefront of global ocean exploration and stewardship.

SEC. 5403. DEFINITIONS.
In this title:
(1) CHARACTERIZATION.—The term "characterization" refers to activities that provide comprehensive and interpretable information about the physical, chemical, biological, or other characteristics of an area, or any feature or area of interest within the area.
(2) EXPLORATION.—The term "exploration" refers to activities that provide—
(A) a general view of an unknown or poorly understood area of the seafloor, sub-bottom, water column; and
(B) an initial assessment of the physical, chemical, biological, or other characteristics of such an area.
(3) INDIAN TRIBE.—The term "Indian Tribe" has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).
(4) MAPPING.—The term "mapping" refers to activities that provide comprehensive and interpretable information needed to understand seafloor characteristics, such as depth, topography, bathymetry, geologic structure, and benthic flora and fauna.

SEC. 5404. OCEAN POLICY COMMITTEE.
(a) Subsection (g) of section 8932(c) of title 10, United States Code, is amended to read as follows:
"(c) SUBCOMMITTEES.—(1) The Committee shall include—
"(A) a subcommittee to be known as the "Ocean Science and Technology Subcommittee";
"(B) a subcommittee to be known as the "Ocean Resource Management Subcommittee";
"(2) In discharging its responsibilities in support of agreed-upon scientific needs, and to assist in the execution of the responsibilities described in subsection (b), the Committee may delegate responsibilities to the Ocean Science and Technology Subcommittee, the Ocean Resource Management Subcommittee, and the Committee determines appropriate.
"(B) INDUCING ACCESS TO GEOGRAPHICAL DATA FOR MORE EFFICIENT AND INFORMED DECISION MAKING.—
"(1) ESTABLISHMENT OF DOCUMENT SYSTEM.—Section 8932(b) of title 10, United States Code, is amended—
"(A) by inserting at the end of paragraph (3) the following new subparagraph:
"(B) by inserting at the end of paragraph (4)(F) the following new subparagraph:
"(C) by adding at the end of subsection (4) the following new subparagraph:
"(2) ELEMENTS.—Section 8932 of such title is amended—
"(A) by redesigning subsection (h) as subsection (i); and
"(B) by inserting after subsection (g) the following new subsection (h):
"(h) ELEMENTS OF DOCUMENT SYSTEM.—The systems established or designated under subsection (b)(5) may include the following:
"(1) a publicly accessible, centralized digital archive of documents described in subsection (b)(5) that are finalized after the date of the enactment of the National Ocean Exploration Act, including—
"(A) environmental impact statements;
"(B) environmental assessments;
"(C) records of decision; and
"(D) other relevant documents as determined by the lead agency on a project.
"(2) Geospatial data, if any, contained in the documents under paragraph (1).
"(3) A mechanism to retrieve information through geo-tagging tools that can map and integrate relevant geospatial information, such as—
"(A) Ocean Report Tools; and
"(B) the Environmental Studies Program Information System;
"(C) Regional Ocean Partnerships; and
"(D) the Integrated Ocean Observing System.

SEC. 5405. NATIONAL OCEAN MAPPING, EXPLORATION, AND CHARACTERIZATION PROGRAM.
(a) ESTABLISHMENT.—The President shall establish a council, to be known as the "National Ocean Mapping, Exploration, and Characterization Council" (in this section referred to as the "Council").

(b) PURPOSE.—The Council shall—
(1) develop national priorities for ocean mapping, exploration, and characterization; and
(2) coordinate and facilitate activities to advance those priorities.

(c) REPORTING.—The Council shall report to the Ocean Science and Technology Subcommittee of the Ocean Policy Committee established under section 8932(c)(1) of title 10, United States Code.

(d) MEMBERSHIP.—The Council shall be comprised of senior-level representatives from the appropriate Federal agencies and academic, nongovernmental organizations, and academia.

(e) CO-CHAIRS.—The Council shall be co-chaired by—
(1) two senior-level representatives from the National Oceanic and Atmospheric Administration; and
(2) one senior-level representative from the Department of the Interior.

(f) DUTIES.—The Council shall—
(1) set national ocean mapping, exploration, and characterization priorities and strategies;
(2) coordinate and facilitate transparent and sustained partnerships among Federal and State agencies, Indian Tribes, private industry, academia, and nongovernmental organizations to conduct ocean mapping, exploration, and characterization activities and related technology development;
(3) coordinate improved processes for data compilation, management, access, synthesis, and visualization with respect to ocean mapping, exploration, and characterization, with a focus on building on existing ocean data management systems and with appropriate safeguards on the public accessibility of data to protect national security equities, as appropriate;
(4) encourage education, workforce training, and public engagement activities that—
(A) advance interdisciplinary principles that contribute to ocean mapping, exploration, research, and characterization; and
(B) improve public engagement with and understanding of ocean science; and
(5) provide opportunities for underserved populations;
(6) coordinate activities as appropriate with domestic and international ocean mapping, exploration, and characterization initiatives or programs; and
(7) establish and monitor metrics to track progress in achieving the priorities set under paragraph (1).

SEC. 5406. INTERAGENCY WORKING GROUP ON OCEAN EXPLORATION AND CHARACTERIZATION.
(a) ESTABLISHMENT.—The President shall establish a new interagency working group to be known as the "Interagency Working Group on Ocean Exploration and Characterization".

(b) MEMBERSHIP.—The Interagency Working Group on Ocean Exploration and Characterization shall be comprised of senior-level representatives from Federal agencies with ocean exploration and characterization responsibilities.

(c) FUNCTIONS.—The Interagency Working Group on Ocean Exploration and Characterization shall support the Council and the Ocean Science and Technology Subcommittee of the Ocean Policy Committee established under section 8932(c)(1) of title 10, United States Code, on ocean exploration and characterization activities and associated technology development across the Federal Government, State governments, Indian Tribes, private industry, nongovernmental organizations, and academia.

(d) OVERSIGHT.—The Council shall over—
(1) the Interagency Working Group on Ocean Exploration and Characterization established under subsection (g)(1); and

(2) the Interagency Working Group on Ocean Exploration under section 12003 of the Ocean and Coastal Mapping Integration Act (33 U.S.C. 3402).

(3) BRIEFING.—(i) The Administrator shall submit to Congress a plan for an integrated cross-sectoral ocean mapping, exploration, and characterization initiative.

(2) PLAN.—The plan required by paragraph (1) shall—

(A) discuss the utility and benefits of ocean exploration and characterization;

(B) describe national, regional, and coastal mapping, exploration, and characterization priorities;

(C) identify and describe the Federal and federally funded ocean mapping, exploration, and characterization programs;

(D) facilitate and incorporate non-Federal input into national ocean mapping, exploration, and characterization priorities;

(E) facilitate coordination of ocean mapping, exploration, and characterization activities; and

(F) recommend new and existing partnerships among Federal and non-Federal organizations to conduct or support ocean mapping, exploration, and characterization while not reducing benefits from existing mapping, exploration, and characterization activities;

(G) promote new and existing partnerships among Federal and State agencies, Indian Tribes, private industry, academia, and non-Federal organizations to conduct or support ocean mapping, exploration, and characterization activities and technology development needs, including through coordination under section 3 of the Commercial Engagement Through Ocean Technology Act of 2018 (33 U.S.C. 1302) and the National Oceanographic Partnership Program under section 8931 of title 10, United States Code;

(H) develop a transparent and sustained mechanism or office for coordinating data collection, mapping, exploration, and characterization initiatives.

(I) identify and describe the national ocean mapping, exploration, and characterization priorities;

(J) facilitate and incorporate non-Federal input into national ocean mapping, exploration, and characterization priorities;

(K) promote protocols for accepting data, metadata, and characterization data standards, protocols for accepting data, and data and coordination of data collection, compilation, processing, archiving, and dissemination for data related to ocean exploration, and characterization initiatives; and

(L) designate repositories responsible for archiving and managing ocean mapping, exploration, and characterization data;

(P) set forth a timetable and estimated costs for implementation and completion of the plan;

(Q) to the extent practicable, align ocean exploration and characterization efforts with existing programs and identify key gaps; and

(R) identify criteria for determining the optimal frequency of observations.

(4) NOTIFICATION.—(A) In general.—Not later than 1 year after the date of the enactment of this Act, the Council shall develop or update and submit to the appropriate committees of Congress a plan for an integrated cross-sectoral ocean mapping, exploration, and characterization initiative.

(B) Identifying approach.—(1) The Secretary of Commerce, in consultation with the National Oceanic and Atmospheric Administration, shall describe the national ocean mapping, exploration, and characterization priorities established by the Council.

(2) Notwithstanding section 5406(a), the plan described in paragraph (1) shall—

(a) identify the priorities for ocean exploration and characterization initiatives;

(b) provide information on data standards, protocols for accepting data, metadata, and characterization data standards, protocols for accepting data, and data collection, compilation, processing, archiving, and dissemination for data related to ocean exploration, and characterization initiatives; and

(c) designate repositories responsible for archiving and managing ocean mapping, exploration, and characterization data.

(5) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ‘‘appropriate committees of Congress’’ means—

(A) the Committee on Science, Space, and Technology, and the Committee on Armed Services of the Senate; and

(B) the Committee on Natural Resources, the Committee on Commerce, Science, and Transportation, and the Committee on Armed Services of the House of Representatives.
the National Ocean Exploration Act, the Administrator of the National Oceanic and Atmospheric Administration shall develop an outreach strategy to broadly disseminate information on the discoveries made by the program under section 12002."

(2) CLERICAL AMENDMENT.—The table of contents in section (b) of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 991) is amended by striking the item relating to section 12004 and inserting the following:

"Sec. 12004. Education, workforce training, and outreach.

(1) OCEAN EXPLORATION ADVISORY BOARD.—

(1) ESTABLISHMENT.—Section 12005(a)(1) of such Act (33 U.S.C. 3505(a)) is amended by inserting "this" before "part".

(g) AUTHORIZATION OF APPROPRIATIONS.—

(1) In subsection (a), by striking "develop", "developing", and "develops" and inserting "developing", "developed", and "develops".

(b) TECHNICAL AMENDMENT.—Section 12006(c) of such Act (33 U.S.C. 3506(c)) is amended by inserting "this" before "part".

(c) CLERICAL AMENDMENT.—The table of contents in section 12006 of such Act (33 U.S.C. 3506) is amended by striking "this" part and all that follows and inserting "this part $60,000,000 for each of fiscal years 2023 through 2028".

(b) DEFINITIONS.—Such Act is further amended by inserting after section 12006 and section 12007 the following:

"SEC. 12007. DEFINITIONS.

"In this part:

(1) CHARACTERIZATION.—The terms 'characterization', 'characterize', and 'characterizing' refer to activities that provide comprehensive data and interpretations for a specific area of interest of the seafloor, sub-bottom, water column, or hydrologic features, such as water masses and currents, in direct support of specific research, environmental protection, resource management, policymaking, or applied mission objectives.

(2) EXPLORATION.—The term 'exploration', 'exploring', 'explore' and 'exploring' refer to activities that provide—

"(A) a multidisciplinary view of an unknown or poorly understood area of the seafloor, sub-bottom, water column, or other water column.

"(B) an initial assessment of the physical, chemical, geological, biological, archaeological, or other characteristics of such an area.

"(C) MAPPING.—The terms 'map' and 'mapping' refer to activities that provide comprehensive data and interpretations for a specific area of interest of the seafloor, sub-bottom, water column, or hydrologic features, such as depth, topography, bottom type, sediment composition and distribution, underlying geologic structure, and benthic flora and fauna.

(1) CERAMICAL AMENDMENT.—The table of contents in section (b) of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 991) is amended by inserting after the item relating to section 12006 the following:

"Sec. 12007. Definitions.

SEC. 5407. REPEAL.

(a) General.—The NOAA Undersea Research Program Act of 2009 (part II of subtitle A of title XII of Public Law 111–11; 33 U.S.C. 3121 et seq.) is repealed.

(b) CERAMICAL AMENDMENT.—The table of contents in section (b) of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 991) is amended by striking the item relating to part II of subtitle A of title XII of such Act.

SEC. 5408. MODIFICATIONS TO OCEAN AND COASTAL MAPPING PROGRAM OF THE NATIONAL CERAMIC AND ATMOSPHERIC ADMINISTRATION.

(a) ESTABLISHMENT OF PROGRAM.—

(1) IN GENERAL.—Section 12202(a) of the Ocean and Coastal Mapping Integration Act (33 U.S.C. 3501(a)) is amended—

(A) by striking "establish a program to develop a coordinated and integrated national and regional coastal mapping program and maintaining", and inserting "establish and maintain a program to coordinate";

(B) by striking "and plan" and inserting "efforts";

(C) by striking "that enhances" and all that follows and inserting "that—

"(1) enhances ecosystem approaches in decision-making and natural habitat management restoration and conservation, emergency response, and coastal resilience and adaptation;

"(2) establishing research and mapping priorities; and

"(3) supports the siting of research and other platforms; and

"(4) advances ocean and coastal science.

(b) MODIFICATIONS.—Subsection (b) of section 12202 (33 U.S.C. 3501), as redesignated by paragraph (2), is amended—

(A) in the matter preceding paragraph (1), by striking "developing" and inserting "maintaining";

(B) in paragraph (2), by inserting "and for leveraging existing Federal geographic spatial services and_contract vehicles for efficiencies", and inserting "and maintaining";

(C) in paragraph (7), by striking "with coastal state and local government programs", and inserting "with mapping programs, in conjunction with Federal and State agencies, Tribal governments, private industry, academia, and nongovernmental organizations";

(D) in paragraph (8), by striking "of real-time data and the development", and inserting "of tide data and water-level data and the development and dissemination";

(E) in paragraph (9), by striking "; and" and inserting a semicolon;

(F) in paragraph (10), by striking the period at the end and inserting ";" and

(G) by adding at the end the following:

"(1) support—

"(A) the Ocean Science and Technology Subcommittee of the Ocean Policy Committee established under section 8932(c) of title 10, United States Code; and

"(B) the National Ocean Mapping, Exploration, and Characterization Council established under section 5405 of the National Ocean Exploration Act;.

"(2) INTERAGENCY WORKING GROUP ON OCEAN AND COASTAL MAPPING.—

(1) NAME CHANGE.—The Ocean and Coastal Mapping Integration Act (33 U.S.C. 3501 et seq) is amended—

(A) in section 12202 (33 U.S.C. 3501)—

(i) in subsection (a), by striking "Interagency Committees on Ocean and Coastal Mapping" and inserting "Interagency Working Group on Ocean and Coastal Mapping under section 12203"; and

(ii) in subsection (b), as redesignated by subsection (a)(2), by striking "Committee" and inserting "Working Group";

(B) in section 12203 (33 U.S.C. 3502)—

(i) in the section heading, by striking "COMMITTEE" and inserting "WORKING GROUP";

(ii) in subsection (b), in the first sentence, by striking "committee" and inserting "Working Group";

(iii) in subsection (e), by striking "committee" and inserting "Working Group"; and

(iv) in subsection (f) by striking "committee" and inserting "Working Group";

(C) in section 12208 (33 U.S.C. 3507), by amending paragraph (3) to read as follows:

"(3) WORKING GROUP.—The term ‘Working Group’ means the Interagency Working Group on Ocean and Coastal Mapping under section 12203.";

(2) IN GENERAL.—Section 12303(a) of such Act (33 U.S.C. 3502(a)) is amended by striking "not more than 45 days" and inserting "not later than 30 days after the date of the enactment of the National Ocean Exploration Act, shall use the Interagency Working Group on Ocean and Coastal Mapping in existence as of the date of the enactment of such Act to implement section 12203.

(c) MEMBERSHIP.—Section 12203(b) of such Act (33 U.S.C. 3502(b)) is amended—

(A) in the first sentence, by striking "senior" both places it appears and inserting "senior-level";

(B) in the third sentence, by striking "the Minerals Management Service" and inserting "the Bureau of Ocean Energy Management of the Department of the Interior; the Office of the Assistant Secretary, Fish and Wildlife and Parks of the Department of the Interior; and"

(C) by striking the second sentence.

(4) CO-CHAIRS.—Section 12203(c) of such Act (33 U.S.C. 3502(c)) is amended to read as follows:

"(4) CO-CHAIRS.—The Working Group shall be co-chaired by one representative from each of the following:

"(i) the National Oceanic and Atmospheric Administration.

"(ii) The Department of the Interior.

(b) SUBORDINATE GROUPS.—Section 12203(d) of such Act (33 U.S.C. 3502(d)) is amended to read as follows:

"(d) SUBORDINATE GROUPS.—The co-chairs may establish permanent or temporary subcommittees and working groups to appropriate by the Working Group.

(b) MEETINGS.—Section 12203(e) of such Act (33 U.S.C. 3502(e)) is amended by striking "each subcommittee and each working group" and inserting "each subordinate group".

(d) CO-ORDINATION.—Section 12203(f) of such Act (33 U.S.C. 3502(f)) is amended by striking paragraphs (1) through (5) and inserting the following:

"(1) other Federal efforts;

"(2) international mapping activities;

"(3) coastal states;

"(4) coastal Indian Tribes;

"(5) devices acquisition and user groups through workshops, outreach, and other appropriate mechanisms; and

"(6) representatives of nongovernmental entities.

(b) ADVISORY PANEL.—Section 12203 of such Act (33 U.S.C. 3502) is amended by striking subsection (g).

(3) FUNCTIONS.—Section 12203 of such Act (33 U.S.C. 3502), as amended by paragraph (d), is further amended by adding at the end the following:

"(g) SUPPORT FUNCTIONS.—The Working Group shall support the National Ocean Mapping, Exploration, and Characterization Council established under section 5405 of the National Ocean Exploration Act and the Ocean Science and Technology Subcommittee of the Ocean Policy Committee established under section 8932(c) of title 10, United States Code, on ocean mapping activities and associated technology development and implementation across the Federal Government, State and local governments, coastal Indian Tribes, private industry, nongovernmental organizations, and academia.

(10) CERAMICAL AMENDMENT.—The table of contents in section (b) of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 991) is amended by
striking the item relating to section 12203 and inserting the following:

"Sec. 12203. Interagency working group on ocean and coastal mapping.

(c) Biennial Reports.—Section 12204 of the Ocean and Coastal Mapping Integration Act (33 U.S.C. 3503) is amended—

(1) in the matter preceding paragraph (1), by striking "No later than 18 months after the date of enactment of the National Ocean Exploration Act, and biennially thereafter until the completion of the plan described in paragraph (1) of this section," and inserting "Not later than 18 months after the date of the enactment of the National Ocean Exploration Act, and biennially thereafter until the completion of the plan described in paragraph (1) of this section,";

(2) PLAN.—Section 12203 of such Act (33 U.S.C. 3504) is amended—

(A) in the section heading, by striking "PLAN" and inserting "NOAA JNOAT OCEAN AND COASTAL MAPPING PROGRAM";

(B) by striking subsections (a), (b), and (d); and

(C) in subsection (c), by striking "NOAA Joint Ocean and Coastal Mapping Centers.";...

(3) Clerical Amendment.—The table of headings of this section as enacted by the Energy Policy Act of 2005 (Public Law 114-11; 123 Stat. 991) is amended by inserting the item relating to section 12205 and inserting the following:

"Sec. 12205. NOAA joint ocean and coastal mapping centers."

(4) Ocean and Coastal Mapping Federal Funding Opportunity.—The Ocean and Coastal Mapping Integration Act (33 U.S.C. 3501 et seq.) is amended—

(1) by redesignating sections 12206, 12207, and 12208 as sections 12206, 12209, and 12210, respectively; and

(2) by inserting after section 12205 the following:

"Sec. 12206. OCEAN AND COASTAL MAPPING FEDERAL FUNDING OPPORTUNITY."

(a) In General.—Not later than one year after the date of the enactment of the National Ocean Exploration Act, the Administrator shall develop an integrated ocean and coastal mapping Federal funding match opportunity, to be known as the ‘Bremen Oceanographic Institution of Kean University’ in memory of Rear Admiral Richard T. Bremen, within the National Oceanic and Atmospheric Administration with Federal, State, Tribal, local, non-profit, private, academic, or international partners in order to increase the coordinated acquisition, processing, stewardship, and archival of new ocean and coastal mapping data in United States waters.

(b) Rules.—The Administrator shall develop administrative and procedural rules for the ocean and coastal mapping Federal funding match opportunity developed under subsection (a), to include—

(1) specific and detailed criteria that must be met by the applicant, such as a geographic overlap with pre-established priorities, number and type of project partners, benefit to the applicant, coordination with other funding opportunities, and benefit to the public;

(2) determination of the appropriate funding match amounts and mechanisms to use, such as grants, agreements, or contracts; and

(3) other funding award criteria as are necessary or appropriate to ensure that evaluations of proposals and decisions to award funding are made based on objective standards applied fairly and equitably to those proposals.

(c) Geospatial Services and Contract Vehicles.—The Administrator may enter into Federal funding match opportunity agreements with other funding agencies, or individuals to provide geospatial services and contract vehicles using the private sector for acquisition efficiencies.

"Sec. 12207. AGREEMENTS AND FINANCIAL ASSISTANCE."

"(a) Agreements.—The head of a Federal agency that is represented on the Interagency Working Group on Ocean and Coastal Mapping may enter into agreements with any other agency that is so represented to provide, on a reimbursable or nonreimbursable basis, services and associated personnel, and other support services to carry out the purposes of this subtitle.

"(b) Financial Assistance.—The Administrator may make financial assistance awards (grant of cooperative agreements) to any State or subdivision thereof or any public or private organization or individual to carry out the purposes of this subtitle."

(4) Authorization of Appropriations.—Section 12209 of such Act is redesignated by subsection (e)(1), is amended—

(1) in subsection (a), by striking "this subtitle" and all that follows and inserting "product or service produced or disseminated"; and

(2) by inserting "for each of fiscal years 2023 through 2028.";...

(5) Ocean and Coastal Mapping.—Para- graph (5) of section 12210 of such Act, as redesignated by subsection (e)(1), is amended by striking "processing, and management" and inserting "processing, management, mapping, data, interoperation, certification, dissemination".

(6) Coastal Indian Tribe.—Section 12210 of such Act, as redesignated by subsection (e)(1), is amended by adding at the end the following:

"(7) Authorization of Appropriations.—Section 12206 of such Act (33 U.S.C. 3506) is amended—

(1) in the matter preceding paragraph (1), by inserting "precision navigation," after "promote"; and

(2) in paragraph (2), by inserting "and hydrodynamic forecast models" after "nautical information databases.";

(3) Quality Assurance Program.—Section 303(a) of such Act (33 U.S.C. 892a(a)) is amended—

(1) in the matter preceding paragraph (1), by inserting "product produced" and inserting "product or service produced or disseminated";

(4) Authorization of Appropriations.— Section 303(a) of such Act (33 U.S.C. 892a(a)) is amended—
(1) in paragraph (1), by striking "$70,814,000 for each of fiscal years 2019 through 2023" and inserting "$71,000,000 for each of fiscal years 2023 through 2028"; (2) in paragraph (2), by striking "$253,000,000 for each of fiscal years 2019 through 2023" and inserting "$343,000,000 for each of fiscal years 2023 through 2028"; (3) in paragraph (3), by striking "$30,932,000 for each of fiscal years 2019 through 2023" and inserting "$38,000,000 for each of fiscal years 2023 through 2028"; (4) in paragraph (4), by striking "$26,800,000 for each of fiscal years 2019 through 2023" and inserting "$45,000,000 for each of fiscal years 2023 through 2028"; and (5) in paragraph (5), by striking "$30,564,000 for each of fiscal years 2019 through 2023" and inserting "$35,000,000 for each of fiscal years 2023 through 2028".

TITLE LV—MARINE MAMMAL RESEARCH AND RESPONSE

SEC. 5501. SHORT TITLE.

This title may be cited as the “Marine Mammal Research and Response Act of 2022.”

SEC. 5502. DATA COLLECTION AND DISSEMINATION.

Section 312 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1421a) is amended—

(1) in subsection (b)—

(A) in paragraph (1)(A), by inserting “or entanglement” after “stranded”; and

(B) in paragraph (1)(A), by inserting “and inserting “‘strandings and entanglements, including unusual mortality events,’” and inserting “‘(A) data on the stranding event, including

(ii) histopathology;

(iii) microbiology;

(iv) virology; or

(v) parasitology,”;

(C) in paragraph (4), by striking “analyses,” and inserting “analyses,” and inserting the following:

“(D) INFORMATION REQUIRED TO BE SUBMITTED AND COLLECTED.

(1) In general. Under each response to a stranding or entanglement event, the Secretary shall collect (including from any staff of the National Oceanic and Atmospheric Administration that would direct to such an event), and shall require each stranding network participant who responds to that stranding or entanglement to submit to the Administrator of the National Oceanic and Atmospheric Administration or the Director of the United States Fish and Wildlife Service:

(A) data on the stranding event, including NOAA Form 89-861 (OMB #0648-0178), NOAA Form 89-878 (OMB #0648-0178), similar successor forms, or similar information in an appropriate format required by the United States Fish and Wildlife Service for species under its management authority;

(B) supplemental data to the data described in subparagraph (A), which may include, as available, relevant information about

(i) weather and tide conditions;

(ii) offshore human, predator, or prey activity;

(iii) morphometrics;

(iv) behavior;

(v) collected data;

(vi) life history samples; or

(vii) stomach and intestinal contents; and

(C) data and results from laboratory analysis of tissues, which may include, as appropriate and available

(1) histopathology;

(2) virology;

(3) microbiology;

(4) virology; or

(5) parasitology;

(2) in paragraph (2), the Secretary shall develop, and periodically update, a data management and public outreach policy for stranding or entanglement events;

(3) in paragraph (3), by striking “$29,932,000 for each of fiscal years 2019 through 2023” and inserting “$35,000,000 for each of fiscal years 2023 through 2028”;

(4) in paragraph (4), by striking “$26,800,000 for each of fiscal years 2019 through 2023” and inserting “$45,000,000 for each of fiscal years 2023 through 2028”;

(5) in paragraph (5), by striking “$30,564,000 for each of fiscal years 2019 through 2023” and inserting “$35,000,000 for each of fiscal years 2023 through 2028”;

(6) in paragraph (6), by striking “$29,932,000 for each of fiscal years 2019 through 2023” and inserting “$35,000,000 for each of fiscal years 2023 through 2028”;

(7) in paragraph (7), by striking “$26,800,000 for each of fiscal years 2019 through 2023” and inserting “$45,000,000 for each of fiscal years 2023 through 2028”;

(8) in paragraph (8), by striking “$30,564,000 for each of fiscal years 2019 through 2023” and inserting “$35,000,000 for each of fiscal years 2023 through 2028”; and

(9) in subsection (a), by striking the period “for each of fiscal years 2019 through 2023” and inserting “for each of fiscal years 2023 through 2028”.

(2) in subsection (a), by striking the period “for each of fiscal years 2019 through 2023” and inserting “for each of fiscal years 2023 through 2028”, and

(3) in subsection (b)—

(A) in paragraph (1), by striking “and” after “stranding”;

(B) in paragraph (2), by striking the period “for each of fiscal years 2019 through 2023” and inserting “for each of fiscal years 2023 through 2028”;

(C) in paragraph (3), by striking “$29,932,000 for each of fiscal years 2019 through 2023” and inserting “$35,000,000 for each of fiscal years 2023 through 2028”; and

(D) in paragraph (4), by striking “$26,800,000 for each of fiscal years 2019 through 2023” and inserting “$45,000,000 for each of fiscal years 2023 through 2028”.

(3) Availability of Data.—

(A) In general. The Secretary shall develop a program to make information, including any data and metadata collected under paragraphs (3) or (4) of subsection (b) or subsection (c), available to researchers, stranding network participants, and the public—

(i) to improve real-time coordination of response to stranding and entanglement events across geographic areas and between stranding coordinators;

(ii) to identify and quickly disseminate information on potential public health risks;

(iii) to facilitate integrated interdisciplinary research;

(iv) to facilitate peer-reviewed publications;

(v) to archive regional data into a national database for future analyses; and

(vi) for education and outreach activities.

(B) The Secretary shall ensure that any data or metadata collected under subsection (c)—

(i) by staff of the National Oceanic and Atmospheric Administration or the United States Fish and Wildlife Service that responded directly to a stranding or entanglement event is available to the public through the Health MAP and the Observation System not later than 30 days after the date on which that data is submitted to the Secretary; and

(ii) by a stranding network participant that responded directly to a stranding or entanglement event is available to the public through the Health MAP and the Observation System not later than 30 days after the date on which that data is submitted to the Secretary.

(4) Management Policy.—The Secretary, in consultation with the regional stranding networks, shall develop, and periodically update, a data management and public outreach policy established under section 402(c).
‘(1) IN GENERAL.—Subject to the availability of appropriations or other funding, the applicable Secretary shall carry out a grant program, to be known as the ‘John H. Prescott Marine Mammal Rescue and Rapid Response Grant Program’ (referred to in this section as the ‘grant program’), to award grants to eligible stranding network participants or stranding network collaborators, as described in this section, to carry out the purposes of the grant program.

‘(2) PURPOSES.—The purposes of the grant program are to provide for—

(A) the recovery, care, or treatment of sick, injured, or deceased marine mammals;

(B) responses to marine mammal stranding events that require emergency assistance;

(C) the collection of data and samples from living or dead stranded marine mammals for scientific research or assessments regarding marine mammal health;

(D) development of stranding network capacity, including training for emergency response, where facilities do not exist or are sparse.

‘(3) CONTRACT, GRANT, AND COOPERATIVE AGREEMENTS.—

(A) IN GENERAL.—The applicable Secretary shall enter into contracts, grants, or cooperative agreements with any eligible stranding network participant or stranding network collaborator, as described in this section, to carry out the purposes of the grant program.

(B) AMENDMENTS.—The applicable Secretary may amend any contract, grant, or cooperative agreement at any time to—

(i) reflect any changes in the grant program;

(ii) reflect any changes in the priorities or criteria for awarding grants under the grant program.

(C) STRANDINGS.—For the purposes of this section:

(I) the term ‘stranding’ means any entanglement event that—

(i) causes an immediate increase in the cost of a response, recovery, or rehabilitation that is not funded from another source or that results from an entanglement event that—

(I) causes an immediate increase in the cost of a response, recovery, or rehabilitation that is not funded from another source or that results from an entanglement event that—

(II) involves a marine mammal that is out of the normal range for that marine mammal; or

(III) involves a marine mammal that is out of the normal range for that marine mammal; or

(ii) is cyclical or endemic; or

(iii) any episodic stranding, entanglement, or mortality events, except for unusual mortality events, that occurred in any stranding region in the preceding year;

(iv) the size of the marine mammal populations inhabiting a stranding region;

(v) the importance of the region’s marine mammal populations to the well-being of indigenous communities; and

(vi) the conservation of protected, depleted, threatened, or endangered marine mammal species.

(C) TRANSFERS.—For the purposes of this program, priority is to be given to applications focusing on marine mammal strandings.

‘(D) APPLICATION.—To be eligible for a grant under the grant program, a stranding network participant shall—

(A) submit an application in such form and manner as the applicable Secretary prescribes; and

(B) be in compliance with the data reporting requirements of the United States Fish and Wildlife Service for species under its management jurisdiction.

‘(E) ADMINISTRATIVE COSTS AND EXPENSES.—The applicable Secretary shall, in consultation with the Marine Mammal Commission, a representative from each of the stranding regions, and other individuals with a public and private organizations that are actively involved in response, rehabilitation, research, scientific research, marine conservation, and forensic science with respect to stranded marine mammals under that Department’s jurisdiction, develop criteria for awarding grants under their respective grant programs.

‘(F) LIMITATIONS.—

(A) MAXIMUM GRANT AMOUNT.—No grant made under the grant program for a single award may exceed $150,000 in any 12-month period.

(B) UNEXPENDED FUNDS.—Any funds that have been awarded under the grant program but that are unexpended at the end of the 12-month period described in paragraph (A) shall remain available until expended.

(C) JOSEPH R. GERACI MARINE MAMMAL RESCUE AND RAPID RESPONSE FUND.—

‘(1) IN GENERAL.—There is established in the Treasury of the United States an interest-bearing fund, to be known as the ‘Joseph R. Geraci Marine Mammal Rescue and Rapid Response Fund’ (referred to in this section as the ‘Rapid Response Fund’).

‘(2) USE OF FUNDS.—Amounts in the Rapid Response Fund shall be available only for use by the Secretary to provide emergency assistance.

‘(D) AUTHORIZATION OF APPROPRIATIONS.—

‘(1) IN GENERAL.—

(A) AUTHORIZATION OF APPROPRIATIONS.—This subsection is authorized to carry out the grant program $7,000,000 for each of fiscal years 2023 through 2028, to remain available until expended, of which for each fiscal year—

(i) $6,000,000 shall be made available to the Secretary of Commerce; and

(ii) $1,000,000 shall be made available to the Secretary of the Interior.

‘(B) DERIVATION OF FUNDS.—Funds to carry out the activities under this section shall be derived from amounts authorized to be appropriated pursuant to subparagraph (A) that are enacted after the date of enactment of the Marine Mammal Research and Response Act of 2022.

‘(E) ACCEPTANCE OF DONATIONS.—For the purposes of carrying out this section, the Secretary may solicit, accept, receive, hold, use, and dispose of any funds, devices, and requests without any further approval or administrative action.'
SEC. 408A. MARINE MAMMAL HEALTH MONITORING AND ANALYSIS PLATFORM (HEALTH MAP).

(a) IN GENERAL.—Title IV of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1421 et seq.) is amended by inserting after section 408 the following:

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Sec. 408A. Marine Mammal Health Monitoring and Analysis Platform (Health Map).

(a) IN GENERAL.—Not later than 1 year after the date of enactment of the Marine Mammal Research and Response Act of 2022, the Secretary, acting through the Administrator of the National Oceanic and Atmospheric Administration, in consultation with the Secretary of the Interior and the Marine Mammal Commission, shall—

(1) establish a marine mammal health monitoring and analysis platform (referred to in this Act as the ‘Health MAP’);

(2) incorporate the Health MAP into the Observation System; and

(3) make the Health MAP—

(A) publicly accessible through the web portal of the Observation System; and

(B) interoperable with other national data systems or other data systems for management or research purposes, as practicable.

(b) PURPOSES.—The purposes of the Health MAP are—

(1) to promote—

(A) interdisciplinary research among individuals with knowledge and experience in marine mammal science, marine mammal veterinary and husbandry practices, medical science, and oceanography, and with other marine scientists;

(B) timely and sustained dissemination and availability of marine mammal health, stranding, entanglement, and mortality data; and

(C) identification of spatial and temporal patterns of marine mammal mortality, disease, and stranding;

(D) evaluation of marine mammal health in terms of mortality, as well as sublethal marine mammal health impacts;

(E) improved collaboration and forecasting of marine mammal and larger ecosystem health events;

(F) rapid communication and dissemination of information regarding marine mammal strandings that may have implications for human health, such as those caused by harmful algal blooms; and

(G) accessibility of data in a user friendly visual interface for public education and outreach; and

(2) to contribute to an ocean health index that incorporates marine mammal health data.

(c) REQUIREMENTS.—The Health MAP shall—

(1) integrate in situ, remote, and other marine mammal health, stranding, and mortality data, including visualizations and metadata collected by marine mammal stranding networks, Federal, State, local, and Tribal governments, private partners, and academia; and

(2) be designed—

(A) to enhance data and information availability, including data sharing among stranding network participants, scientists, and the public within and across stranding network regions;

(B) to facilitate data and information access across scientific disciplines, scientists, and managers;

(C) to facilitate public access to national and regional marine mammal health, stranding, entanglement, and mortality data, including visualizations and metadata, through the national and regional data portals of the Observation System; and

(D) in cooperation with input from States, and strandings within and across regional marine mammal health data;

(e) CONSIDERATION.—The Administrator of the National Oceanic and Atmospheric Administration shall maintain and update the Health MAP in consultation with the Secretary of the Interior and the Marine Mammal Commission.

(f) CONTRIBUTIONS.—For purposes of carrying out this section, the Secretary may solicit, accept, receive, hold, administer, and use gifts, devises, and bequests without any further approval or administrative action.

(g) T A B LE OF CONTENTS AMENDMENT.—The table of contents in the first section of the Marine Mammal Protection Act of 1972 (Pub. L. 92–522; 86 Stat. 1027) as amended by section 4508(b)(1) is amended by inserting after section 408 the following:

"Sec. 408A. Marine Mammal Health Monitoring and Analysis Platform (Health Map)."

SEC. 5509. REPORTS TO CONGRESS.

(a) IN GENERAL.—Title IV of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1421 et seq.) is amended by inserting after section 408 the following:

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Sec. 408B. Reports to Congress.

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

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

(2) the Committee on Environment and Public Works of the Senate;

(3) the Committee on Natural Resources of the House of Representatives; and

(4) the Committee on Science, Space, and Technology of the House of Representatives.

(b) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of the Marine Mammal Research and Response Act of 2022, the Administrator of the National Oceanic and Atmospheric Administration, in consultation with the Marine Mammal Commission and the Director of the National Ocean Research Leadership Council, shall submit to the appropriate committees of Congress a report describing the status of the Health MAP.

(c) REQUIREMENTS.—The report under paragraph (1) shall include—

(1) a detailed evaluation of the data made publicly available through the Health MAP;

(2) a detailed list of any gaps in data collected pursuant to the Health MAP, a description of the reasons for those gaps, and recommended actions to close those gaps;

(3) an analysis of the effectiveness of using the website of the Observation System as a platform to visualize, archive, and disseminate marine mammal stranding and health data;

(4) a list of publications, presentations, or other relevant work product resulting from, or produced in collaboration with, the Health MAP;

(5) a description of emerging marine mammal health concerns and the accessibility of those concerns to human health;

(6) an analysis of the feasibility of the Observation System being used as an alert system for marine mammal strandings, entanglement events, and unusual mortality events for the stranding network, Observation System partners, Health MAP partners, Federal and State agencies, and local and Tribal governments;

(7) an evaluation of the use of Health MAP data to predict broader ecosystem events and changes that may impact marine mammal or human health and specific examples of proven or potential uses of Observation System data for those purposes; and

(8) recommendations for the Health MAP with respect to—

(i) filling any identified data gaps;

(ii) standards that could be used to improve data quality, accessibility, transmission, interoperability, and sharing;

(iii) any other strategies that would contribute to the effectiveness and usefulness of the Health MAP; and

(iv) the funding levels needed to maintain and improve the Health MAP.

(d) OTHER REPORTS.—The Administrator shall—

(1) IN GENERAL.—Not later than 5 years after the date on which the report required under subsection (b) is submitted, and every 5 years thereafter, the Administrator of the National Oceanic and Atmospheric Administration, in consultation with the Marine Mammal Commission and the Director of the United States Fish and Wildlife Service, shall—

(A) make publicly available a report on the data gap analysis described in paragraph (2); and

(B) provide a briefing to the appropriate committees of Congress concerning that data gap analysis.

(2) REQUIREMENTS.—The data gap analysis under paragraph (1) shall include—

(A) an overview of existing participants within a marine mammal stranding network;

(B) an identification of coverage needs and participant gaps within a network;

(C) an identification of data and reporting gaps from numbers of networks; and

(D) an analysis of how stranding and health data are shared and made available to scientists, academics, State, local, and Tribal governments, and the public.

(e) MARINE MAMMAL RESPONSIVE CAPABILITIES IN THE ARCTIC.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of the Marine Mammal Research and Response Act of 2022, the Administrator of the National Oceanic and Atmospheric Administration, in consultation with the Marine Mammal Commission, shall provide to the appropriate committees of Congress a report describing the status of the Health MAP.

(f) REQUIREMENTS.—The report under paragraph (1) shall include—

(1) a description of the status of the Health MAP;
and Atmospheric Administration, the Director of the United States Fish and Wildlife Service, and the Director of the United States Geological Survey, in consultation with the Marine Mammal Commission, shall:

(A) make publicly available a report describing the response capabilities for sick and injured marine mammals in the Arctic region of the United States, including species covered, response capabilities, facilities and equipment, and data collection and analysis capabilities; and

(B) provide a briefing to the appropriate committees of Congress on that report.

(2) ARCTIC.—The term ‘Arctic’ has the meaning given the term in section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111).

(3) REQUIREMENTS.—The report under paragraph (1) shall—

(A) a description, developed in consultation with the Fish and Wildlife Service of the Department of the Interior, of all marine mammal stranding agreements in place for the Arctic region of the United States, including species covered, response capabilities, facilities and equipment, and data collection and analysis capabilities;

(B) a list of State and local government agencies that have personnel trained to respond to marine mammal strandings in the Arctic region of the United States;

(C) an assessment of potential response and data collection partners and sources of local information and knowledge, including Alaska villages;

(D) an analysis of spatial and temporal trends in marine mammal strandings and unusual mortality events that are correlated with changing environmental conditions in the Arctic region of the United States;

(E) a description of training and other resources needed to meet emerging response requirements in the Arctic region of the United States;

(F) an analysis of oiled marine mammal response and rehabilitation capabilities in the Arctic region of the United States, including personnel, equipment, facilities, training, and husbandry capabilities, and an assessment of factors that affect response and rehabilitation success rates; and

(G) recommendations to address future stranding response needs for marine mammals in the Arctic region of the United States.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the Marine Mammal Protection Act of 1972 (Public Law 92–622; 86 Stat. 1027) (as amended by section 5001(b)) is amended by inserting after the item related to section 408A the following:

“Sec. 498A. Reports to Congress.”

SEC. 5150. AUTHORIZATION OF APPROPRIATIONS. Section 409 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1421g) is amended—

(1) in paragraph (1), by striking “1993 and 1994” and inserting “2023 through 2024’’; and

(2) by striking “1999 and 2003” and inserting “2023 through 2024’’.

SEC. 5151. DEFINITIONS. Section 410 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1421h) is amended—

(1) by redesigning paragraphs (1) through (6) as paragraphs (2), (5), (6), (7), (8), and (9), respectively;

(2) by inserting before paragraph (2) (as so redesignated) the following:

“(A) the term ‘entangle’ or ‘entanglement’ means an event in the wild in which a living marine mammal is—

(1) attached to the marine mammal and is—

(1) in the jurisdiction of the United States, including beaches and shorelines; or

(B) in waters under the jurisdiction of the United States, including any navigable waters;’’;

(3) in paragraph (2) (as so redesignated) by striking “Except as used in section 406, the term”;

(4) by inserting after paragraph (2) (as so redesignated) the following:

“(B) in waters under the jurisdiction of the United States, including beaches and shorelines; or

(C) in waters under the jurisdiction of the United States by integrating relevant capacities of the National Oceanic and Atmospheric Administration, including with the Volcanic Ash Advisory Centers located in Anchorage, Alaska, and Washington, DC, to prepare, post to a publicly available website, and the Marine Mammal Health Monitoring and Analysis Platform established under section 408A(a)(1).’’

(4) the term ‘Observation System’ means the National Integrated Coastal and Ocean Observation System established under section 12304 of the Integrated Coastal and Ocean Observation System Act of 2000 (35 U.S.C. 3603).’’.

SEC. 5152. STUDY ON MARINE MAMMAL MORTALITY. (a) IN GENERAL.—Not later than 12 months after the date of enactment of this Act, the Undersecretary of Commerce for Oceans and Atmosphere shall, in consultation with the Secretary of the Interior and the Marine Mammal Commission, conduct a study evaluating the connections among marine heat waves, frequency and intensity of harmful algal blooms, and habitat degradation, and the impacts of these conditions on marine mammal mortality.

(b) REQUIREMENTS.—The Secretary of Commerce, in consultation with the Secretary of the Interior and the Marine Mammal Commission, shall prepare, post to a publicly available website, and brief the appropriate committees of Congress on a report containing the results of the study described in subsection (a). The report shall identify priority research activities, opportunities for collaboration, and current gaps in effort and resource limitations related to advancing scientific understanding of how ocean heat waves, harmful algal blooms, and habitat degradation impact marine mammal mortality. The report shall include recommendations for policies needed to mitigate and respond to mortality events.

TITLE LVI—VOLCANIC ASH AND FUMES SEC. 5601. SHORT TITLE. This title may be cited as the “Volcanic Ash and Fumes Act of 2023.”

SEC. 5602. AUTHORIZATION TO NATIONAL VOLCANO EARLY WARNING AND MONITORING SYSTEM.

(a) DEFINITIONS.—Section 5001(a) of section 5001 of the John D. Dingell, Jr. Conservation, Management, and Recreation Act (43 U.S.C. 31k) is amended—

(1) by redesignating paragraph (2) as paragraph (3);

(2) by inserting after paragraph (1) the following:

“(2) SECRETARY OF COMMERCE.—The term ‘Secretary of Commerce’ means the Secretary of Commerce, acting through the Under Secretary of Commerce for Oceans and Atmosphere; and

(3) by adding at the end the following:

“(d) IMPLEMENTATION PLAN.—The Secretary of Commerce shall develop and execute a memorandum of understanding with appropriate federal agencies for cooperative support for the activities of the System from the National Oceanic and Atmospheric Administration, including environment observations, modeling, and temporary assignment of personnel to support emergency activities, as necessary or appropriate.”.

(d) MANAGEMENT.—Subsection (b)(3) of such section is amended—

(1) in subparagraph (A), by adding at the end the following:

“(iii) to strengthen the warning and monitoring system.”

(2) by adding at the end the following:

“(E) COLLABORATION.—The Secretary of Commerce shall collaborate with the Secretary to implement activities carried out under this section related to the expertise of the National Oceanic and Atmospheric Administration, including observations and modeling of emissions of gases, aerosols, and ash, atmospheric dynamics and chemistry, and ocean chemistry resulting from volcanic eruptions.”

(e) FUNDING.—Subsection (c) of such section is amended—

(1) in paragraph (1)—

(A) in the paragraph heading, by inserting “, UNITED STATES GEOLOGICAL SURVEY” after “APPROPRIATIONS”;

(B) by inserting “of the United States Geological Survey” after “appropriated”;

(2) by redesigning paragraph (2) as paragraph (3);

(3) by inserting after paragraph (1) the following:

“(2) AUTHORIZATION OF APPROPRIATIONS, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.—There is authorized to be appropriated to the National Oceanic and Atmospheric Administration to carry out this section such sums as may be necessary for the period of fiscal years 2023 through 2024.”;

(4) in paragraph (3), as redesignated by paragraph (2)—

(A) by striking “United States Geological Survey” and inserting “of the United States Geological Survey”;

(B) by inserting “of the United States Geological Survey and the National Oceanic and Atmospheric Administration” after “program”;

(f) IMPLEMENTATION PLAN.—

(1) DEVELOPMENT OF PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Commerce, in consultation with the Secretary of the Interior, shall develop a plan to implement the
amendments made by this Act during the 5-year period beginning on the date on which the plan is developed.

(2) ELEMENTS.—The plan developed under paragraph (1) shall include an estimate of the cost and schedule required for the implementation described in such paragraph.

(3) PUBLIC AVAILABILITY.—Upon completion of the plan developed under paragraph (1), the Secretary of Commerce shall make the plan publicly available.

**TITLE LVII—WILDFIRE AND FIRE WEATHER PREPAREDNESS**

SEC. 5701. SHORT TITLE.

This title may be cited as the “Fire Ready Nation Act of 2022”.

SEC. 5702. DEFINITIONS.

In this title:

(1) ADMINISTRATION.—The term “Administration” means the National Oceanic and Atmospheric Administration.

(2) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

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

(B) the Committee on Science, Space, and Technology of the House of Representatives.

(3) EARTH SYSTEM MODEL.—The term “Earth system model” means a mathematical model containing all relevant components of the Earth, namely the atmosphere, oceans, land, cryosphere, and biosphere.

(4) FIRE ENVIRONMENT.—The term “fire environment” means—

(A) fire behavior and conditions, such as soil moisture, vegetation, topography, snowpack, atmospheric temperature, moisture, and wind, that influence—

(i) fuel and fire behavior; and

(ii) smoke dispersion and transport; and

(B) the associated environmental impacts occurring during and after fire events.

(5) FIRE WEATHER.—The term “fire weather” means the weather conditions that influence the start, spread, character, or behavior of wildfires or fires at the wildland-urban interface and relevant meteorological and chemical phenomena, including air quality, smoke, and meteorological parameters such as relative humidity, air temperature, wind direction, and, atmospheric composition and chemistry, including emissions and mixing heights.

(6) IMPACT-BASED DECISION SUPPORT SERVICES.—The term “impact-based decision support services” means forecast advice and interpretative services that the Administration provides to help core partners, such as emergency managers and public safety officials, make decisions when weather, water, and climate impacts the lives and livelihoods of the people of the United States.

(7) SEASONAL.—The term “seasonal” has the meaning given that term in section 2 of the Weather Research and Forecasting Innovation Act of 2017 (15 U.S.C. 8501).

(8) SECRETARY.—The term “Secretary” means the Secretary of Commerce.

(9) SMOKE.—The term “smoke” means emissions, including the gases and particles released into the air as a result of combustion.

(10) STATE.—The term “State” means a State, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the United States Virgin Islands, the Federated States of Micronesia, the Republic of the Marshall Islands, or the Republic of Palau.

(11) SUBSEASONAL.—The term “subseasonal” has the meaning given that term in section 2 of the Weather Research and Forecasting Innovation Act of 2017 (15 U.S.C. 8501).

SEC. 5703. ESTABLISHMENT OF FIRE WEATHER SERVICES PROGRAM.

(a) In General.—The Under Secretary shall establish and maintain a coordinated fire weather services program among the offices of the Administration in existence as of the date of the enactment of this Act and designated by the Under Secretary.

(b) Program Functions.—The functions of the program established under subsection (a), consistent with the priorities described in section 101 of the Weather Research and Forecasting Innovation Act of 2017 (15 U.S.C. 8513), shall include—

(1) to support readiness, responsiveness, understanding, and overall resilience of the United States to wildfires, fire weather, smoke, and other associated conditions, hazards, and impacts in built and natural environments and at the wildland-urban interface;

(2) to collaboratively develop and disseminate accurate, precise, effective, and timely risk communications, forecasts, watches, and warnings relating to wildfires, fire weather, smoke, and other associated conditions, hazards, and impacts, as applicable, with Federal land management agencies;

(3) to partner with and support the public, Federal, Tribal, and State governments, and academic and local partners through the development of capabilities, impact-based decision support services, and overall service delivery and utility;

(4) to conduct and support research and development of new and innovative models, technologies, techniques, products, systems, processes, and public tools and services to improve understanding of the behavior of wildfires, fire weather, air quality, and the fire environment;

(5) to develop strong research-to-operational and operations-to-research transitions, in order to facilitate delivery of products, services, and tools to operational users and platforms; and

(6) to develop, in coordination with Federal land management agencies and the Armed Forces, as appropriate, impact-based decision support services that operationalize and integrate capabilities described in paragraphs (1) through (5) in order to provide comprehensive impact-based decision support services that encompass the fire environment;

(c) Program Priorities.—In developing and implementing the program established under subsection (a), the Under Secretary shall prioritize—

(1) development of a fire weather-enabled Earth system model and data assimilation system that—

(A) are capable of prediction and forecasting across relevant spatial and temporal timescales;

(B) include variables associated with fire weather, air quality from smoke, and the fire environment;

(C) improve understanding of the connections between fire weather and modes of climate variability; and

(D) incorporate emerging techniques such as artificial intelligence, machine learning, and cloud computing;

(2) advancement of existing and new observational capabilities, including satellite, airborne, and ground-based systems and technologies and social networking and other public information-gathering applications that—

(A) identify—

(i) high-risk pre-ignition conditions;

(ii) conditions that influence fire behavior and spread including those conditions that suppress active fire events; and

(iii) fire risk values;

(B) support real-time notification and monitoring of ignitions;

(C) support observations and data collection of fire weather and fire environment variables, including smoke, for development of the model and systems under paragraph (1); and

(D) support forecasts and advancing understanding and research of the impacts of wildfires on military activities, human health, ecosystems, climate, transportation, and economies; and

(3) development and implementation of advanced and user-oriented impact-based decision tools, science, and technologies that—

(A) ensure real-time and retrospective data, products, and services are findable, accessible, interoperable, usable, informative, further research, and are analysis- and decision-ready;

(B) provide targeted information throughout the fire lifecycle including pre-ignition, detection, forecasting, post-fire, and monitoring phases; and

(C) support early assessment of post-fire hazards, such as air quality, debris flows, mudslides, and flooding.

(d) Program Activities.—In developing and implementing the program established under subsection (a), the Under Secretary may—

(1) conduct relevant physical and social science research and activities in support of the functions described in subsection (b) and the priorities described in subsection (c);

(2) conduct relevant activities, in coordination with Federal land management agencies and Federal science agencies, to assess fuel characteristics, including moisture, loading, and other parameters used to determine fire risk, and outlook and outlook and risk assessments from activities associated with mitigation of and response to wildfires;

(3) support and conduct research that assesses impacts to marine, riverine, and other relevant ecosystems, which may include forest and rangeland ecosystems, resulting from activities associated with mitigation of and response to wildfires;

(4) support and conduct attribution science research relating to wildfires, fire weather, fire risk, smoke, and associated conditions, risks, and impacts;

(5) develop smoke and air quality forecasts, forecasts, guidance, and prescribed burn weather forecasts, and conduct research on the impact of such forecasts on response behavior that minimizes health-related impacts from smoke exposure;

(6) use, in coordination with Federal land management agencies, wildland fire resource...
intelligence to inform fire environment impact-based decision support products and services for safety;
(7) work with Federal agencies to provide data, models, and services known as the ‘‘determinations by such agencies for the implementation of mitigation measures;’’ (8) provide training and support to ensure effective distribution of information, knowledge, and tools from across the Federal Government to support equitable access, cross-sectoral collaboration and innovation, and local planning and decision-making; and
(9) develop standards and practices for the adoption and citation of digital object identifiers for datasets, models, and analytical tools.

(2) COLLABORATION.—In carrying out this subsection, the Under Secretary shall collaborate with such Federal partners and stakeholders as the Under Secretary considers relevant—
(A) to develop standards to pursue maximum interoperability of data, information, knowledge, and tools across the Federal Government, convert historical records into common digital formats, and improve access and usability of data by partners and stakeholders;
(B) to identify and solicit relevant data from Federal and international partners and other relevant stakeholders, as the Under Secretary considers appropriate;
(C) to develop standards and practices for the adoption and citation of digital object identifiers for datasets, models, and analytical tools; and
(D) to ensure that, to the maximum extent possible, data access and distribution is compatible with national security equities.

SEC. 5705. DIGITAL FIRE WEATHER SERVICES PROGRAM.
(a) IN GENERAL.—The Under Secretary shall develop and maintain a comprehensive, centralized, and publicly accessible digital presence designed to promote findability, accessibility, interoperability, usability, and utility of the services, tools, data, and information produced by the program established under section 5703(a).
(b) DIGITAL PLATFORM AND TOOLS.—In carrying out paragraph (a), the Under Secretary shall attempt to ensure the digital platform and tools of the program integrate with existing or emerging technologies from research to operations as applicable to improve the program.

SEC. 5706. GOVERNMENT ACCOUNTABILITY OF FIRE WEATHER TESTBED.
(a) IN GENERAL.—Not later than 3 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the program established under section 5703(a).
(b) ELEMENTS.—The report required by subsection (a) shall—
(1) evaluate the performance of the program by establishing initial baseline capabilities and tracking progress made toward fully operationalizing the functions described in section 5703(b); and
(2) include such other recommendations as the Comptroller General considers appropriate to improve the program.

SEC. 5708. FIRE WEATHER TESTBED.
(a) ESTABLISHMENT OF FIRE WEATHER TESTBED.—The Under Secretary shall establish a fire weather testbed that enables engagement across the Federal Government, State and local governments, academia, private and federally funded research laboratories, the private sector, and end-users in order to evaluate the accuracy and usability of technology, models, fire weather products and services, and other research to accelerate the implementation, transition to operations, and use of new capabilities by the Administration, Federal and land management agencies, and other relevant stakeholders.

(b) UNCREWED AIRCRAFT SYSTEMS.—
(1) IN GENERAL.—The Under Secretary shall—
(A) research and assess the role and potential of uncrewed aircraft systems in improving data collection in support of modeling, observations, predictions, forecasts, and impact-based decision support services;
(B) transition uncrewed aircraft systems technologies from research to operations as applicable; and
(C) coordinate with other Federal agencies that may be developing uncrewed aircraft systems and related technologies to meet the challenges of wildland fire management.

(2) PILOT REQUIRED.—In carrying out paragraph (1), the Under Secretary shall conduct pilots of uncrewed aircraft systems technologies from research to operations as applicable.

(3) PROHIBITION.—
(A) IN GENERAL.—Except as provided under subparagraphs (B) and (C), the Under Secretary may not procure any covered uncrewed aircraft system that is manufactured or assembled by a covered foreign entity, which includes associated elements (consisting of communication links and the components that control the uncrewed aircraft) that are required for the operator to operate safely and efficiently in the national airspace system. The Federal Acquisition Security Council, in coordination with the Secretary of Transportation, shall develop and update a list of associated elements.

(b) INDUSTRY REPORT ON FIRE WEATHER TESTBED.—The Comptroller General of the United States shall submit to Congress a report on the program established under section 5703(a).

(c) SAFETY PROVISIONS.—Nothing in this section shall affect the legal rights of meteorological data collected from fire response and assessment aircraft.

SEC. 5709. HIGH PERFORMANCE COMPUTING.
(a) IN GENERAL.—The Under Secretary shall seek to acquire sufficient high-performance computing resources and capacity for research and development of data infrastructure in support of the program established under section 5703(a).

(b) CONSIDERATIONS.—In acquiring high-performance computing capacity under subsection (a), the Under Secretary shall consider requirements needed for—
(1) conducting research and development;
(2) the translation of research and testbed developments into operations;
(3) capabilities existing in other Federal agencies and the commercial sector; and
(4) skilled workforce development.

SEC. 5710. DATA AVAILABILITY AND MANAGEMENT.
(a) IN GENERAL.—The Under Secretary shall—
(1) make data and metadata generated or collected by the National Oceanic and Atmospheric Administration available, in accordance with chapter 35 of title 44, United States Code, and the Foundation for Evidence-Based Policymaking Act of 2018 (Public Law 115–455; 132 Stat. 5529) and the amendments made by that Act, and preserve and curate such data and metadata, in accordance with section 31 of title 44, United States Code, as amended by section 31 of the Federal Records Act of 1950, in order to maximize use of such data and metadata; and
(2) manage and steward the access, archivial, and preservation activities for the data and metadata described in subparagraph (A) by—
(i) using—

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(C) WAIVER.—The Under Secretary may waive the prohibition under subparagraph (A) on a case-by-case basis—
(i) with the approval of the Secretary of Homeland Security or the Secretary of Defense; and
(ii) upon notification to Congress.

(D) DEFINITIONS.—In this paragraph:
(1) ANNUAL POST-FIRE-WEATHER SEASON SURVEY AND ASSESSMENT.—The term "annual post-fire-weather season survey and assessment" means an activity conducted following the enactment of this Act, and—
(a) the Under Secretary shall conduct the survey and assessment; and
(b) the Under Secretary shall—
(i) evaluate the accuracy and efficacy of physical fire weather forecasting information for each incident included in the survey and assessment; and
(ii) assess and refine performance measures, as needed.
(2) SURVEYS AND ASSESSMENTS FOLLOWING INDIVIDUAL WILDFIRE EVENTS.—The Under Secretary shall—
(a) conduct a post-fire-weather season survey and assessment following individual wildfire events as the Under Secretary determines necessary;
(b) COALITION.—In carrying out activities under this subsection, the Under Secretary shall seek to increase the number of post-wildfire community impact studies, including by surveying individual and collective responses and incorporating other applicable topics of social science research.
(c) ANNUAL BRIEFING.—Not less frequently than once each year, the Under Secretary shall provide a briefing to the appropriate committees of Congress that provides—
(i) an overview of the fire season; and
(ii) an outlook for the fire season for the coming year.

(E) COORDINATION.—In conducting any survey or assessment under this section, the Under Secretary shall coordinate with Federal agencies, Federal science agencies, and the Department of Defense; and with relevant Federal land management agencies, Tribal governments, private entities, and such institutions of higher education as the Under Secretary considers relevant in order to—
(1) improve operations and collaboration; and
(2) optimize data collection, sharing, integration, assimilation, and dissemination.

(F) DATA AVAILABILITY.—The Under Secretary shall make the data and findings obtained from each assessment conducted under this section available to the public in a digital format as soon as practicable after conducting the assessment.

(G) SERVICE IMPROVEMENTS.—The Under Secretary shall make best efforts to incorporate survey and assessment results and recommendations of each assessment conducted under this section into the research and development plan and operations of the Administration.

SEC. 5710. INCIDENT METEOROLOGIST SERVICE.

(a) ESTABLISHMENT.—The Under Secretary shall establish and maintain an Incident Meteorologist Service within the National Weather Service (in this section referred to as the "Service").
(b) INCLUSION OF EXISTING INCIDENT METEOROLOGISTS.—The Service shall include—
(1) existing Incident Meteorologists of the Administration as of the date of the enactment of this Act; and
(2) such incident meteorologists of the Administration as may be appointed after such date.
(c) FUNCTIONS.—The Service shall provide—
(1) on-site impact-based decision support services to Federal, State, Tribal government, and local government emergency response agencies preceding, during, and following wildland fires or other events that threaten system safety, including high-impact and extreme fire weather events; and
(2) support to Federal, State, Tribal government, and local government decision makers, partners, and stakeholders for seasonal planning.
(d) DEPLOYMENT.—The Service shall be deployed—
(1) as determined by the Under Secretary; or
(2) at the request of the head of another Federal agency and with the approval of the Under Secretary.
(e) STAFFING AND RESOURCES.—In establishing and maintaining the Service, the Under Secretary shall identify, acquire, and maintain the staff and resources to meet user needs.
(f) SYMBOL.—In general, the Under Secretary may—
(1) create, adopt, and publish in the Federal Register a symbol for the Service; and
(2) restrict the use of such symbol as appropriate.

(g) SUPPORT FOR INCIDENT METEOROLOGISTS.

(i) IN GENERAL.—The Under Secretary shall—
(1) provide resources, access to real-time fire weather forecasts, training, administrative and logistical support, and psychological counseling or other forms of support as the Under Secretary considers appropriate for the betterment of the emotional and mental health and well-being of incident meteorologists and other employees of the Administration involved with response to high-impact and extreme fire weather events.

SEC. 5711. AUTOMATED SURFACE OBSERVING SYSTEM.

(a) JOINT ASSESSMENT AND PLAN.

(i) IN GENERAL.—The Under Secretary, in collaboration with the Administrator of the Federal Aviation Administration and the Secretary of Defense, shall—
(1) conduct an assessment of resources, personnel, procedures, and activities necessary to maximize the functionality and utility of the automated surface observing system of the United States that identifies—
(I) key system upgrades needed to improve observation quality and utility for weather forecasting, aviation safety, and other uses; and
(II) improvements needed in observations within the planetary boundary layer, including mixing height;
(ii) improvements needed in public accessibility of observations; and
(iii) improvements needed to reduce latency in reporting of observational data;
(iv) relevant data to be collected for the production of forecast guidance related to atmospheric composition, including particulate and air quality data, and aviation safety;
(2) areas of concern regarding operational continuity and reliability of the system, which may include needs for on-call staff, particularly in remote and rural areas and where system failures would have the greatest negative impact to the community; and
(vii) stewardship, data handling, data distribution, and product generation needs arising from upgrading and changing the automated surface observing systems;
(viii) possible solutions for areas of concern identified under clause (vi), including ways to complement or replace backup systems, power and communication system reliability, staffing needs and personnel location, and the acquisition of critical components; and
(ix) research, development, and transition to improved systems needed to support enhanced data collection, quality control, and distribution so that the data are provided to...
models, users, and decision support systems in a timely manner; and
(B) develop and implement a plan that ad-
dresses the findings of the assessment con-
ducted under paragraph (A), including by seek-
ng and allocating resources necessary to
ensure that system upgrades are standard-
ized across the Administration, the Federal
Aviation Administration, and the Depart-
ment of Defense to the extent practicable.
(2) STANDARIZATION.—Any system stand-
ardization implemented under paragraph (1)(B) by
not impede activities to upgrade or improve individual units of the system.
(3) REMOTE AUTOMATIC WEATHER STATION
COORDINATION.—In consultation with the Secre-
tary of Defense; the Secretary of Agriculture; the
Secretary of the Interior; and the Secretary of Com-
merce, the appropriate com-
mitttees of Congress report that—
(A) details the findings of the assessment
required by subparagraph (A) of subsection
(1)(A); and
(B) the plan required by subparagraph (B) of
such subsection.
(2) ELEMENTS.—The report required by
paragraph (1) shall include a detailed assess-
ment of appropriations required—
(A) to address the findings of the assess-
ment required by subparagraph (A) of sub-
section (1)(A); and
(B) to implement the plan required by sub-
paragraph (B) of such subsection.
(3) GOVERNMENT ACCOUNTABILITY OFFICE
REPORT.—Not later than 4 years after the
date of enactment of this Act, the Com-
troller General of the United States shall submit to Congress a report that—
(1) evaluates the functionality, utility, re-
liability, and operational status of the auto-
mated surface observing system across the
Administration for Federal Aviation Ad-
ministration, and the Department of De-
fense;
(2) evaluates the progress, performance, and implemen-
tation status of the plan required by sub-
section (a)(1)(B);
(3) assesses the efficacy of cross-agency collaboration and stakeholder engagement in
carrying out the plan and provides rec-
ommendations to improve such activities;
(4) evaluates the operational continuity and reliability of the system, particularly in remote and
islanded areas where the system failure would have the greatest negative impact to the community, and provides rec-
ommendations to improve such continuity and reliability;
(5) assesses Federal coordination regarding the remote automatic weather station network, air
resource advisors, and other Federal
observing assets used for weather and climate modeling and response activities, and
provides recommendations for improve-
ments; and
(6) includes such other recommendations as the Comptroller General determines are appro-
priate to improve the system.
SEC. 5712. EMERGENCY RESPONSE ACTIVITIES.
(a) In general.—
(1) BASIC PAY.—The term "basic pay" in-
cludes any applicable locality-based com-
parability payment under section 5304 of
section 5 of United States Code, any applicable special rate supplement under section 5305 of
such title, or any equivalent payment under
a similarly compensating law.
(2) COVERED EMPLOYEE.—The term "cov-
ered employee" means an employee of the
Department of Agriculture, the Department
of the Interior, or the Department of Com-
merce.
(3) COVERED SERVICES.—The term "cov-
ered services" means services that are performed
by a covered employee while serving—
(A) as a wildland firefighter or a fire man-
agement response official, including a re-
regional fire director, or for a wildland fire
management official;
(B) as an incident meteorologist accom-
panying a wildland firefighter crew; or
(C) on an incident management team, at
the National Interagency Fire Center, at a
Geographic Area Coordinating Center, or at
an operations center.
(4) PREMIUM PAY.—The term "premium
pay" means premium pay paid under a provi-
sion of law described in the manner preceding
paragraph (1) of section 5547(a) of title 5,
United States Code.
(5) RELEVANT COMMITTEES.—The term "rel-
evant committees" means—
(A) the Committee on Homeland Security
and Governmental Affairs, the Senate;
(B) the Committee on Commerce, Science,
and Transportation of the Senate;
(C) the Committee on Agriculture, Nutri-
tion, and Forestry of the Senate; and
(D) the Committee on Appropriations of
the Senate.
(6) SECRETARY CONCERNED.—The term "Sec-
retary concerned" means—
(A) the Secretary of Agriculture, with re-
spect to an employee of the Department of
Agriculture;
(B) the Secretary of the Interior, with re-
spect to an employee of the Department of
Interior;
(C) the Secretary of Commerce, with re-
spect to an employee of the Department of
Commerce;
(D) the Secretary of the Treasury, with re-
spect to an employee of the Department of
the Treasury; and
(E) the Committee on Energy and Natural
Resources of the Senate.
(b) WAIVER.—
(1) IN GENERAL.—Any premium pay re-
ceived by a covered employee for covered
services shall be disregarded in calculating
the aggregate of the basic pay and premium
pay for the covered employee for purposes of
applying the limitation on premium pay under
section 5547(a) of title 5, United States
Code.
(2) CALCULATION OF AGGREGATE PAY.—Any
pay that is disregarded under paragraph (1)
shall be disregarded in calculating the aggre-
gate pay of the applicable covered employee
for purposes of applying the limitation under
section 5307 of title 5, United States Code,
during calendar year 2023.
(3) LIMITATION.—A covered employee may
not be paid premium pay under this sub-
section if, or to the extent that, the aggre-
gate of the basic pay and premium pay (in-
cluding premium pay for covered services)
of the covered employee for a calendar year
would exceed the rate of basic pay payable
for a position at level II of the Executive
Schedule under section 5313 of title 5, United
States Code, as in effect at the end of that
calendar year.
(4) TREATMENT OF ADDITIONAL PREMIUM
PAY.—If the application of this subsection re-
S6462
result in the payment of additional premium
pay to a covered employee of a type that is
immediately creditable as basic pay for retire-
ment or any other purpose, that additional
premium pay shall not be—
(A) considered to be basic pay of the cov-
ered employee for any purpose; or
(B) used in computing a lump-sum pay-
ment to the covered employee for accumu-
lated and accrued annual leave under section
5547(a) of title 5, United States Code.
(c) EFFECTIVE PERIOD.—This subsection
shall be in effect during calendar year 2023
and apply to premium pay payable during that
year.
(d) AMENDMENT.—Section 5542(a)(5) of title
5, United States Code, is amended by insert-
ing "and—" after "the Department of Commerce," after "Interior;".
(e) PLAN TO ADDRESS NEEDS.—
(1) DEVELOPMENT AND IMPLEMENTATION.—
Not later than the date of March 30, 2023, the Secre-
taries referred to in subsection (a)(6), in con-
sultation with the Director of the Office of
Management and Budget, shall—
(A) jointly identify Federal interagency bodies
that address the needs of the Department of
Agriculture, the Department of the Interior,
and the Department of Commerce, as appli-
cable, to hire, appoint, promote, or train ad-
ditional covered employees who carry out
covered services such that sufficient covered
employees are available throughout each fis-
cal year, beginning in fiscal year 2024, with-
out the need for waivers of premium pay lim-
itations.
(f) SUBMITTAL.—Not later than 30 days
before the date on which the Secretaries imple-
ment the plan developed under paragraph (1), the Secretaries shall submit to the rele-
vant committees a report that—
(A) identifies all Federal interagency bodies
established for the purpose of wildfire fore-
casting, prevention, planning, and manage-
ment (such as wildfire councils, commis-
sions, and workgroups), including—
(i) the Interagency Council for Advance-
ment of Wildland Fire Management and Tech-
ology of the House of Representatives;
(ii) the Interagency Council for Advancing
Wildland Fire Management and Technol-
ogy of the Senate;
(iii) the Committee on Agriculture of the
House of Representatives;
(iv) the Committee on Agriculture of the
Senate; and
(v) the Interagency Council for Advancing
Wildland Fire Mitigation and Manage-
ment Commission;
(B) the National Interagency Fire Center;
(C) the Wildland Fire Management Policy
Committee;
(D) the National Interagency Coordinating
Group; and
(E) the National Predictive Services Over-
Sight Group;
(D) the National Interagency Coordinating
Group;
(E) the Joint Science Fire Program;
(F) the National Interagency Coordination
Center; and
(G) the National Multi-Agency Coordi-
nating Group.
(H) the Mitigation Framework Leadership
Group;
(2) evaluates the roles, functionality, and utility of such interagency bodies; (3) evaluates the progress, performance, and implementation of such interagency bodies; (4) assesses efficacy and identifies potential overlap and duplication of such interagency bodies in carrying out interagency collaboration with respect to wildfire prevention, planning, and management; and (5) includes such other recommendations as the Comptroller General determines are appropriate, and streamlines and improves wildfire forecasting, prevention, planning, and management, including recommendations regarding the interagency bodies for which the addition of the Administration is necessary to improve wildfire forecasting, prevention, planning, and management.

SEC. 5714. ADDENDUM TO INFRASTRUCTURE INVESTMENT AND JOBS ACT RELATING TO WILDFIRE MITIGATION.

The Infrastructure Investment and Jobs Act (Public Law 117–58; 135 Stat. 242) is amended—

(1) in section 7002—

(A) in paragraph (1)—

(i) in subparagraph (J), by striking "" and inserting a semicolon;

(ii) in subparagraph (K), by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following: ""The Committee on Commerce, Science, and Transportation of the Senate; and"

(B) in paragraph (6)—

(i) in subparagraph (B), by striking "" and inserting a semicolon;

(ii) in subparagraph (C), by striking the period at the end and inserting ""; and

(iii) by adding at the end the following: ""The Secretary of Commerce, acting through the Under Secretary of Commerce for Oceans and Atmosphere;""; and

(2) in section 7002(3)(b)(1)(B)—

(A) in the matter preceding clause (i), by striking ""9"" and inserting ""not fewer than 10"";

(B) in clause (i)—

(i) in subparagraph (IV), by striking ""; and"" and inserting a semicolon;

(ii) in subparagraph (V), by adding ""and"" at the end; and

(iii) by adding at the end the following: ""The National Oceanic and Atmospheric Administration."";

(C) in clause (iv), by striking ""; and"" and inserting a semicolon; and

(D) by adding at the end the following: ""the Under Secretary shall consult with the Under Secretary of Commerce for Oceans and Atmosphere to improve coordination, utility of systems and assets, and interoperability of data for smoke prediction, forecasting, and modeling."";

SEC. 5716. COOPERATION; COORDINATION; SUPPORT TO NON-FEDERAL ENTITIES.

(a) COOPERATION.—Each Federal agency shall coordinate with the Under Secretary, as appropriate, in carrying out this title and the amendments made by this title.

(b) COORDINATION.—In meeting the requirements under this title and the amendments made by this title, the Under Secretary shall—

(1) coordinate with the National Wildfire Coordinating Group; and

(2) ensure that the Secretaries determine it to be appropriate, 1 or more representatives from the relevant line offices of the National Oceanic and Atmospheric Administration;

(b) INCLUSIONS.—Coordination carried out under paragraph (1) shall include coordination with—

(A) the National Interagency Fire Center, including the Predictive Services Program that provides impact-based decision support services to the wildland fire community at the Geographic Information Center and the National Interagency Coordinating Center;

(B) the National Wildfire Coordinating Group; and

(C) relevant interagency bodies identified in the report required by section 5713.

(c) CONSULTATION.—In carrying out this subsection, the Under Secretary shall consult with Federal partners.

(d) COORDINATION WITH NON-FEDERAL ENTITIES.—In carrying out the activities under this title and the amendments made by this title, the Under Secretary may provide support to non-Federal entities by making funds and resources available through—

(1) competitive grants;

(2) contracts under the mobility program under subchapter VI of chapter 33 of title 5, United States Code, for any development of impact-based decision support services that relate to wildfire-related activities of the National Oceanic and Atmospheric Administration; and

(3) the program described in section 590 of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Amendments Act of 2020 (35 U.S.C. 851 note prec.).

SEC. 5717. INTERNATIONAL COORDINATION.

(a) IN GENERAL.—The Under Secretary, in consultation with the Secretary of State, may develop collaborative relationships with foreign partners and counterparts to address transboundary issues pertaining to wildfires, air quality, smoke, and associated conditions and hazards or other relevant meteorological phenomena, as appropriate, to facilitate full and open exchange of data and information.

(b) COORDINATION.—In carrying out activities under this section, the Under Secretary shall coordinate with other Federal agencies as the Under Secretary considers relevant.

SEC. 5718. SUBMISSIONS TO CONGRESS REGARDING THE FIRE WEATHER SERVICES PROGRAM, INCIDENT METEOROLOGIST WORKFORCE NEEDS, AND TIDAL WEATHER SERVICE WORKFORCE SUPPORT.

(a) REPORT TO CONGRESS.—Not later than 540 days after the date of the enactment of this Act, the Under Secretary shall submit to the appropriate committees of Congress—

(1) the plan described in subsection (b);

(2) the assessment described in subsection (c); and

(3) the assessment described in subsection (d).

(b) FIRE WEATHER SERVICES PROGRAM PLAN.—

(ELEMENTS).—The plan submitted under subsection (a)(1) shall detail—

(1) the observational data, modeling requirements, ongoing computational needs, research, development, and technology transfer activities, data management, skilled-personnel requirements, engagement with relevant Federal emergency and land management agencies and partners, and corresponding resources necessary to achieve the functions described in subsection (b) of section 5703 and the priorities described in subsection (c) of such section; and

(B) plans and needs for all other activities and requirements under this title and the amendments made by this title.

(c) SUBMISSION OF ANNUAL BUDGET FOR PLAN.—Following completion of the plan submitted under subsection (a)(1), under this title, the Under Secretary shall—

(1) submit to Congress a proposed budget corresponding with the elements detailed in the plan.

(d) INCIDENT METEOROLOGIST WORKFORCE NEEDS ASSESSMENT.

(1) IN GENERAL.—The Under Secretary shall conduct a workforce needs assessment on the current and future demand for additional incident meteorologists for wildfires and other high-impact fire weather events.

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

(A) an assessment of staffing levels of the date on which the assessment is submitted under subsection (a)(2) and projected future staffing levels.

(B) an assessment of the state of the infrastructure of the National Weather Service as of the date on which the assessment is submitted and future needs of such infrastructure in order to meet current and future demands, including with respect to information technology support and logistical and administrative operations.

(C) AN ASSESSMENT.—In conducting the assessment required by paragraph (1), the Under Secretary shall consider factors including projected climate conditions, infrastructure relevant to firefighting, fire behavior, and related emergency response system equipment, user needs, and feedback from relevant stakeholders.
SEC. 5719. GOVERNMENT ACCOUNTABILITY OFFICE REPORT; FIRE SCIENCE AND TECHNOLOGY WORKING GROUP; STRATEGIC PLAN.

(a) Government Accountability Office Report. Not later than 540 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that identifies—

(1) coordination among Federal agencies, State and local governments, Tribal governments, and other relevant stakeholders, including through examination of possible public-private partnerships;

(B) research and development, including interdisciplinary research, related to fire environments, wildland fires, associated smoke, and the impacts of such environments, fires, and smoke, in furtherance of a coordinated interagency effort to address wildfire risk mitigation; and

(C) data management and stewardship, the development and coordination of data systems and computational tools, and the creation of a comprehensive, integrated data and computational environment for agency data, including historical data, relating to weather, fire environments, wildland fires, associated smoke, and other impacts of such environments, fires, and smoke, and the assessment of wildland fire risk mitigation measures; (D) interoperability, usability, and accessibility of the scientific data, data systems, and computational and information tools of the agencies listed under paragraph (1); (E) coordinated public safety communications related to fire weather events, fire hazards, and wildland fire and smoke risk reduction strategies; and

(F) secure and accurate real-time data, alerts, and advisories to wildland firefighters and other decision support tools for wildland fire incident command posts.

(b) Fire Science and Technology Working Group.

(1) Establishment. Not later than 90 days after the date of the enactment of this Act, the Executive Director of the Interagency Committee on Fire Science and Technology Services established under section 402 of the Weather Research and Forecasting Innovation Act of 2017 (15 U.S.C. 8542) (in this section referred to as (A) the Under Secretary shall seek to acquire additional support services needed as identified in the assessment described in paragraph (A) of this subsection.

(3) Additional Support Services. Following the completion of the assessment required by paragraph (1), the Under Secretary shall—

(A) at the wildland-urban interface;

(B) on communities, buildings, and other infrastructure;

(C) on ecosystem services and watersheds;

(D) social and economic impacts;

(E) by developing and encouraging the adoption of science-based and cost-effective measures—

(i) to enhance community resilience to wildland fires;

(ii) to address and mitigate the impacts of wildland fire and associated smoke; and

(iii) to restore natural fire regimes in fire-dependent ecosystems;

(F) by improving the understanding and mitigation of the effects of weather and long-term drought on wildland fire risk, frequency, and severity;

(G) through integrations of social and behavioral sciences in public safety fire communication;

(H) by improving the forecasting and understanding of prescribed fires and the impacts of such fires, and how those impacts may differ from impacts of wildland fires that originate from an unplanned ignition; and

(I) consideration and adoption of any recommendations included in the report required by paragraph (1) of this subsection.

(2) Plan Elements. The strategic plan required by paragraph (1) shall include the following:

(A) A description of the priorities and needs of vulnerable populations.

(B) A description of high-performance computing, visualization, and dissemination needs.

(C) A timeline and guidance for implementation of—

(i) an interagency data sharing system for data relevant to performing fire assessments and modeling fire risk and fire behavior;

(ii) a system for ensuring that the fire prediction models of relevant agencies can be interconnected; and

(iii) to the maximum extent practicable, any recommendations included in the report required by paragraph (a) 

(D) A plan for incorporating and coordinating research and operational observations, including from infrared technologies, microwave wind lidar, weather radar, satellites, and other weather stations, and uncrewed aerial systems. 

(E) A flexible framework to communicate clear and simple fire event information to the public.

(F) Integration of social, behavioral, risk, and communication research to improve the fire operational environment and societal information reception and response.

(G) Committees Specified. The committees specified in this paragraph are—

(1) The Committee on Energy and Natural Resources of the Senate;

(2) the Committee on Agriculture, Nutrition, and Forestry of the Senate;

(3) the Committee on Agriculture, Science, and Transportation of the Senate;

(4) the Committee on Commerce, Science, and Transportation of the House of Representatives;

(5) the Committee on Energy and Natural Resources of the House of Representatives; and

(6) the Committee on Science, Space, and Technology of the House of Representatives.

SEC. 5720. FEDERAL AGENCIES; NATIONAL PARK SERVICE FUNDING.

(a) In General. Not later than 540 days after the date of the enactment of this Act, the Interagency Committee shall prepare and submit to the committees specified in paragraph (3) a strategic plan for interagency coordination, research, and development that will improve the assessment of fire environments and the understanding and prediction of wildland fires, associated smoke, and the impacts of such fires and smoke, including—

(i) the recommendations included in the report required by paragraph (1) of this subsection.

(b) Coordination. In carrying out activities under this title and the amendments made by this title, the Under Secretary shall coordinate with the Administration and heads of other Federal research agencies—

(1) to ensure that activities enhance and complement, but do not constitute unnecessary duplication of, efforts; and

(2) to ensure the responsible stewardship of funds.
The term ‘Earth Prediction Innovation Center’ means the community global weather research system described in paragraph (5)(E) of section 102(b) of the Weather Research Forecasting and Innovation Act of 2017 (15 U.S.C. 8512(b)), as redesignated by section 5804(a).

(4) The term ‘Earth Prediction Innovation Act of 2017’ means—
(a) the term ‘Earth Prediction Innovation Act of 2017’ as defined in section 5805(d); and
(b) the term ‘Earth Prediction Innovation Act of 2017’ as redesignated by section 5804(a).

Section 5804—Plan and Implementation of Plan to Make Certain Models and Data Available to the Public

(a) In General.—The Administrator shall develop and implement a plan to make available to the public the following:

(1) Operational models developed by the Administrator;

(2) any operational model that the Administrator determines appropriate; and

(3) any data used for operational models used by the Administrator as the Administrator determines appropriate.

(b) Accommodations.—In developing and implementing the plan under subsection (a), the Administrator may make such accommodations as the Administrator considers appropriate to ensure that the public release of any model, information, documentation, or data pursuant to the plan does not jeopardize:

(A) national security;

(B) intellectual property or redistribution rights, including under titles 17 and 35, United States Code;

(C) for operationalizing innovations to improve the accuracy and timeliness of forecasts of the Administrator; and

(d) for the Administrator to make available to the public pursuant to the plan under subsection (a).

(2) Subject to section 5807, all data owned by the Federal Government and data that the Administrator has the legal right to redistribute that are associated with models made available to the public pursuant to the plan and used in operational forecasting by the Administrator, including—

(A) relevant metadata;

(B) data used for operational models used by the Administrator as the date of the enactment of this Act; and

(c) a description of intended model outputs.

(2) the process of the Administration under section 5804.

(3) for engaging with interested stakeholders to learn what innovations those stakeholders have found;

(b) for improving innovation models; and

(c) for operationalizing innovations to improve suitable models.

(3) for operationalizing innovations to improve suitable models.

(b) Appropriate Congressional Committees Defined.—In this title, the term ‘appropriate congressional committees’ means—

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

(2) the Committee on Science, Space, and Technology and the Committee on Appropriations of the House of Representatives.

Section 5807—Protection of National Security Interests

(a) In General.—Notwithstanding any other provision of this title, the Administrator, in consultation with the Secretary of Defense, as appropriate, may withhold any model or data if the Administrator determines doing so to be necessary to protect the national security interests of the United States.

(b) Purpose of Construction.—Nothing in this title shall be construed to supersede any other provision of law governing the protection of the national security interests of the United States.

Section 5808—Authorization of Appropriations

(a) In General.—There is authorized to be appropriated to carry out this title $2,000,000 for each of fiscal years 2023 through 2027.

(b) Derivation of Funds.—Funds to carry out this section shall be derived from amounts authorized to be appropriated to the National Weather Service that are enacted after the date of the enactment of this Act.
First, I would like to acknowledge Ranking Member INHOFE, whose leadership on this committee and in this body has been invaluable. His commitment to our men and women in uniform is unwavering, and he was instrumental in helping produce this bipartisan legislation. In honor of Senator Shaheen’s current challenge we have and better posture us for our future. Senator Shaheen’s work has been highly impactful, and we ultimately took, which is reflected in the amendment that Senator INHOFE and I have offered as part of the managers’ package.

Relatedly, America’s capacity for technological innovation has long given us the strongest economy and military on Earth, but this advantage is not a given. It must be nurtured and maintained. To that end, this year’s NDAA authorizes significant funding increases to protect these technologies like microelectronics, hypersonic weapons, and low-cost unmanned aircraft. Similarly, increases funding to support U.S. Cyber Command’s Hunt Forward Operations and artificial intelligence capabilities.

And, as we navigate threats of nuclear escalation from Russia and increasing capabilities from China, the NDAA enhances our deterrence by helping to marginalize the U.S. nuclear triad. It also makes progress in ensuring the safety, security, and reliability of our nuclear stockpile, delivery systems, and infrastructure; increasing capacity in theater and homeland missile defense; and strengthening non-proliferation programs.

Importantly, this year’s NDAA provides a 4.6-percent pay raise for both servicemembers and their Department of Defense civilian workforce. It also authorizes additional funding to ease the impacts of inflation on the force and provides support for recruiting and retention needs.

When I introduce the fiscal year 2023 NDAA, it will be a substitute to the House-passed NDAA. This substitute will be modified with a package of amendments that have been cleared on both sides. There are 75 amendments, including 6 major authorization bills from other committees.

Again, I am pleased that we have brought this bill to the floor so the entire Senate has an opportunity to participate in the process. I also want to take a moment to thank all the staff who accomplished this Herculean task in a week. The staff of the Armed Services Committee worked tirelessly to ensure every possible amendment was cleared and included.

I particularly want to thank Kevin Davis of the Office of Legislative Counsel, who went above and beyond to draft the legislation in a way that makes sure they are taken care of. I don’t think there are two people in this body more effective at drafting a bill than Jack Reed and myself here in the Senate, and I am proud to have worked on my last defense bill alongside him.
This bill is truly a bipartisan, comprehensive product. We have already agreed to more than 70 bipartisan amendments in the manager’s package of amendments, and those numbers don’t include the hundreds of provisions written by Members that are already in the bill.

It is easy to forget what brings us together around here, but the National Defense Authorization Act is a bill we must put aside our differences and pass every year. We are about to enter the 62nd year of passing the NDAA with far-reaching, bipartisan support.

Senator REED, the Armed Services Committee, and I, we worked hard to make this bill—this bipartisan bill—in the base text, in the committee mark, and now with this manager’s package of amendments authored by many Members of the Senate.

We are one step closer to getting this product to the finish line and making sure our military is provided for in the coming years.

I can’t think of one thing we have come together to pass for over 60 years straight other than the NDAA. It truly is remarkable.

I thank my colleagues for their contributions. I look forward to our continued debate on this important bill—the most important bill we will do all year.

ADDITIONAL STATEMENTS

100TH ANNIVERSARY OF THE REHOBOOTH BEACH PATROL

Mr. CARPER. Mr. President, I rise today in honor of the 100th anniversary of the Rehoboth Beach Patrol in Rehoboth Beach, DE. With over a century of excellence in safety, a strong history in lifeguard competition achievements, and a fully operational emergency medical unit, the Rehoboth Beach Patrol is a leading beach patrol in the Nation.

It takes a world class beach patrol to protect a world-class beach, and over the years, the beach patrol has expanded from its humble beginnings. The Rehoboth Beach Patrol was established in 1921 by Benjamin F. Shaw and the Red Cross with just two guards. In 1938, it expanded to 17 guards protecting eight beaches. Over the years, the beach patrol added additional guards to a total of 65 and lifesaving equipment. Rehoboth Beach attracted more and more tourists far and wide to enjoy its beaches.

Perhaps most impressive is that over its more than 100-year history, the beach patrol has recorded only one drowning under its watch. The beach patrol prides itself on ensuring safety both in the water and on its beaches, something that a machine or camera cannot do. It is the skill of the lifeguards, their attention, and ability to manage the beach that keeps everyone safe and having fun.

When an organization like the Rehoboth Beach Patrol reaches a 100-year milestone, it has seen much more change than just the style of bathing suits, it has also seen a change in the demographics of its members. From just two men to a diverse group of lifeguards that are half women, the beach patrol is a reflection of the changes in the nation over the last century.

I am honored to rise today to honor the many men and women of the Rehoboth Beach Patrol who have sacrificed their safety in order to protect others. They are true public servants who make Rehoboth Beach and our great State—a wonderful and safe place for people of all ages to visit and enjoy. You are all a point of pride for our State, and I wish you many more years of service to Delaware.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Roberts, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting surdry nominations and a withdrawal which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 3, 2021, the Secretary of the Senate, on September 30, 2022, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker had signed the following enrolled bills:

S. 3969. An act to amend the Help America Vote Act of 2002 to explicitly authorize distribution of grant funds to the voting accessibility protection and advocacy system of the Commonwealth of the Northern Mariana Islands and the system serving the American Isla... for other purposes.
S. 4900. An act to reauthorize the SBIR and STTR programs and pilot programs, and for other purposes.

Under the authority of the order of the Senate of January 3, 2021, the enrolled bills were signed on September 30, 2022, during the adjournment of the Senate by the Vice President.

MESSAGES FROM THE HOUSE

Under the authority of the order of the Senate of January 3, 2021, the following enrolled bills, previously signed by the Speaker of the House, were signed on October 4, 2022, during the adjournment of the Senate, by the Acting President pro tempore (Mr. VAN HOLLEN):

H.R. 91. An act to designate the facility of the United States Postal Service located at 610 South Pendleton Street in Easley, South Carolina, as the “Privitt-Lyle Austin Post Office Building”.
H.R. 92. An act to designate the facility of the United States Postal Service located at 39 West Main Street, in Honeoye Falls, New York, as the “CW4 Christian J. Koch Memorial Post Office”.
H.R. 468. An act to amend title 49, United States Code, to permit the use of incentive payments to expedite certain federally financed airport development projects.
H.R. 2124. An act to designate the facility of the United States Postal Service located at 170 Manhattan Avenue in Buffalo, New York, as the “Indiana Hunt-Martin Post Office Building”.
H.R. 3588. An act to designate the facility of the United States Postal Service located at 39 West Main Street, in Honeoye Falls, New York, as the “Owi Christian J. Koch Memorial Post Office”.
H.R. 3539. An act to designate the facility of the United States Postal Service located at 223 West Chalan Santo Papa in Hagatna, Guam, as the “Atanasio Taitano Perez Post Office”.
H.R. 4693. An act to advance targeted and evidence-based interventions for the prevention and treatment of global malnutrition and to improve the coordination of such programs, and for other purposes.
H.R. 5899. An act to designate the facility of the United States Postal Service located...
at 1801 Town and Country Drive in Norco, California, as the “Lance Corporal Kareem Nikoui Memorial Post Office Building”.

H.R. 7500. An act to authorize major medical facilities for the Department of Veterans Affairs for fiscal year 2022, and for other purposes.

H.R. 7846. An act to increase, effective as of December 31, 2022, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

S. 189. An act to amend title 17, United States Code, to require the Register of Copyrights to authorize filing an application for registration of a copyright claim in certain circumstances, and for other purposes.

S. 412. An act to amend title 40, United States Code, to require the Administrator of General Services to procure the most life-cycle cost effective and energy efficient lighting products and to issue guidance on the efficiency, effectiveness, and economy of those products, and for other purposes.

S. 516. An act to plan for and coordinate efforts to integrate advanced air mobility aircraft into the national airspace system, and for other purposes.

S. 1098. An act to amend the Higher Education Act to authorize borrowers to separate joint consolidation loans.

S. 2490. An act to establish the Blackwell School National Historic Site in Marfa, Texas; and for other purposes.

S. 2771. An act to designate the community-based outpatient clinic of the Department of Veterans Affairs in San Antonio, Texas, as the Charles and JoAnne Powell Department of Veterans Affairs Clinic”.

S. 3157. An act to rescind the Secretary of Labor from the study of the factors affecting employment opportunities for immigrants and refugees with professional credentials obtained in foreign countries.

S. 3200. An act to require the Administrator of the Federal Emergency Management Agency to establish a working group relating to best practices and Federal guidance for animals in emergencies and disasters, and for other purposes.

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 3, 2021, the Secretary of the Senate, on September 30, 2022, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker had signed the following enrolled bill:

H.R. 6833. An act making continuing appropriations for fiscal year 2023, and for other purposes.

Under the authority of the order of the Senate of January 3, 2021, the enrolled bills were signed on September 30, 2022, during the adjournment of the Senate by the Vice President.

ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 3, 2021, the Secretaries of the Senate, on September 30, 2022, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mr. BEYER) had signed the following enrolled bills:

H.R. 4877. An act to amend the Small Business Act to require the Small Business and Agriculture Regulatory Enforcement Omnibusman to create a centralized website for compliance guides, and for other purposes.

H.R. 7698. An act to designate the outpatient clinic of the Department of Veterans Affairs in Ventura, California, as the “Captain Rosemary Bryant Mariner Outpatient Clinic”.


Under the authority of the order of the Senate of January 3, 2021, the enrolled bills were signed on October 4, 2022, during the adjournment of the Senate by the Acting President pro tempore (Mr. VAN HOLLEN).

MESSAGE FROM THE HOUSE

At 11:02 a.m., a message from the House of Representatives, delivered by Mrs. Alli, one of its reading clerks, announced that the House passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1538. An act to direct the Secretary of Agriculture to transfer certain National Forest System land to the State of South Dakota, and for other purposes.

H.R. 3304. An act to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide or assist in providing additional vehicle adapted for operation by disabled individuals to certain eligible persons, and for other purposes.

H.R. 3843. An act to protect competition and promote antitrust enforcement by adjusting premerger filing fees to increase antitrust enforcement resources.

H.R. 4981. An act to require the disclosure of a camera or recording capability in certain internet-connected devices.

H.R. 6213. An act to hold accountable senior officials of the Government of the People’s Republic of China who are responsible for or have directly carried out, at any time, persecution of Christians or other religious minorities and for other purposes.

H.R. 6889. An act to amend the Federal Credit Union Act to modify the frequency of board of directors meetings, and for other purposes.

H.R. 6965. An act to promote travel and tourism in the United States, and for other purposes.

H.R. 6967. An act to implement merit-based reforms to the civil service hiring system that replace degree-based hiring with skills- and competency-based hiring, and for other purposes.

H.R. 7321. An act to amend title 49, United States Code, to require certain air carriers to provide reports with respect to maintenance, preventive maintenance, or alterative maintenance, and for other purposes.

H.R. 7785. An act to support the behavioral needs of students and youth, invest in the school-based behavioral health workforce, and ensure access to mental health and substance use disorder benefits.

H.R. 8163. An act to amend the Public Health Service Act with respect to trauma care.


H.R. 8463. An act to modify the requirements under the Millennium Challenge Act of 2003 for candidate countries, and for other purposes.

H.R. 8466. An act to require the head of each agency to establish a plan relating to the safety of Federal employees and contractors physically present during a nationwide public health emergency declared for an infectious disease, and for other purposes.

H.R. 8510. An act to amend title 38, United States Code, to expand eligibility of members of the National Guard for housing loans guaranteed by the Secretary of Veterans Affairs.

H.R. 8888. An act to amend title 38, United States Code, to establish in the Department of Veterans Affairs an Office of Food Security, and for other purposes.

H.R. 8956. An act to amend chapter 36 of title 38, United States Code, to improve the cybersecurity of the Federal government, and for other purposes.

H.R. 8967. An act to amend the Justice for United States Victims of State Sponsored Terrorism Act to authorize appropriations for activities to increase the availability of the United States Victims of State Sponsored Terrorism Fund.

The message further announced that the House has passed the following bill, with an amendment, in which it requests the concurrence of the Senate:

H.R. 3662. An act to temporarily increase the cost share authority for the fire line formation foam input-based testing equipment, and for other purposes.

ENROLLED BILL SIGNED

The message also announced that the Speaker pro tempore (Mr. BEYER) has signed the following enrolled bills:

S. 958. An act to amend the Public Health Service Act to expand eligible use criteria for new access points grants for community health centers.
S. 1198. An act to amend title 38, United States Code, and for other purposes; to the Committee on Veterans' Affairs.

S. 1199. An act to authorize the Secretary of Veterans Affairs to provide or assist in procuring an additional vehicle adapted for operation by disabled individuals to certain eligible persons, and for other purposes; to the Committee on Veterans' Affairs.

S. 1200. An act to amend title 38, United States Code, to increase automatic maximum coverage under the Servicemembers' Group Life Insurance and the Veterans' Group Life Insurance program, and for other purposes.

S. 1201. An act to provide for the implementation of some provisions of the Federal Acquisition Regulations, and to direct the Secretary of Veterans Affairs to require certain air carriers to comply with any such provisions, and for other purposes; to the Committee on Veterans' Affairs.

S. 1202. An act to provide an additional vehicle adapted for operation by disabled individuals to certain eligible persons, and for other purposes; to the Committee on Veterans Affairs.

S. 1203. An act to provide for the establishment of the Office of Food Security of the Department of Agriculture, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

S. 1204. An act to establish the National Defense University Research Program, and for other purposes; to the Committee on Veterans Affairs, and for other purposes.

S. 1205. An act to amend title 38, United States Code, to increase automatic maximum coverage under the Servicemembers' Group Life Insurance and the Veterans' Group Life Insurance program, and for other purposes.

S. 1206. An act to provide for a temporary 1-year halt to all proposed direct commercial sales of defense articles and services, and to require the President to report on the potential benefits and costs of such halt, and for other purposes; to the Committee on Foreign Relations.

S. 1207. An act to establish the Office of the Federal Data Protection and Privacy Officer, and for other purposes; to the Committee on the Judiciary.

S. 1208. An act to provide for the suspension of the pay of Federal employees who have beencharg, and for other purposes; to the Committee on the Budget.

S. 1209. An act to amend title 1, United States Code, relative to the recognition of the Lumbee Tribe of North Carolina, and for other purposes.

S. 1210. An act to provide for the establishment of the American Indian Cultural Museum, and for other purposes; to the Committee on the Budget.

S. 1211. An act to amend title 38, United States Code, to provide for additional transportation funds for the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

S. 1212. An act to amend the Help America Vote Act of 2002 to explicitly authorize distribution of grant funds to the voting accessibility protection and advocacy system of the Commonwealth of the Northern Mariana Islands and the system serving the American Indian consortium, and for other purposes.

S. 1213. An act to authorize the Secretary of Agriculture to transfer certain National Forest System land to the State of South Dakota, and for other purposes.

S. 1214. An act to amend the Higher Education Act of 1965 to authorize borrowers to separate joint consolidation loans.

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. KING (for himself and Ms. COLLINS):

S. 5067. A bill to provide that no Federal funds shall be appropriated, awarded, or used to fund the Monterey Bay Aquarium; to the Committee on Commerce, Science, and Transportation.

By Mr. KING (for Mr. LEE):

S. 5068. A bill to amend the Northwestern New Mexico Rural Water Projects Act to make improvements to that Act; and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. KING (for Mr. CASEY):

S. 5069. A bill to amend the Child Abuse Prevention and Treatment Act to require mandatory reporting of incidents of child abuse or neglect, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KING (for Ms. COLLINS (for herself and Mr. KING)):

S. 5070. A bill to authorize the Secretary of Agriculture to provide grants to States to address contamination by perfluoroalkyl and polyfluoroalkyl substances on farms, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. REED (for Mr. SULLIVAN):

S. 5071. A bill to amend the Energy Policy and Conservation Act to require that the Strategic Petroleum Reserve only includes petroleum products produced in the United States, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. KING (for Mrs. SHABEEH (for herself and Mr. YOUNG)):

S. 5072. A bill to amend the Higher Education Act of 1965 to provide for institutional ineligibility based on low cohort repayment rates and to require risk-sharing payments of institutions of higher education; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KING (for Mr. LUJAN (for himself, Ms. COLLINS, and Mr. CARDEN)):

S. 5073. A bill to amend the Public Health Service Act to authorize a public education campaign across all relevant programs of the Department of Health and Human Services and the Office of the Surgeon General to address threats to public health posed by the current global health threats, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KING (for Mr. BLUMENTHAL):

S. 5074. A bill to provide for a temporary 1-year halt to all proposed direct commercial sales of defense articles and services, and to require the President to report on the potential benefits and costs of such halt, and for other purposes; to the Committee on Foreign Relations.

By Mr. KING (for Mr. JOHNSON):

S. 5075. A bill to establish new ZIP codes for certain Wisconsin communities, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SCHUMER (for himself and Mr. McCONNELL):

S. 1098. An act to amend the Higher Education Act of 1965 to authorize borrowers to separate joint consolidation loans.
S. Res. 822. A resolution to authorize testimony and representation in United States v. Rhodes; considered and agreed to.

By Mr. SCHUMER (for himself and Mr. MCCONNELL);

S. Res. 823. A resolution to authorize testimony and representation in United States v. Grosclose; considered and agreed to.

By Mr. SCHUMER (for himself and Mr. MCCONNELL);

S. Res. 824. A resolution to authorize testimony and representation in United States v. Steele-Smith; considered and agreed to.

By Mr. KING (for Ms. HIRONO (for herself, Mr. BOOKER, Ms. CANTWELL, Ms. HEITZMASTEN, Ms. DUCKWORTH, Mrs. FEINSTEIN, Mrs. MURRAY, Mr. PADILLA, Mr. SCHATZ, Ms. SMITH, Ms. WARREN, and Mr. KAINES);

S. Res. 825. A resolution recognizing the month of October 2022 as Filipino American History Month and celebrating the history and culture of Filipino Americans and their immense contributions to the United States; to the Committee on the Judiciary.

By Mr. KING (for Mr. HORVEN (for himself, Mr. TESTER, Mr. BOOZMAN, Mr. WARNock, Mr. DAINES, and Ms. WARREN).

S. Res. 826. A resolution designating October 25, 2022, as the “Day of the Deployed”; to the Committee on the Judiciary.

By Mr. KING (for Mrs. FEINSTEIN (for herself, Mr. GRASSLEY, Mr. DURBIN, Ms. MURKOWSKI, Mr. LEEH, and Ms. SINET);

S. Res. 827. A resolution supporting the goals and ideals of National Domestic Violence Awareness Month; to the Committee on the Judiciary.

By Mr. REED (for Mr. LANKFORD);

S. Res. 828. A resolution recognizing the end of COVID–19 pandemic for Federal employees, servicemembers, and contractors; to the Committee on Homeland Security and Governmental Affairs.

By Mr. KING (for Mr. SULLIVAN);

S. Res. 829. A resolution commemorating the 75th anniversary of the Marine Corps Reserve Toys for Tots Program and celebrating the long history of the commitment of the Marine Corps Reserve and the Marine Corps Reserve Toys for Tots Foundation to serving the local communities of the United States; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 191

At the request of Mrs. SHAHEEN, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 191, a bill to amend title 10, United States Code, to provide treatment for eating disorders for dependents of members of the uniformed services.

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2044, a bill to amend the Fair Labor Standards Act of 1938 to prohibit employment of children in tobacco agriculture by deeming such employment as oppressive child labor.

S. 2736

At the request of Mr. BURR, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 2736, a bill to exclude vehicles used solely for competition from certain provisions of the Clean Air Act, and for other purposes.

S. 4201

At the request of Ms. COLLINS, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 4203, a bill to extend the National Alzheimer’s Project.

S. 4601

At the request of Mr. STABENOW, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 4605, a bill to amend title XVIII of the Social Security Act to ensure stability in payments to home health agencies under the Medicare program.

S. 4916

At the request of Mr. LEAHY, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 4916, a bill to reauthorize the Runaway and Homeless Youth Act, and for other purposes.

S. 4976

At the request of Mr. KING, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of S. 4976, a bill to amend the Trademark Act of 1946 to provide that the licensing of a mark for use by a related company may not be construed as establishing an employment relationship between the owner of the mark, or an authorizing person, and either that related company or the employees of that related company, and for other purposes.

S. 5021

At the request of Mr. MORAN, the name of the Senator from North Dakota (Mr. CRAMER) was added as a cosponsor of S. 5021, a bill to amend the Internal Revenue Code of 1986 to exclude certain broadband grants from gross income.

S. 5045

At the request of Mr. MENENDEZ, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 5045, a bill to amend the Justice for United States Victims of State Sponsored Terrorism Act to authorize appropriations for catch-up payments from the United States Victims of State Sponsored Terrorism Fund.

S. CON. RES. 46

At the request of Mr. CARPER, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. CON. RES. 47, a concurrent resolution commemorating the bravery, courage, and resolve of the women and men of Iran demonstrating in more than 80 cities and risking their safety to speak out against the Iranian regime’s human rights abuses.

S. RES. 754

At the request of Mrs. SHAHEEN, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. Res. 754, a resolution designating November 13, 2022, as “National Warrior Call Day” in recognition of the importance of connecting warriors in the United States to support structures necessary to transition from the battlefield.

S. Res. 803

At the request of Mr. COONS, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. Res. 803, a resolution condemning the detention and death of Mahsa Amini and calling on the Government of Iran to end its systemic persecution of women.

S. Res. 814

At the request of Mr. COONS, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. Res. 814, a resolution designating the week beginning on October 9, 2022, as “National Wildlife Refuge Week”.

AMENDMENT NO. 5585

At the request of Mr. CORNYN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of amendment No. 5585 intended to be proposed to H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and 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.

AMENDMENT NO. 5591

At the request of Mr. FEINSTEIN, the name of the Senator from Florida (Mr. SCOTT) was added as a cosponsor of amendment No. 5591 intended to be proposed to H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and 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.

AMENDMENT NO. 5600

At the request of Mr. HAWLEY, the names of the Senator from Arkansas (Mr. COTTON), the Senator from Florida (Mr. RUBIO), the Senator from Texas (Mr. CRUZ), the Senator from Utah (Mr. LEE), the Senator from Kansas (Mr. MARSHALL) and the Senator from Montana (Mr. DAINES) were added as cosponsors of amendment No. 5600 intended to be proposed to H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and 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.
At the request of Mr. Kaine, the name of the Senator from Indiana (Mr. Young) was added as a cosponsor of amendment No. 5864 intended to be proposed to H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and 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.

At the request of Mrs.Shaheen, the name of the Senator from California (Mr. Padilla) was added as a cosponsor of amendment No. 5855 intended to be proposed to H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and 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.

At the request of Mrs. Shaheen, the name of the Senator from Florida (Mr. Scott) was added as a cosponsor of amendment No. 5857 intended to be proposed to H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and 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.

At the request of Mrs. Shaheen, the name of the Senator from Florida (Mr. Gillibrand) was added as a cosponsor of amendment No. 5856 intended to be proposed to H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and 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.

At the request of Mrs. Shaheen, the name of the Senator from Florida (Mr. Cardin), the Senator from New York (Mrs. Gillibrand) and the Senator from New Hampshire (Mrs. Shaheen) were added as cosponsors of amendment No. 5865 intended to be proposed to H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and 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.

At the request of Mr. Padilla, the name of the Senator from Texas (Mr. Cruz) was added as a cosponsor of amendment No. 6059 intended to be proposed to H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and 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.

At the request of Mr. Menendez, the name of the Senator from Texas (Mr. Cornyn) was added as a cosponsor of amendment No. 6348 intended to be proposed to H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and 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.

At the request of Mr. Ernst, the name of the Senator from New York (Mrs. Gillibrand) was added as a cosponsor of amendment No. 6246 intended to be proposed to H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and 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.

At the request of Mr. Padilla, the name of the Senator from California (Mr. Coons) was added as a cosponsor of amendment No. 6141 intended to be proposed to H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and 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.

At the request of Mr. Menendez, the name of the Senator from Texas (Mr. Cornyn) was added as a cosponsor of amendment No. 6348 intended to be proposed to H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and 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.

At the request of Ms. Ernst, the name of the Senator from New York (Mrs. Gillibrand) was added as a cosponsor of amendment No. 6246 intended to be proposed to H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and 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.

At the request of Mrs. Shaheen, the name of the Senator from California (Mr. Padilla) was added as a cosponsor of amendment No. 6165 intended to be proposed to H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and 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.

At the request of Mrs. Shaheen, the name of the Senator from Florida (Mr. Scott) was added as a cosponsor of amendment No. 5857 intended to be proposed to H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and 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.

At the request of Mrs. Shaheen, the name of the Senator from Florida (Mr. Gillibrand) was added as a cosponsor of amendment No. 5856 intended to be proposed to H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and 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.

At the request of Mrs. Shaheen, the name of the Senator from Florida (Mr. Cardin), the Senator from New York (Mrs. Gillibrand) and the Senator from New Hampshire (Mrs. Shaheen) were added as cosponsors of amendment No. 5865 intended to be proposed to H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and 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.

At the request of Mr. Padilla, the name of the Senator from California (Mr. Coons) was added as a cosponsor of amendment No. 6141 intended to be proposed to H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and 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.

At the request of Mr. Menendez, the name of the Senator from Texas (Mr. Cornyn) was added as a cosponsor of amendment No. 6348 intended to be proposed to H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and 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.

At the request of Ms. Ernst, the name of the Senator from New York (Mrs. Gillibrand) was added as a cosponsor of amendment No. 6246 intended to be proposed to H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and 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.

At the request of Mr. Reed, the following statement was ordered to be printed in the RECORD.

Ms. Collins. Mr. President, I rise today to introduce the Relief for Farmers Hit with PFAS Act. I thank my colleague Senator King for joining me to introduce this important legislation for farmers across America. The Relief for Farmers Hit with PFAS Act would provide vital assistance to farmers affected by PFAS contamination. While community organizations and the State of Maine have stepped in to provide some aid, USDA should do more to assist all farmers affected by these chemicals. That is what our legislation aims to do.

Specifically, the funds authorized by the Relief for Farmers Hit with PFAS Act could be used for a variety of purposes at the State level, including: more capacity for PFAS testing for soil or water sources; blood monitoring for individuals to make informed decisions about their health; equipment to ensure a farm remains profitable during or after known PFAS contamination; relocation of a commercial farm if the land is no longer viable; alternative cropping systems or remediation strategies; educational programs for farmers experiencing PFAS contamination; and research on soil and water remediation systems and the viability of those systems for farms.

In addition to making new resources available, our bill would create a task force at USDA charged with identifying other USDA programs to which PFAS contamination should be added as an eligible activity. This would help bring even more resources to farmers through existing programs. Additionally, the task force would provide technical assistance to states to help them coordinate their responses effectively.

USDA needs to step up and provide support to farmers who, at no fault of their own, are at risk of losing their livelihoods. This is not just a problem in Maine; PFAS contamination has been discovered on farms in New Mexico and Michigan, and this problem will only become more evident as testing becomes more readily available.

SANFORD, Rou 10112022 CONGRESSIONAL RECORD — SENATE S6471 MSANFORD


SUBMITTED RESOLUTIONS

SENATE RESOLUTION 822—TO AUTHORIZER TESTIMONY AND REPRESENTATION IN UNITED STATES V. RHODES

Mr. SCHUMER (for himself and Mr. McCONNELL) submitted the following resolution; which was considered and agreed to:

S. Res. 822

Whereas, in the case of United States v. Rhodes, No. 2:15-CR-00029, pending in the United States District Court for the District of Columbia, the prosecution has requested the production of testimony from Virginia Brown, formerly a Chamber Assistant of the Senate;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§ 280(a) and 280c(a)(2), the Senate may direct its counsel to represent current or former officers and employees of the Senate with respect to any subpoena, order, or request for evidence relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate; and

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That Daniel Schwager, a former employee of the Office of the Secretary of the Senate, and Nate Russell and Diego Torres, custodians of records in the Senate Recording Studio, a department of the Office of the Sergeant at Arms and Doorkeeper of the Senate, are authorized to provide relevant testimony in the case of United States v. Groseclose, except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent Messrs. Schwager, Russell, and Torres, and any current or former officer or employee of their offices, in connection with the production of evidence authorized in section one of this resolution.

SENATE RESOLUTION 823—TO AUTHORIZER TESTIMONY AND REPRESENTATION IN UNITED STATES V. STEELE-SMITH

Mr. SCHUMER (for himself and Mr. McCONNELL) submitted the following resolution; which was considered and agreed to:

S. Res. 823

Whereas, in the case of United States v. Steele-Smith, Cr. No. 21-77, pending in the United States District Court for the District of Columbia, the prosecution has requested the production of testimony from Daniel Schwager, a former employee of the Office of the Secretary of the Senate, and from Nate Russell and Diego Torres, custodians of records in the Senate Recording Studio, a department of the Office of the Sergeant at Arms and Doorkeeper of the Senate;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§ 280(a) and 280c(a)(2), the Senate may direct its counsel to represent current or former officers and employees of the Senate with respect to any subpoena, order, or request for evidence relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate; and

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That Daniel Schwager, a former employee of the Office of the Secretary of the Senate, and Nate Russell and Diego Torres, custodians of records in the Senate Recording Studio, are authorized to provide relevant testimony in the case of United States v. Steele-Smith, except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent Messrs. Schwager, Russell, and Torres, and any current or former officer or employee of their offices, in connection with the production of evidence authorized in section one of this resolution.

SENATE RESOLUTION 825—RECOGNIZING THE MONTH OF OCTOBER 2022 AS FILIPINO AMERICAN HISTORY MONTH AND CELEBRATING THE HISTORY AND CULTURE OF FILIPINO AMERICANS AND THEIR IMMENSE CONTRIBUTIONS TO THE UNITED STATES

Mr. KING (for Ms. HIRONO (for herself, Mr. BOOKER, Ms. CANTWELL, Mr. CORTEZ MASTO, Ms. DUCKWORTH, Mrs. FEINSTEIN, Mr. MURRAY, Mr. PADILLA, Ms. SCHATZ, Ms. SCHUEREN, and Mr. KAINE)) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. Res. 825

Whereas the earliest documented Filipino presence in the continental United States was October 18, 1587, when the first “Luzones Indios” arrived in Morro Bay, California, on board the Nuestra Senora de Esperanza, a Manila-built galleon ship;

Whereas the Filipino American National Historical Society recognizes 1763 as the year in which the first permanent Filipino settlement in the United States was established in St. Malo, Louisiana;

Whereas the recognition of the first permanent Filipino settlement in the United States adds a new perspective to the history of the United States by bringing attention to the economic, cultural, social, and other notable contributions made by Filipino Americans to the development of the United States;

Whereas the Filipino American community is the third largest Asian American and Pacific Islander group in the United States, with a population of approximately 4,400,000;

Whereas, from 2000 to 2019, the Filipino American community grew 78 percent, and Filipinos are the largest Asian community in Alaska, Hawaii, Idaho, Montana, Nevada, New Mexico, North Dakota, South Dakota, and West Virginia;

Whereas, from the Civil War to the Iraq and Afghanistan conflicts, Filipinos and Filipino Americans have a longstanding history of serving in the Armed Forces of the United States;

Whereas more than 250,000 Filipinos fought under the United States flag during World War II to protect and defend the United States in the Pacific Theater;

Whereas a guarantee to pay back the service of Filipinos through veterans benefits was reversed by the First Supplemental Surplus Appropriation Rescissions Act, 1946 (Public Law 79-301; 60 Stat. 6) and the Second Supplemental Surplus Appropriation Rescissions Act, 1946 (Public Law 79-391; 60 Stat. 221), which provided that the wartime service of members of the Commonwealth Army of the Philippines and the new Philippine
Scouts shall not be deemed to have been active service, and, therefore, those members did not qualify for certain benefits;

Whereas 26,000 Filipino World War II veterans were granted United States citizenship as a result of the Immigration Act of 1990 (Public Law 101–649; 104 Stat. 4978), which was signed into law by President George H.W. Bush on November 29, 1990;

Whereas, in 1991, the Filipino American National Historical Society made efforts to recognize October as Filipino American History Month for the first time;

Whereas, on February 17, 2009, President Barack Obama signed into law the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 115), which established the Filipino Veterans Equity Compensation Fund to compensate Filipino World War II veterans for their service to the United States;

Whereas, since June 8, 2016, the Filipino World War II Veterans Parole Program has allowed Filipino World War II veterans and certain family members to be reunited more expeditiously than the immigrant visa process allowed at that time;

Whereas, on December 14, 2016, President Barack Obama signed into law the Filipino Veterans of World War II Congressional Gold Medal Act of 2015 (Public Law 114–265; 130 Stat. 1035), which bestowed the Filipino American Congressional Gold Medal upon that Filipino American woman who fought alongside troops of the United States in World War II the highest civilian honor bestowed by Congress;

Whereas, on October 25, 2017, the Congressional Gold Medal was presented to Filipino American World War II veterans in Emancipation Hall in the Capitol Building, a recognition for which the veterans had waited for more than 70 years;

Whereas Filipino Americans have received the Congressional Gold Medal, the highest award for valor in action against an enemy force that may be bestowed on an individual serving in the Armed Forces, and continue to demonstrate a commendable sense of patriotism and honor in the Armed Forces;

Whereas the late Peter Aquino Aduja of Hawaii and the late Thelma Garcia Buchholdt of Alaska became the first Filipino American and the late Thelma Garcia Buchholdt of Hawaii and the late Thelma Garcia Buchholdt of Alaska became the first Filipino American elected to public office and served in the United States Congress, respectively;

Whereas members of the Armed Forces and the families of the Armed Forces have deployed to the area of operations of the United States Central Command since the September 11, 2001, terrorist attacks;

Whereas the United States is kept strong, courageous, and resilient;

Whereas domestic violence can affect anyone, but women who are 18 to 34 years of age typically experience the highest rates of domestic violence;

Whereas survivors of domestic violence are strong, courageous, and resilient;

Whereas domestic violence is cited as a significant factor in homelessness among families;

Whereas millions of children are exposed to domestic violence each year;

Whereas a study has found that children who were exposed to domestic violence in their households were 15 times more likely to be physically or sexually assaulted in their lifetime than other children who were not exposed to domestic violence in their households;

Whereas victims of domestic violence experience immediate and long-term negative outcomes, including detrimental effects on mental and physical health;

Whereas in early 2022, members of the Armed Forces deployed on short-notice to Eastern Europe to support, reassure, and defend allies of the United States and members of the North Atlantic Treaty Organization;

Whereas the United States remains committed to easing the transition from deployment abroad to service at home for members of the Armed Forces and the families of the members;

Whereas members of the Armed Forces personally the virtues of patriotism, service, duty, courage, and sacrifice;

Whereas the families of members of the Armed Forces make important and significant sacrifices for the United States; and

Whereas the United States remains committed to ensuring that the families of those members of the Armed Forces are supported and protected.

Resolved, That the Senate—

(A) designates October 26, 2022, as the “Day of the Deployed”;

(B) a time to reflect on and remember the many notable contributions that Filipino Americans have made to the United States; and

(C) a time to renew efforts toward the research and examination of history and culture so to uncover for all people the United States to learn more about Filipino Americans and to appreciate the historical contributions of Filipino Americans to the United States;

Resolved, That the Senate—

(A) a testament to the advancement of Filipino Americans;

(B) a time to reflect on and remember the many notable contributions that Filipino Americans have made to the United States; and

Whereas it is imperative for Filipino American youth to have positive role models to instill—

(1) the significance of education, complemented by the richness of Filipino American ethnicity; and

(2) the value of the Filipino American legacy; and

Whereas it is essential to promote the understanding, education, and appreciation of the history and culture of Filipino Americans in the United States: Now, therefore, be it;

SENATE RESOLUTION 826—DESIGNATING OCTOBER 26, 2022, AS THE “DAY OF THE DEPLOYED”;

Mr. KING, (for Mrs. FEINSTEIN (for herself, Mr. GRASSLEY, Mr. DURBIN, Ms. MURKOWSKI, Mr. LEAHY, and Ms. ERNST)) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. Res. 826

Whereas, according to the National Intimate Partner and Sexual Violence Survey—

(1) up to 12,000,000 individuals in the United States report experiencing intimate partner violence annually, including physical violence, rape, or stalking;

(2) approximately 1 in 5 women in the United States and up to 1 in 7 men in the United States have experienced severe physical violence by an intimate partner at some point in their lifetimes;

Whereas, on average, 3 women in the United States are killed each day by a current or former intimate partner, according to the Bureau of Justice Statistics;

Whereas domestic violence can affect anyone, but women who are 18 to 34 years of age typically experience the highest rates of domestic violence;

Whereas survivors of domestic violence are strong, courageous, and resilient;

Whereas most female intimate partner violence have been victimized by the same offender previously;

Whereas domestic violence is cited as a significant factor in homelessness among families;

Whereas millions of children are exposed to domestic violence each year;

Whereas a study has found that children who were exposed to domestic violence in their households were 15 times more likely to be physically or sexually assaulted in their lifetime than other children who were not exposed to domestic violence in their households;

Whereas victims of domestic violence experience immediate and long-term negative outcomes, including detrimental effects on mental and physical health;

Whereas, as mandated in the mission statement of the Filipino American National Historical Society, efforts should continue to promote the study of Filipino American history and culture because the roles of Filipino Americans and other people of color have largely been overlooked in the writing, teaching, and learning of the history of the United States; and

Whereas it is essential to promote the understanding, education, and appreciation of the history and culture of Filipino Americans in the United States: Now, therefore, be it;

Resolved, That the Senate—

Whereas Filipino Americans have received the Congressional Gold Medal, the highest award for valor in action against an enemy force that may be bestowed on an individual serving in the Armed Forces, and continue to demonstrate a commendable sense of patriotism and honor in the Armed Forces;

Whereas members of the Armed Forces deployed to the area of operations of the United States Central Command since the September 11, 2001, terrorist attacks;

Whereas the United States is kept strong, courageous, and resilient;

Whereas domestic violence can affect anyone, but women who are 18 to 34 years of age typically experience the highest rates of domestic violence;

Whereas survivors of domestic violence are strong, courageous, and resilient;

Whereas most female intimate partner violence have been victimized by the same offender previously;

Whereas domestic violence is cited as a significant factor in homelessness among families;

Whereas millions of children are exposed to domestic violence each year;

Whereas a study has found that children who were exposed to domestic violence in their households were 15 times more likely to be physically or sexually assaulted in their lifetime than other children who were not exposed to domestic violence in their households;

Whereas victims of domestic violence experience immediate and long-term negative outcomes, including detrimental effects on mental and physical health;
Whereas research consistently shows that being abused by an intimate partner increases an individual’s likelihood of substance use as well as associated harmful consequences;

Whereas victims of domestic violence may lose several days of paid work each year and may lose their jobs due to reasons stemming from domestic violence;

Whereas crisis hotlines serving domestic violence victims operate 24 hours per day, 365 days per year, and offer important crisis intervention services, support services, information, and referrals for victims;

Whereas staff and volunteers of domestic violence shelters and programs in the United States, in cooperation with 56 State and territorial coalitions against domestic violence, provide essential services to—

(1) thousands of adults and children each day; and

(2) 1,000,000 adults and children each year;

Whereas domestic violence programs and hotlines have seen a substantial increase in contacts since 2020, and continue to experience a surge in requests for services, with the National Domestic Violence Hotline averaging approximately 2,600 daily contacts in 2022, up from 800 to 1,200 average daily contacts before the COVID-19 pandemic;

Whereas nearly 85 percent of American Indian and Alaska Native women have experienced some form of intimate partner violence in their lifetime;

Whereas respondents to a survey of domestic violence programs reported that survivors of domestic violence often face financial challenges, with 8,000,000 days of paid work lost each year due to intimate partner violence;

Whereas medical professionals have reported that survivors of domestic violence are presenting with more severe injuries during the pandemic;

Whereas domestic violence programs have changed the way they provide services in response to the COVID-19 pandemic;

Whereas advocates for survivors of domestic violence and survivors face the same challenges with child care and facilitating online learning that others do;

Whereas, according to a 2021 survey conducted by the National Network to End Domestic Violence, 70,052 domestic violence victims were served by domestic violence shelters and programs around the United States in a single day;

Whereas some victims of domestic violence face additional challenges in accessing law enforcement and services due to conditions specific to the communities in which they live;

Whereas law enforcement officers in the United States put their lives at risk each day by responding to incidents of domestic violence, which can be among the most volatile and deadly of all domestic violence and were disciplined or restricted in accordance with law enforcement and services due to conditions specific to the communities in which they live;

Whereas Congress first demonstrated a significant commitment to supporting victims of domestic violence with the enactment of the landmark Family Violence Prevention and Services Act (42 U.S.C. 10401 et seq.);

Whereas Congress has remained committed to protecting survivors of all forms of domestic violence and sexual abuse by making Federal funding available to support the activities that are authorized by—

(1) the Family Violence Prevention and Services Act (42 U.S.C. 10401 et seq.);

(2) the Violence Against Women Act of 1994 (34 U.S.C. 13921 et seq.); and

(3) the VOCA Fix to Sustain the Crime Victims Fund Act of 2021 (Public Law 117-27; 135 Stat. 301);

Whereas there is a need to continue to support activities authorized by domestic violence intervention and domestic violence prevention in the United States;

Whereas domestic violence programs provide trauma-informed services to protect the safety, privacy, and confidentiality of survivors of domestic violence; and

Whereas individuals and organizations that are dedicated to preventing and ending domestic violence should be recognized: Now, therefore, be it

Resolved, That—

(1) the Senate—

(A) supports the goals and ideals of “National Domestic Violence Awareness Month”;

(B) commends domestic violence victim advocates, domestic violence service providers, crisis hotline staff, and first responders serving victims of domestic violence, for their compassionate support of survivors of domestic violence; and

(C) recognizes the strength and courage of survivors of domestic violence; and

(2) it is the sense of the Senate that Congress should—

(A) continue to raise awareness of—

(i) domestic violence in the United States; and

(ii) the corresponding devastating effects of domestic violence on survivors, families, and communities; and

(B) pledge continued support for programs designed to—

(i) assist survivors of domestic violence;

(ii) hold perpetrators of domestic violence accountable; and

(iii) bring an end to domestic violence.

SENATE RESOLUTION 829—RECOGNIZING THE END OF THE COVID-19 PANDEMIC FOR FEDERAL EMPLOYEES, SERVICEMEMBERS, AND CONTRACTORS

Mr. REED (for Mr. LANKFORD) submitted the following resolution; which was referred to the Committee on Homeland Security and Governmental Affairs:

S. Res. 828

Whereas, on September 18, 2022, President Biden said “the pandemic is over”;

Whereas, since January 2021, in the United States, reported COVID-19 cases and hospitalizations have decreased by more than 75 percent and reported COVID-19-related deaths have decreased by almost 90 percent; and

Whereas, as of June 2022, 6,137 servicemembers had been discharged from service due to non-compliance with the COVID-19 vaccine requirement: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the President should remove all COVID-19 vaccine requirements for Federal employees and contractors;

(2) it is the sense of the Senate that Congress should—

(A) continue to raise awareness of—

(i) domestic violence in the United States; and

(ii) the corresponding devastating effects of domestic violence on survivors, families, and communities; and

(B) pledge continued support for programs designed to—

(i) assist survivors of domestic violence;

(ii) hold perpetrators of domestic violence accountable; and

(iii) bring an end to domestic violence.

Mr. KING (for Mr. SULLIVAN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. Res. 829

Whereas, in 1947, the Marine Corps Reserve Toys for Tots Program was created by William “Bill” Hendricks, Major United States Marine Corps Reserve, to assist the orphaned and less fortunate children following World War II;

Whereas, during the 1947 holiday season, Major Hendricks and his United States Marine Corps Reserve unit provided more than 5,000 toys to children in the Los Angeles area;

Whereas, in 1948, the Commandant of the Marine Corps established the Marine Corps Reserve Toys for Tots Program as a national effort;

Whereas, in 1991, to continue the administration of the Marine Corps Reserve Toys for Tots Program, the Marine Corps Reserve Toys for Tots Foundation was created as a nonprofit organization described in section 501(c)(3) of the Internal Revenue Code of 1986;

Whereas, in 1995, the Marine Corps Reserve Toys for Tots Program was assigned as an official mission of the Marine Corps Reserve and an official activity of the Marine Corps;

Whereas the mission of the Marine Corps Reserve Toys for Tots Program is to collect new, unwrapped toys during October, November, and December each year and distribute those toys as Christmas gifts to less fortunate children in the community in which the campaign is conducted, in order to contribute to the welfare of the local community, increase public awareness, and enhance the image of the Marine Corps;

Whereas, the Marine Corps Reserve Toys for Tots Program has expanded to cover all 50 States, the District of Columbia, the Commonwealth of Puerto Rico, and territories of the United States, Guam, and the territories of the United States, including more than 180,000 children who are part of the Toys for Tots Native American Program, while maintaining a 97.3 percent support ratio: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates and celebrates the 75th anniversary of the Marine Corps Reserve Toys for Tots Program;

(2) recognizes and thanks the Marine Corps Reserve Toys for Tots Program for its dedication to bringing Christmas joy to millions of children year after year;
AMENDMENTS SUBMITTED AND PROPOSED

SA 6442. Mr. REED proposed an amendment to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and 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.

SA 6443. Mr. REED (for Ms. CANTWELL, for herself and Mr. WICKER) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6444. Mr. REED (for Ms. CANTWELL, for herself and Mr. WICKER) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6445. Mr. REED (for Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6446. Mr. REED (for Mr. CORNYN (for himself and Mr. WHITEHOUSE)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6447. Mr. REED (for Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6448. Mr. REED (for Mr. CRAMER) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6449. Mr. REED (for Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6450. Mr. REED (for Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6451. Mr. REED (for Mr. SCOTT of Florida) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6452. Mr. REED (for Mr. SHELEY) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6453. Mr. REED (for Mr. GRAHAM (for himself and Mr. MENENDEZ)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6454. Mr. REED (for Mr. MANCHIN (for himself, Mr. BARRASSO, and Mr. RISCH)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6455. Mr. REED (for Mr. PETERS) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6456. Mr. REED (for Mrs. FRINKSTEN) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6457. Mr. REED (for Mr. OSSOFF (for himself and Mr. CARTER)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6458. Mr. REED (for Mr. VAN HOLLEN (for himself and Mr. TILLIS)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6459. Mr. REED (for Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6460. Mr. REED (for Mr. REED (for Mr. INHOFE)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6461. Mr. REED (for Mrs. SHAHEEN (for herself, Mr. MORAN, and Ms. HASSAN)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6462. Mr. REED (for Ms. SCHUMER (for himself and Mr. CORNYN)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6463. Mr. REED (for himself and Ms. COLLINS) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6464. Mr. REED (for Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6465. Mr. REED (for Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6466. Mr. REED (for Ms. CANTWELL (for herself and Mr. WICKER)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6467. Mr. REED (for Mr. CORNYN (for himself and Mr. KING)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6470. Mr. REED (for Mr. CORNYN (for himself and Mr. WHITEHOUSE)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6471. Mr. REED (for Mr. BRAUN) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6472. Mr. REED (for Mr. BRAUN) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6474. Mr. REED (for Mr. GRASSLEY (for himself, Ms. KLOHUCH, Mr. LEE, Mr. LEARY, and Mr. DURBES)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6475. Mr. REED (for Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6476. Mr. REED (for Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 6442. Mr. REED proposed an amendment to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; as follows:

SEC. EFFECTIVE DATE.

The amendment shall take effect on the date that is 1 day after the date of enactment of this Act.

SA 6443. Mr. REED (for Ms. CANTWELL (for herself and Mr. WICKER)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; as follows:

At the end add the following:
the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION E—COAST GUARD AUTHORIZATION ACT OF 2022

SEC. 5001. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This division may be cited as the “Coast Guard Authorization Act of 2022.”

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

DIVISION E—COAST GUARD AUTHORIZATION ACT OF 2022

Sec. 5001. Short title; table of contents.

Sec. 5002. Definition of Commandant.

TITLE LI—AUTHORIZATIONS

Sec. 5101. Authorization of appropriations.

Sec. 5102. Authorized levels of military strength and training.

Sec. 5103. Authorization for shore-side infrastructure and facilities.

Sec. 5104. Authorization for acquisition of vessels.

Sec. 5105. Authorization for the child care subsidy program.

TITLE LII—INFRASTRUCTURE AND ASSETS

Subtitle A—Infrastructure and Assets

Sec. 5201. Report on shore-side infrastructure and facilities needs.

Sec. 5202. Fleet mix analysis and shore infrastructure investment plan.

Sec. 5203. Acquisition life-cycle cost estimates.

Sec. 5204. Report and briefing on resourcing strategy for Western Pacific region.

Sec. 5205. Study and report on national security and drug trafficking threats in the Florida Straits and Caribbean region, including Cuba.

Sec. 5206. Coast Guard Yard.

Sec. 5207. Authority to enter into transactions other than contracts and grants to procure cost-effective technology for mission needs.

Sec. 5208. Improvements to infrastructure and operations planning.

Sec. 5209. Automated alert notification system pilot program.

Subtitle B—Great Lakes

Sec. 5210. Great Lakes winter commerce.

Sec. 5211. Database on icebreaking operations in the Great Lakes.

Sec. 5212. Great Lakes snowmobile acquisition plan.

Sec. 5213. Great Lakes barge inspection exemption.

Sec. 5214. Study on sufficiency of Coast Guard aviation assets to meet mission demands.

Title C—Arctic

Sec. 5211. Establishment of the Arctic Security Cutter Program Office.

Sec. 5221. Arctic activities.

Sec. 5222. Study on Arctic operations and infrastructure.

Subtitle D—Maritime Cyber and Artificial Intelligence

Sec. 5231. Enhancing maritime cybersecurity.

Sec. 5232. Establishment of unmanned systems program and autonomous control and computer vision technology project.

Sec. 5233. Artificial intelligence strategy.

Sec. 5234. Review of artificial intelligence applications and establishment of performance metrics.

Sec. 5234. Cyber data management.

Sec. 5235. Data management.

Sec. 5236. Study on cyber threats to the United States marine transportation system.

Subtitle E—Aviation

Sec. 5241. Space-available travel on Coast Guard aircraft; program authorization and eligible recipients.

Sec. 5242. Report on Coast Guard Air Station Barbers Point hangar.

Sec. 5243. Study on the operational availability of Coast Guard aircraft and strategy for Coast Guard Aviation.

Subtitle F—Workforce Readiness

Sec. 5251. Authorized strength.

Sec. 5252. Number and distribution of officers on active duty promotion lists.

Sec. 5253. Continuation on active duty of officers with critical skills.

Sec. 5254. Career incentive pay for marine inspectors.

Sec. 5255. Expansion of the ability for multiyear assessments of certain personnel.

Sec. 5256. Modification to education loan repayment program.

Sec. 5257. Report by the Commandant.

Sec. 5258. Report on resignation and retirement processing times and denial.

Sec. 5259. Physical disability evaluation system procedure review.

Sec. 5260. Expansion of authority for midterm assessments of certain personnel.

Sec. 5261. Promotion parity.

Sec. 5262. Partnership program to diversify the Coast Guard.

Sec. 5263. Expansion of Coast Guard Junior Reserve Officers’ Training Corps (ROTC) programs.

Sec. 5264. Improving representation of women and racial and ethnic minorities among Coast Guard active-duty members.

Sec. 5265. Strategy to enhance diversity through recruitment and accession.

Sec. 5266. Support for Coast Guard Academy.

Sec. 5267. Training for congressional affairs personnel.

Sec. 5268. Strategy for retention of cutters.

Sec. 5269. Study on performance of Coast Guard Force Readiness Command.

Sec. 5270. Study on frequency of weapons training for Coast Guard personnel.

Subtitle G—Miscellaneous Provisions

Sec. 5281. Budgeting of Coast Guard relating to certain operations.

Sec. 5282. Coast Guard assistance to United States Secret Service.

Sec. 5283. Conveyance of Coast Guard vessels.

Sec. 5284. Authorization relating to certain operations.

Sec. 5285. Transfer and conveyance.

Sec. 5286. Transparency and oversight.

Sec. 5287. Review of drug interdiction equipment and standards; testing for fentanyl during interdiction operations.

Sec. 5288. Study on maritime law enforcement.

Sec. 5289. Control and computer vision systems.

Sec. 5290. Actions by National Marine Fisheries Service to increase energy production.

Sec. 5291. Operational data sharing capability.

Sec. 5292. Procurement of tethered aerostat radar system for Coast Guard Station South Padre Island.

Sec. 5293. Assessment of Iran sanctions relief on Coast Guard operations under the Joint Comprehensive Plan of Action.

Sec. 5294. Report on shipyards of Finland and Sweden.

Sec. 5295. Provision on construction contracts with entities associated with the Chinese Communist Party.

Sec. 5296. Review of drug interdiction equipment and standards; testing for fentanyl during interdiction operations.

Sec. 5297. Public availability of information on monthly migrant interdictions.

TITLE LIII—ENVIRONMENT

Sec. 5301. Definition of Secretary.

Subtitle A—Marine Mammals

Sec. 5310. Assistance to ports to reduce the impacts of vessel traffic and port operations on marine mammals.

Sec. 5311. Near real-time monitoring and mitigation program for large cetaceans.

Sec. 5312. Pilot program to establish a Cetacean Desk for Puget Sound region.

Sec. 5315. Monitoring ocean soundscapes.

Subtitle B—Oil Spills

Sec. 5320. Western Alaska oil spill planning criteria.

Sec. 5321. Improving oil spill preparedness.

Sec. 5322. Review of certain operations.

Sec. 5323. Oil spill response review.

Sec. 5324. Coast Guard claims processing.

Sec. 5325. Calculation of interest on debt owed to the national pollution funds.

Sec. 5326. Per-incident limitation.

Sec. 5327. Access to the Oil Spill Liability Trust Fund.

Sec. 5328. Cost-reimbursable agreements.

Sec. 5329. Coast Guard assistance to United States Secret Service.

Sec. 5330. Review and report on limited indemnity provisions in standby oil spill response contracts.

Sec. 5331. Additional exceptions to regulations for towing vessels.

Subtitle C—Environmental Compliance

Sec. 5340. Review of anchorage regulations.

Sec. 5341. Study on impacts on shipping and commercial, Tribal, and recreational fisheries from the development of renewable energy on the West Coast.

Subtitle D—Environmental Issues

Sec. 5341. Modifications to the Sport Fish Restoration and Boating Trust Fund administration.

Sec. 5342. Improvements to Coast Guard communication with North Pacific maritime and fishing industry.

Sec. 5343. Fishing safety training grants program.

Sec. 5344. Load lines.

Sec. 5345. Actions by National Marine Fisheries Service to increase energy production.

Subtitle E—Illegal Fishing and Forced Labor

Sec. 5351. Definitions.

Sec. 5352. Assault of personnel.

Sec. 5353. Authority to enter into transactions other than contracts and grants to procure cost-effective technology for mission needs.

Sec. 5354. Load lines.

Sec. 5355. Fishing safety training grants program.

Sec. 5356. Authority to enter into transactions other than contracts and grants to procure cost-effective technology for mission needs.

Sec. 5357. Fishing safety training grants program.

Sec. 5358. Authority to enter into transactions other than contracts and grants to procure cost-effective technology for mission needs.

Sec. 5359. Fishing safety training grants program.

Sec. 5360. Authority to enter into transactions other than contracts and grants to procure cost-effective technology for mission needs.

Sec. 5361. Definitions.
CHAPTER 1—COMBATING HUMAN TRAFFICKING THROUGH SEAFOOD IMPORT MONITORING


Sec. 5363. Data sharing and aggregation.

Sec. 5364. Import audits.

Sec. 5365. Availability of fisheries information.

Sec. 5366. Report on Seafood Import Monitoring Program.

Sec. 5367. Authorization of appropriations.

CHAPTER 2—STRENGTHENING INTERNATIONAL FISHERIES MANAGEMENT TO COMBAT HUMAN TRAFFICKING

Sec. 5364. Import audits.

Sec. 5363. Data sharing and aggregation.

Sec. 5365. Availability of fisheries information.

Sec. 5366. Report on Seafood Import Monitoring Program.

Sec. 5367. Authorization of appropriations.

SUBTITLE A—SUPPORT FOR COAST GUARD WORKFORCE

Subtitle A—Support for Coast Guard Members and Families

Sec. 5401. Coast Guard child care improvements.

Sec. 5402. Armed Forces access to Coast Guard child care facilities.

Sec. 5403. Cadet pregnancy policy improvements.

Sec. 5404. Combat-related special compensation.

Sec. 5405. Study on food security.

Subtitle B—Healthcare

Sec. 5421. Development of medical staffing standards for the Coast Guard.

Sec. 5422. Healthcare system review and strategic plan.

Sec. 5423. Data collection and access to care.

Sec. 5424. Behavioral health policy.

Sec. 5425. Members asserting post-traumatic stress disorder or traumatic brain injury.

Sec. 5426. Improvements to the Physical Disability Evaluation System and transition program.

Sec. 5427. Expansion of access to counseling.

Sec. 5428. Expanding postdeployment opportunities for members of the Coast Guard in medical and related fields.

Sec. 5429. Study on Coast Guard telemedicine program.

Sec. 5430. Study on Coast Guard medical facility needs.

Subtitle C—Housing

Sec. 5441. Strategy to improve quality of life at recruit units.

Sec. 5442. Study on Coast Guard housing access, cost, and challenges.

Sec. 5443. A description of certain military housing conditions of enlisted members of the Coast Guard in Key West, Florida.

Sec. 5444. Study on Coast Guard housing authorities and privatized housing.

Subtitle D—Other Matters

Sec. 5451. Report on availability of emergency supplies for Coast Guard personnel.

TITLE LV—MARITIME

Subtitle A—Vessel Safety

Sec. 5501. Abandoned Seafarers Fund amendments.

Sec. 5502. Receipts; international agreements for ice patrol services.

Sec. 5503. Passenger vessel security and safety requirements.

Sec. 5504. At-sea recovery operations pilot program.

Sec. 5506. Exoneration and limitation of liability for small passenger vessel operators.

Sec. 5507. Certain historic passenger vessels.

Sec. 5508. Coast Guard digital registration.

Sec. 5509. Responses to safety recommendations.

Sec. 5510. Comptroller General of the United States study and report on the Coast Guard’s oversight of third party organizations.

Sec. 5511. Articulated tug-barge marking.

Sec. 5512. Alternate safety compliance program exception for certain vessels.

Subtitle B—Other Matters

Sec. 5521. Definition of a stateless vessel.

Sec. 5522. Report on procurement of coastwise laws.

Sec. 5523. Study on multi-level supply chain security strategy of the department of homeland security.

Sec. 5524. Study to modernize the merchant mariner licensing and documentation system.

Sec. 5525. Study and report on development and maintenance of mariner records database.

Sec. 5526. Assessment regarding application process for merchant mariner credentials.

Sec. 5527. Military to Mariners Act of 2022.

Sec. 5528. Floating dry docks.

TITLE LVII—SEXUAL ASSAULT AND SEXUAL HARASSMENT PREVENTION AND RESPONSE

Sec. 5601. Definitions.

Sec. 5602. Convicted sex offender as grounds for denial.

Sec. 5603. Accommodation; notices.

Sec. 5604. Protection against discrimination.

Sec. 5605. Alcohol at sea.

Sec. 5606. Sexual harassment or sexual assault as grounds for suspension and revocation.

Sec. 5607. Surveillance requirements.

Sec. 5608. Master key control.

Sec. 5609. Safety management systems.

Sec. 5610. Requirement to report sexual assault.

Sec. 5611. Access to care and sexual assault forensic examinations.

Sec. 5612. Reports to Congress.

Sec. 5613. Policy on requests for permanent changes of station or unit transfers by persons who report being the victim of sexual assault.

Sec. 5614. Sex offenses and personnel records.

Sec. 5615. Study on Coast Guard oversight and policies.

Sec. 5616. Study on Special Victims’ Counsel program.

TITLE LVIII—TECHNICAL, CONFORMING, AND CLARIFYING AMENDMENTS

Sec. 5610. Technical correction.

Sec. 5611. Reinstatement.

Sec. 5612. Terms and vacancies.

TITLE LIX—RULE OF CONSTRUCTION

Sec. 5652. DEFINITION OF COMMANDANT.

In this division, the term “Commandant” means the Commandant of the Coast Guard.

TITLE LI—AUTHORIZATIONS

SEC. 5101. AUTHORIZATION OF APPROPRIATIONS.

Section 4902 of title 14, United States Code, is amended—

(1) in the matter preceding paragraph (1), by striking “fiscal years 2020 and 2021” and inserting “fiscal years 2022 and 2023”;

(2) in paragraph (1)—

(A) in subparagraph (A), by striking clauses (i) and (ii) and inserting the following:

“(i) $10,000,000,000 for fiscal year 2022; and

(ii) $10,750,000,000 for fiscal year 2023.”;

(B) in subparagraph (B), by striking “$17,035,000” and inserting “$21,456,000”; and

(C) in subparagraph (C), by striking “, (A)(ii) $17,376,000” and inserting “, (A)(ii), $23,353,000”;

(3) in paragraph (2)—

(A) in subparagraph (A), by striking clauses (i) and (ii) and inserting the following:

“(i) $2,459,100,000 for fiscal year 2022; and

(ii) $3,477,600,000 for fiscal year 2023.”;

and

(B) in subparagraph (B), by striking clauses (i) and (ii) and inserting the following:

“(i) $20,400,000 for fiscal year 2022; and

(ii) $20,308,000 for fiscal year 2023.”;

(4) in paragraph (3), by striking subparagraphs (A) and (B) and inserting the following:

“(A) $7,476,000 for fiscal year 2022; and

(B) $14,681,084 for fiscal year 2023.”;

and

(5) in paragraph (4), by striking subparagraphs (A) and (B) and inserting the following:

“(A) $240,577,000 for fiscal year 2022; and

(B) $252,887,000 for fiscal year 2023.”;

and

Section 4904 of title 14, United States Code, is amended—

(1) in subsection (a), by striking “fiscal years 2020 and 2021” and inserting “fiscal years 2022 and 2023”;

and

(2) in subsection (b) in the matter preceding paragraph (1), by striking “fiscal years 2020 and 2021” and inserting “fiscal years 2022 and 2023”.

TITLE LX—AUTHORIZATION FOR SHORESIDE INFRASTRUCTURE AND FACILITIES.

Subtitle A—National Oceanic and Atmospheric Administration

Sec. 5701. Definitions.

Sec. 5702. Requirement for appointments.

Sec. 5703. Repeal of requirement to promote ensigns after 3 years of service.

Sec. 5704. Authority to provide awards and decorations.

Sec. 5705. Retirement and separation.

Sec. 5706. Acquisition of aircraft for extreme weather reconnaissance.

Sec. 5707. Report on professionalmariner staffing needs.

Title VII—Rule of Construction

SEC. 5602. DEFINITION OF COMMANDANT.

In this division, the term “Commandant” means the Commandant of the Coast Guard.

SUBTITLE A—NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Subtitle A—National Oceanic and Atmospheric Administration Commissioned Officer Corps

Sec. 5701. Definitions.

Sec. 5702. Requirement for appointments.

Sec. 5703. Repeal of requirement to promote ensigns after 3 years of service.

Sec. 5704. Authority to provide awards and decorations.

Sec. 5705. Retirement and separation.

Sec. 5706. Improvement of professional mariner staffing.

Sec. 5707. Legal assistance.

Sec. 5708. Acquisition of aircraft for extreme weather reconnaissance.

Sec. 5709. Report on professionalmariner staffing needs.

Subtitle B—Other Matters


TITLE LIX—RULE OF CONSTRUCTION

Sec. 5651. Authorized levels of military strength and training.

Section 4904 of title 14, United States Code, is amended—

(1) in subsection (a), by striking “fiscal years 2020 and 2021” and inserting “fiscal years 2022 and 2023”;

and

(2) in subsection (b) in the matter preceding paragraph (1), by striking “fiscal years 2020 and 2021” and inserting “fiscal years 2022 and 2023”.

TITLE LXI—AUTHORIZATION FOR SHORESIDE INFRASTRUCTURE AND FACILITIES.

(1) In General.—In addition to the amounts authorized to be appropriated under section 4902 of title 14, United States Code, as amended by section 5101 of this division, for the period of fiscal years 2023 through 2028—

(1) $3,000,000,000 is authorized to fund maintenance, new construction, and repairs needed for Coast Guard shorelines infrastructure; and

(2) $150,000,000 is authorized to fund phase two of the recapitalization project at Coast Guard Training Center Cape May in Cape May, New Jersey, to improve recruitment
and training of a diverse Coast Guard workforce; and
(3) $30,000,000 is authorized for the construction of additional new child care development centers, and are constructed using funds authorized by the Infrastructure Investment and Jobs Act (Public Law 117–58; 135 Stat. 249).
(b) COAST GUARD YARD RESILIENT INFRASTRUCTURE AND CONSTRUCTION IMPROVEMENT.—In addition to the amounts authorized to be appropriated under section 4902(2)(A)(ii) of title 14, United States Code as amended by section 5101 of this division—
(1) $400,000,000 is authorized for the period of fiscal years 2023 through 2026 for the Secretary of the Navy in which the Coast Guard is operating for the purposes of improvements to facilities of the Yard; and
(2) $250,000,000 is authorized for the acquisition of a new floating drydock, to remain available until expended.
SEC. 5104. AUTHORIZATION FOR ACQUISITION OF VESSELS.
In addition to the amounts authorized to be appropriated under section 4902(2)(A)(ii) of title 14, United States Code, as amended by section 5101 of this division, that are at least as capable as the Coast Guard Mackinaw (WLBB–30); and $550,000,000 is authorized for the acquisition of a Great Lakes icebreaker that is at least as capable as the Coast Guard cutter Mackinaw (WLBB–30); and $172,500,000 is authorized for the program management, design, and acquisition of 12 of the fastest heavy weather boats that are at least as capable as the Coast Guard’s 52-foot motor surfboat;
(3) $80,000,000 is authorized for the continued acquisition of Offshore Patrol Cutters; and
(4) $560,000,000 is authorized for a twelfth National Security Cutter.
SEC. 5105. AUTHORIZATION FOR THE CHILD CARE SUBSIDY PROGRAM.
In addition to the amounts authorized to be appropriated under section 4902(2)(A)(ii) of title 14, United States Code, $20,000,000 is authorized for the Coast Guard for fiscal years 2023 and 2024 for the child care subsidy program.
TITLES II–COAST GUARD
Subtitle A—Infrastructure and Assets
SEC. 5201. REPORT ON SHORESIDE INFRASTRUCTURE AND FACILITIES NEEDS.
Not less frequently than annually, the Commandant shall submit to the Committees on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes—
(1) a detailed list of shoreside infrastructure needs for all Coast Guard facilities located within each Coast Guard District in the order of priority, including recaptitalization, maintenance needs in excess of $25,000, dredging, and other shoreside infrastructure needs of the Coast Guard;
(2) the estimated cost of projects to fulfill such needs, to the extent available; and
(3) a general description of the state of planning for each such project.
SEC. 5202. FLEET MIX ANALYSIS AND SHORE INFRASTRUCTURE INVESTMENT PLAN.
(a) FLEET MIX ANALYSIS.—
(1) IN GENERAL.—The Commandant shall conduct a fleet mix analysis that provides for a fleet mix sufficient, as determined by the Commandant—
(A) to carry out—
(i) the missions of the Coast Guard; and
(ii) mission requirements; and
(B) to address—
(i) national security threats; and
(ii) the global deployment of the Coast Guard to counter great power competitors.
(2) REPORT.—Not later than 1 year after the date on which the report under paragraph (1), the Commandant shall submit to Congress a report on the results of the updated fleet mix analysis required by paragraph (1).
(b) SHORE INFRASTRUCTURE INVESTMENT PLAN.—
(1) IN GENERAL.—The Commandant shall develop an updated shore infrastructure investment plan for the Western Pacific region.
(2) A FLEET MIX ANALYSIS.—
(A) such life-cycle cost estimates to be updated before—
(C) the date on which the Commandant submits the report under paragraph (1).
(3) ACQUISITION LIFE-CYCLE COST ESTIMATES.
Section 1132(e) of title 14, United States Code, is amended by striking paragraphs (2) and (5) and inserting the following—
"(7) $650,000,000 is authorized for a twelfth National Security Cutter.
SEC. 5203. STUDY AND REPORT ON NATIONAL SECURITY AND DRUG TRAFFICKING THREATS IN THE FLORIDA STRAITS AND CARIBBEAN REGION, INCLUDING CUBA.
(a) IN GENERAL.—The Commandant shall conduct a study on national security, drug trafficking, and other relevant threats as the Commandant considers appropriate, in the Florida Straits and Caribbean region, including Cuba.
(b) BRIEFING.—Not later than 60 days after the date on which the Commandant submits the report under subsection (a), the Commandant, or a designated individual, shall provide to the Committees on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the findings and conclusions of such report.
SEC. 5204. REPORT AND BRIEFING ON RESOURCE STRATEGY FOR WESTERN PACIFIC REGION.
(a) REPORT.—
(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commandant, in consultation with the Commandant General of the United States and the Secretary of Commerce, shall submit to Congress a report outlining the Coast Guard’s resources needed to achieve optimum operations in the Western Pacific region.
(2) ELEMENTS.—The report required under paragraph (1) shall include the following—
(A) An assessment of the risks and associated needs—
(i) the detection and interdiction of illicit drug trafficking; and
(ii) the detection of national security threats in such region;
(B) capability gaps of the Coast Guard with respect to—
(i) the detection and interdiction of illicit drug trafficking; and
(ii) the detection of national security threats in such region;
(C) the critical technological advancements required for the Coast Guard to meet
Coast Guard operations in the Western Pacific region; and
(iii) support of the President, as set forth in the Indo-Pacific Strategy, to expand United States commitment and cooperation in Southeast Asia, South Asia, and the Pacific Islands, with a focus on advising, training, deployment, and capacity building.
(b) FRACTORIES.—In addition to the amounts authorized to be appropriated under section 4902(2)(A)(ii) of title 14, United States Code, as amended by section 5101 of this division—
(1) $550,000,000 is authorized for the acquisition of a Great Lakes icebreaker that is at least as capable as the Coast Guard cutter Mackinaw (WLBB–30);
(2) $172,500,000 is authorized for the program management, design, and acquisition of 12 of the fastest heavy weather boats that are at least as capable as the Coast Guard’s 52-foot motor surfboat;
(3) $80,000,000 is authorized for the continued acquisition of Offshore Patrol Cutters; and
(4) $560,000,000 is authorized for a twelfth National Security Cutter.
SEC. 5205. REPORT ON RESOURCES STRATEGY FOR WESTERN PACIFIC REGION.
(a) REPORT.—
(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commandant, in consultation with the Commandant General of the United States and the Under Secretary of Commerce for Oceans and Atmosphere, shall submit to the Committees on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report outlining the Coast Guard’s resources needed to achieve optimum operations in the Western Pacific region.
(2) ELEMENTS.—The report required under paragraph (1) shall include the following—
(A) An assessment of the risks and associated needs—
(i) the detection and interdiction of illicit drug trafficking; and
(ii) the detection of national security threats in such region;
(B) capability gaps of the Coast Guard with respect to—
(i) the detection and interdiction of illicit drug trafficking; and
(ii) the detection of national security threats in such region;
(c) FRACTORIES.—In addition to the amounts authorized to be appropriated under section 4902(2)(A)(ii) of title 14, United States Code, as amended by section 5101 of this division—
(1) $550,000,000 is authorized for the acquisition of a Great Lakes icebreaker that is at least as capable as the Coast Guard cutter Mackinaw (WLBB–30);
(2) $172,500,000 is authorized for the program management, design, and acquisition of 12 of the fastest heavy weather boats that are at least as capable as the Coast Guard’s 52-foot motor surfboat;
(3) $80,000,000 is authorized for the continued acquisition of Offshore Patrol Cutters; and
(4) $560,000,000 is authorized for a twelfth National Security Cutter.
SEC. 5206. REPORT ON RESOURCES STRATEGY FOR WESTERN PACIFIC REGION.
(a) REPORT.—
(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commandant, in consultation with the Commandant General of the United States and the Under Secretary of Commerce for Oceans and Atmosphere, shall submit to the Committees on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report outlining the Coast Guard’s resources needed to achieve optimum operations in the Western Pacific region.
(2) ELEMENTS.—The report required under paragraph (1) shall include the following—
(A) An assessment of the risks and associated needs—
(i) the detection and interdiction of illicit drug trafficking; and
(ii) the detection of national security threats in such region;
(B) capability gaps of the Coast Guard with respect to—
(i) the detection and interdiction of illicit drug trafficking; and
(ii) the detection of national security threats in such region;
(c) FRACTORIES.—In addition to the amounts authorized to be appropriated under section 4902(2)(A)(ii) of title 14, United States Code, as amended by section 5101 of this division—
(1) $550,000,000 is authorized for the acquisition of a Great Lakes icebreaker that is at least as capable as the Coast Guard cutter Mackinaw (WLBB–30); and
(2) $172,500,000 is authorized for the program management, design, and acquisition of 12 of the fastest heavy weather boats that are at least as capable as the Coast Guard’s 52-foot motor surfboat;
current and anticipated threats in such re-
gion;
(B) the capabilities required to enhance in-
formation sharing and coordination between
the Coast Guard and International partners,
foreign governments, and related civilian en-
tities; and
(C) any significant new or developing threat
to the United States posed by illicit actors in such region.

(c) REPORT.—Not later than 2 years after
the date of the enactment of this Act, the Comman-
dant shall submit to the Committee on
Commerce, Science, and Transportation of the Senate
and the Committee on Trans-
portation and Infrastructure of the House of Represen-
tatives a report on the results of the study under subsection (a).

SEC. 5206. COAST GUARD YARD.

(a) IN GENERAL.—With respect to the Coast
Guard Yard, the purposes of the authoriza-
tion under section 503(b) are—

(1) to improve resiliency and capacity;

(2) to maintain and expand Coast Guard or-
ganic manufacturing capacity;

(3) to expand training and recruitment;

(4) to enhance safety;

(5) to improve environmental compliance; and

(6) to ensure that the Coast Guard Yard is
prepared to meet the growing needs of the
modern Coast Guard fleet.

(b) INCLUSION.—The Secretary of the de-
partment in which the Coast Guard is oper-
ating shall ensure that the Coast Guard Yard
receives improvements that include the fol-
lowing:

(1) Facilities upgrades needed to improve
resiliency of the shipyard, its facilities, and
associated infrastructure.

(2) Acquisition of a large-capacity drydock.

(3) Improvements to piers and wharves,
hydropumps, and equipment utilities.

(4) Environmental remediation.

(5) Construction of a new warehouse and
paint facility.

(6) Acquisition of a new travel lift.

(7) Dredging necessary to facilitate access
to the Coast Guard Yard.

(c) WORKFORCE DEVELOPMENT PLAN.—Not
later than 180 days after the date of the en-
actment of this Act, the Commandant shall sub-
mit to the Committee on Commerce,
Science, and Transportation of the Senate and
the Committee on Transportation and Infra-
structure of the House of Representa-
tives, a workforce development plan that—

(1) outlines the workforce needs of the
Coast Guard Yard with respect to civil-
ian employees and active duty members of the
Coast Guard involved in the award or admin-
istration of transactions under this section;

(2) includes recommendations for Congress
with respect to the authorities, training,
recruiting, and development of employees and
contractors preparing to work at the yard;

(3) includes recommendations for Congress
with respect to the authorities, training,
funding, and civilian and active-duty re-
cruitment, including the recruitment of
women and underrepresented minorities,
necessary to meet workforce needs of the
Coast Guard Yard for the 10-year period
beginning on the date of submission of the plan.

SEC. 5207. AUTHORITY TO ENTER INTO TRANS-
ACTIONS OTHER THAN CONTRACTS TO
PROCURE COST-EFFECTIVE TECHNOLOGY FOR MI-
SION NEEDS.

(a) IN GENERAL.—Subchapter III of chapter
11 of title 14, United States Code, is amended by
adding at the end the following:

"§1158. Authority to enter into transactions
other than contracts and grants to procure
cost-effective, advanced technology for mis-
cion-critical needs

"(a) IN GENERAL.—Subject to subsections
(b) and (c), the Commandant may enter into
transactions (other than contracts, coopera-
tive agreements, and grants) to develop pro-
totypes for, and to operate and procure, cost-
effective technology for the purpose of meet-
ing the requirements of the Coast Guard.

"(b) PROCUREMENT AND ACQUISITION.—Pro-
curement or acquisition of technologies under subsection (a) shall be—

"(1) carried out in accordance with this

title and Coast Guard policies and guidance; and

"(2) consistent with the operational re-
quirements of the Coast Guard.

"(c) LIMITATIONS.—

"(1) IN GENERAL.—The Commandant may
not enter into a transaction under subsec-
tion (a) with respect to a technology that—

"(A) does not comply with the cybersecu-

rity standards of the Coast Guard;

"(B) is sourced from an entity domiciled in
the People's Republic of China, unless the
Commandant determines that the prototype,
opportunity, or procurement of such a tech-
nology is for the purpose of—

"(i) counter-UAS operations, surrogate
testing, or training; or

"(ii) intelligent electronic warfare, and
information warfare operations, testing,
analysis, and training.

"(2) WAIVER.—The Commandant may waive
the requirements of paragraph (1) on a
case-by-case basis by certifying in writing to the
Secretary of Homeland Security and the appro-
priate committees of Congress that the prototype,
opportunity, or procurement of such technology is for the purposes of—

"(A) to maintain and expand Coast Guard or-

ganic manufacturing capacity;

"(B) to improve environmental compliance;

"(C) to expand training and recruitment;

"(D) to improve resiliency and capacity;

"(E) to enhance safety;

"(F) to maintain and expand Coast Guard or-

ganic manufacturing capacity;

"(G) to improve environmental compliance;

"(H) to enhance safety;

"(I) to maintain and expand Coast Guard or-

ganic manufacturing capacity; or

"(J) to improve environmental compliance;

"(B) the capabilities required to enhance in-
formation sharing and coordination between
the Coast Guard and International partners,
foreign governments, and related civilian en-
tities; and

"(C) any significant new or developing threat
to the United States posed by illicit actors in such region.

(c) REPORT.—Not later than 2 years after
the date of the enactment of this Act, the Commandant shall submit to the Committee on
Commerce, Science, and Transportation of the Senate
and the Committee on Trans-
portation and Infrastructure of the House of Represen-
tatives a report on the results of the study under subsection (a).

SEC. 5208. IMPROVEMENTS TO INFRASTRUCTURE
AND GRANTS TO PROCURE COST-EF-
FECTIVE TECHNOLOGY FOR MI-
SION NEEDS.

(a) IN GENERAL.—Not later than 1 year
after the date of the enactment of this Act, the
Commandant shall incorporate the most
recent oceanic and atmospheric data relat-
ing to the increasing rates of extreme weather,
including flooding, into planning sce-
narios for the Coast Guard Yard and any
mission deployments with respect to all
Coast Guard Missions.

(b) COORDINATION WITH NATIONAL OCEANIC
AND ATMOSPHERIC ADMINISTRATION.—In car-
rying out subsection (a), the Commandant shall—

(1) coordinate with the Under Secretary of
Commerce for Oceans and Atmosphere to en-
sure the incorporation of the most recent en-
vironmental and climatic data; and

(2) request technical assistance and advice from the Under Secretary in planning sce-
narios, as appropriate.

(c) BRIEFING.—Not later than 1 year after
the date of the enactment of this Act, the
Commandant shall provide to the Committee on
Commerce, Science, and Transportation of the Senate
and the Committee on Trans-
portation and Infrastructure of the House of
Representatives a briefing on the manner in which
the best-available science from the National Oceanic and Atmospheric Admin-
istration has been incorporated into at least 1 key mission area of the Coast Guard, and the
lessons learned from doing so.

SEC. 5209. AQUA ALERT NOTIFICATION SYSTEM PILOT PROGRAM.

(a) IN GENERAL.—Not later than 2 years
after the date of the enactment of this Act, the
Commandant shall subject to the avail-
ability of appropriations, establish a pilot
program to improve the issuance of alerts to
facilitate cooperation with the public to
render aid to distressed individuals under
section 521 of title 14, United States Code.

(b) PILOT PROGRAM CONTENTS.—The
pilot program established under subsection (a)
shall, to the maximum extent possible—

(1) include a voluntary opt-in program
under which members of the public, at the
appropriate committees of Congress that the
Commandant shall provide to the Committee
on Commerce, Science, and Transportation of
the Senate; and

(2) request technical assistance and advice from the
Under Secretary in planning sce-
narios, as appropriate.

(c) REPORT.—In developing the pilot
program under subsection (a), the
Commandant shall consult—

(1) the head of any relevant Federal agen-
cy;

(2) the government of any relevant State;

(3) any Tribal Government;

(4) the government of any relevant terri-
tory or possession of the United States; and

(5) any relevant political subdivision of an
entity described in paragraph (2), (3), or (4).

(d) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 2 years
after the date of the enactment of this Act,
and annually thereafter through 2026, the
Commandant shall submit to the Committee on
Commerce, Science, and Transportation of the Senate
and the Committee on Trans-
portation and Infrastructure of the House of
Representatives a report on the implementa-
tion of this section.

(2) PUBLIC AVAILABILITY.—The
Commandant shall make the report submitted under paragraph (1) available to the public.

(e) AUTHORIZATION OF APPROPRIATIONS.—
There is authorized to be appropriated to the Committee on Commerce, Science, and Transportation
§1,000,000 for each of fiscal years 2023 through
2026, to remain available until expended.
SECTION 5211. GREAT LAKES WINTER COMMERCE.

(a) IN GENERAL.—Subchapter IV of chapter 5 of title 14, United States Code, is amended by adding at the end the following:

"§564. Great Lakes icebreaking operations

(a) GAO REPORT.—

"(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this section, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the Coast Guard Great Lakes icebreaking program.

"(2) ELEMENTS.—The report required under paragraph (1) shall include the following:

(A) A description of the economic impact of vessel delays or cancellations associated with ice coverage on the Great Lakes;

(B) An evaluation of mission needs of the Coast Guard Great Lakes icebreaking program;

(C) An evaluation of the impact that the proposed standards described in subsection (b) would have on—

(i) Coast Guard operations in the Great Lakes;

(ii) Northeast icebreaking missions; and

(iii) inland waterway operations.

(D) A fleet mix analysis for meeting such proposed standards.

(E) A description of the resources necessary to support the fleet mix resulting from such fleet mix analysis, including for crew and operating costs.

(F) Recommendations to the Commandant for improvements to the Great Lakes icebreaking program, including with respect to facilitating commerce and meeting all Coast Guard mission needs.

(b) PROPOSED STANDARDS FOR ICEBREAKING OPERATIONS.—The proposed standards described in this subsection are as follows:

"(1) Except as provided in paragraph (2), the Commandant shall keep ice-covered waterways in the Great Lakes open to navigation during not less than 90 percent of the time that occurs on average only once every 10 years, the Commandant shall keep ice-covered waterways open to navigation during not less than 70 percent of the time that occurs on average only once every 10 years, the Commandant shall keep ice-covered waterways open to navigation during not less than 90 percent of the Great Lakes in which commercial vessels and ferries operate that is 70 percent or greater covered by ice, but does not include any waters adjacent to piers or docks for which commercial icebreaking services are available and adequate for the ice conditions.

"(2) OPEN TO NAVIGATION.—The term ‘open to navigation’ means navigable to the extent necessary, in no particular order of priority—

(A) to extricate vessels and individuals from danger;

(B) to prevent damage due to flooding;

(C) to meet the reasonable demands of commerce;

(D) to minimize delays to passenger ferries; and

(E) to conduct other Coast Guard missions as required.

(3) REASONABLE DEMANDS OF COMMERCE.—The term ‘reasonable demands of commerce’ means the safe movement of commercial vessels and ferries transiting ice-covered waterways in the Great Lakes, regardless of type of cargo, at a speed consistent with the design capability of Coast Guard icebreakers operating in the Great Lakes and appropriate to the ice capability of the commercial vessel.

(b) CLERICAL AMENDMENT.—The analysis for chapter 5 of title 14, United States Code, is amended by adding at the end the following:

"§564. Great Lakes icebreaking operations.

SEC. 5212. DATABASE ON ICEBREAKING OPERATIONS IN THE GREAT LAKES.

(a) IN GENERAL.—The Commandant shall establish and maintain a database for collecting, archiving, and disseminating data on icebreaking operations and commercial vessels and ferry transit in the Great Lakes during ice season.

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

(1) Attempts by commercial vessels and ferries to transit ice-covered waterways in the Great Lakes that are unsuccessful because of inadequate icebreaking.

(2) The period of time that each commercial vessel or ferry was unsuccessful at so transiting due to inadequate icebreaking.

(3) The amount of time elapsed before each such commercial vessel or ferry was successful at getting out of the ice and whether it was accomplished by Coast Guard of by commercial icebreaking assets.

(4) Relevant communications of each such commercial vessel or ferry with the Coast Guard and with commercial icebreaking services during such period.

(5) A description of any mitigating circumstance, such as Coast Guard icebreaker diversions to other missions, that may have contributed to the amount of time described in paragraph (3).

(c) VOLUNTARY REPORTING.—Any reporting by operators of commercial vessels or ferries under this section shall be voluntary.

(d) PUBLIC AVAILABILITY.—The Commandant shall make the database accessible to the public on a publicly accessible internet website of the Coast Guard.

SUBTITLE B—Great Lakes

(1) COMMERCIAL VESSEL.—The term ‘commercial vessel’ means any privately owned cargo vessel operating in the Great Lakes during the winter season of at least 500 tons, as measured under section 14502 of title 46, or any commercial vessel operating in the Great Lakes during the winter season of at least 500 tons, as measured under section 14502 of such title, as prescribed by the Secretary under section 14104 of such title.

(2) GREAT LAKES.—The term ‘Great Lakes’ means the United States waters of Lake Superior, Lake Michigan, Lake Huron, Lake Erie, and Lake Ontario, their connecting waterways, and their adjacent harbors.

(3) ICE-COVERED WATERWAY.—The term ‘ice-covered waterway’ means any portion of the Great Lakes in which commercial vessels and ferries operate that is 70 percent or greater covered by ice, but does not include any waters adjacent to piers or docks for which commercial icebreaking services are available and adequate for the ice conditions.

(4) OPEN TO NAVIGATION.—The term ‘open to navigation’ means navigable to the extent necessary, in no particular order of priority—

(A) to extricate vessels and individuals from danger;

(B) to prevent damage due to flooding;

(C) to meet the reasonable demands of commerce;

(D) to minimize delays to passenger ferries; and

(E) to conduct other Coast Guard missions as required.

(f) REASONABLE DEMANDS OF COMMERCE.—The term ‘reasonable demands of commerce’ means the safe movement of commercial vessels and ferries transiting ice-covered waterways in the Great Lakes, regardless of type of cargo, at a speed consistent with the design capability of Coast Guard icebreakers operating in the Great Lakes and appropriate to the ice capability of the commercial vessel.

(g) PUBLIC REPORT.—Not later than July 1 after the first winter in which the Commandant is subject to section 564 of title 14, United States Code, the Commandant shall publish on a publicly accessible internet website of the Coast Guard a report on the Great Lakes and impeded units.

(b) ELEMENTS.—The plan required by subsection (a) shall include—

(1) A consideration of input from officers in charge, commanding officers, and Commanders of impacted units.

(2) A description of any mitigating circumstance, such as Coast Guard icebreaker diversions to other missions, that may have contributed to the amount of time described in paragraph (3).

(c) VOLUNTARY REPORTING.—Any reporting by operators of commercial vessels or ferries under this section shall be voluntary.

(d) PUBLIC AVAILABILITY.—The Commandant shall make the database accessible to the public on a publicly accessible internet website of the Coast Guard.

(e) CONSULTATION WITH INDUSTRY.—With respect to the Great Lakes icebreaking operations of the Coast Guard and the development of the database required under subsection (b), the Commandant shall consult with operators of commercial vessels and ferries.

(f) DEFINITIONS.—In this section—

(1) COMMERCIAL VESSEL.—The term ‘commercial vessel’ means any privately owned cargo vessel operating in the Great Lakes during the winter season of at least 500 tons, as measured under section 14502 of such title, as prescribed by the Secretary under section 14104 of such title.

(2) GREAT LAKES.—The term ‘Great Lakes’ means the United States waters of Lake Superior, Lake Michigan, Lake Huron, Lake Erie, and Lake Ontario, their connecting waterways, and their adjacent harbors.

(3) ICE-COVERED WATERWAY.—The term ‘ice-covered waterway’ means any portion of the Great Lakes in which commercial vessels or ferries operate that is 70 percent or greater covered by ice, but does not include any waters adjacent to piers or docks for which commercial icebreaking services are available and adequate for the ice conditions.

(4) OPEN TO NAVIGATION.—The term ‘open to navigation’ means navigable to the extent necessary, in no particular order of priority—

(A) to extricate vessels and individuals from danger;

(B) to prevent damage due to flooding;

(C) to meet the reasonable demands of commerce;

(D) to minimize delays to passenger ferries; and

(E) to conduct other Coast Guard missions as required.

(f) REASONABLE DEMANDS OF COMMERCE.—The term ‘reasonable demands of commerce’ means the safe movement of commercial vessels and ferries transiting ice-covered waterways in the Great Lakes, regardless of type of cargo, at a speed consistent with the design capability of Coast Guard icebreakers operating in the Great Lakes and appropriate to the ice capability of the commercial vessel.

(g) PUBLIC REPORT.—Not later than July 1 after the first winter in which the Commandant is subject to section 564 of title 14, United States Code, the Commandant shall publish on a publicly accessible internet website of the Coast Guard a report on the Great Lakes and impeded units.

(b) ELEMENTS.—The plan required by subsection (a) shall include—

(1) A consideration of input from officers in charge, commanding officers, and Commanders of impacted units.

(2) A description of any mitigating circumstance, such as Coast Guard icebreaker diversions to other missions, that may have contributed to the amount of time described in paragraph (3).

(c) VOLUNTARY REPORTING.—Any reporting by operators of commercial vessels or ferries under this section shall be voluntary.

(d) PUBLIC AVAILABILITY.—The Commandant shall make the database accessible to the public on a publicly accessible internet website of the Coast Guard.
maintaining the safety of Coast Guard personnel engaged in search and rescue; (B) the operational capabilities of a snowmobile, as compared to an airboat, and a force laydown assessment with respect to the assets needed for effective operations at Coast Guard units conducting ice rescue activities; and (C) the potential risks to members of the Coast Guard and members of the public posed by the use of snowmobiles by members of the Coast Guard for ice rescue activities.

(2) An assessment of the advantages that land-based, cutter-based, and aircraft-based technologies to assist in conducting, search and rescue, surveillance, and interdiction missions.

(3) The plans the Coast Guard has in place for managing and mitigating the risks to commercial maritime operations and the environment in the Arctic region.

(4) A comparison of advantages and disadvantages of the manner in which each of the Coast Guard fixed-wing aircraft would operate in the outermost limits of any area of operation.

(5) A specific assessment of the coverage gaps, including gaps in fixed-wing coverage, and specific solutions to address such gaps in the area of operation of Coast Guard District 9 and Coast Guard District 8 for which such units are responsible.

(2) A comparison of the advantages of a snowmobile, as compared to an airboat, and a force laydown assessment with respect to the assets needed for effective operations at Coast Guard units conducting ice rescue activities; and (C) the potential risks to members of the Coast Guard and members of the public posed by the use of snowmobiles by members of the Coast Guard for ice rescue activities.

(2) An assessment of the advantages that land-based, cutter-based, and aircraft-based technologies to assist in conducting, search and rescue, surveillance, and interdiction missions.

(3) The plans the Coast Guard has in place for managing and mitigating the risks to commercial maritime operations and the environment in the Arctic region.

(4) A comparison of advantages and disadvantages of the manner in which each of the Coast Guard fixed-wing aircraft would operate in the outermost limits of any area of operation.

(5) A specific assessment of the coverage gaps, including gaps in fixed-wing coverage, and specific solutions to address such gaps in the area of operation of Coast Guard District 9 and Coast Guard District 8 for which such units are responsible.

Subtitle C—Arctic

SEC. 5221. ESTABLISHMENT OF THE ARCTIC SECURITY CUTTER PROGRAM OFFICE.

(a) In General.—Not later than 90 days after the date of the enactment of this Act, the Commandant shall establish a program office within the Office of the Arctic Security Cutter to expedite the execution of the requirements and initiate design of a vessel class critical to the national security of the United States.

(b) Design Phase.—Not later than 270 days after the date of the enactment of this Act, the Commandant shall initiate the design phase of the Arctic Security Cutter vessel class.
(1) an unmanned aircraft system (as defined in section 4801 of title 49, United States Code); (2) an unmanned marine surface system; and (3) an unmanned marine subsurface system.

(d) Cost Assessment.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall provide to Congress an estimate of the costs associated with implementing the amendments made by this section.

(b) Clerical Amendment.—The analysis for chapter 3 of title 14, United States Code, is amended by striking the item relating to section 319 and inserting the following: "319. Unmanned system program and autonomous control and computer vision technologies project.’’

SEC. 5233. ARTIFICIAL INTELLIGENCE STRATEGY.

(a) Establishment of Activities.—

(1) IN GENERAL.—The Commandant shall establish a set of activities to operationalize and mature artificial intelligence technologies and transition such technologies into operational use where appropriate.

(2) Emphasis.—The set of activities established under paragraph (1) shall—

(A) apply artificial intelligence and machine learning technologies for use in operational and mission-support problems; and

(B) coordinate activities involving artificial intelligence and artificial intelligence-enabled systems within the Coast Guard.

(b) Designated Official.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall designate a senior official of the Coast Guard (referred to in this section as the ‘‘designated official’’) with the principal responsibility for the coordination of activities relating to the development and demonstration of artificial intelligence and machine learning for the Coast Guard.

(2) Duties.—

(A) Strategic Plan.—

(i) IN GENERAL.—The designated official shall develop a strategic plan to develop, mature, adopt, and transition artificial intelligence technologies into operational use where appropriate.

(ii) Elements.—The plan required by clause (i) shall include the following:

(I) A strategic roadmap for the identification and coordination of the development and coordination of artificial intelligence technologies and key enabling capabilities.

(II) The continuous evaluation and adaptation of relevant artificial intelligence capabilities developed by the Coast Guard and by other organizations for military missions and business operations.

(iii) Submission to Commandant.—Not later than 2 years after the date of the enactment of this Act, the designated official shall submit to the Commandant the plan developed under clause (i).

(B) Establishment of Oversight of Artificial Intelligence and Machine Learning Policy.—The designated official shall regularly convene appropriate officials of the Coast Guard—

(i) to integrate the functional activities of the Coast Guard with respect to artificial intelligence and machine learning;

(ii) to ensure that there are efficient and effective artificial intelligence and machine learning capabilities throughout the Coast Guard; and

(iii) to develop and continuously improve research, innovation, policy, joint processes, and procedures to facilitate the development, acquisition, integration, advancement, and sustenance of artificial intelligence and machine learning throughout the Coast Guard.

(c) Acceleration of Development and Fielding of Artificial Intelligence.—To the extent practicable, the Commandant shall—

(1) use the flexibility of regulations, personnel, acquisition, partnerships with industry and academia, or other relevant policies of the Coast Guard to accelerate the development and fielding of artificial intelligence capabilities;

(2) ensure engagement with defense and private industry, research universities and unaffiliated, nonprofit research institutions;

(3) provide technical advice and support to entities in the Coast Guard to optimize the use of artificial intelligence and machine-learning technologies to meet Coast Guard missions;

(4) support the development of requirements for artificial intelligence capabilities that address the highest priority capability gaps of the Coast Guard and technical feasibility;

(5) develop and support capabilities for technical analysis and assessment of threat capabilities based on artificial intelligence;

(6) identify the workforce and capabilities needed to support the artificial intelligence capabilities and requirements of the Coast Guard;

(7) develop classification guidance for all artificial intelligence-related activities of the Coast Guard;

(8) work with appropriate officials to develop appropriate ethical, legal, and other policies to govern the development and use of artificial intelligence-enabled systems and technologies in operational situations; and

(9) ensure—

(A) that artificial intelligence programs of the Coast Guard are consistent with this section;

(B) appropriate coordination of artificial intelligence activities of the Coast Guard with interagency, industry, and international efforts relating to artificial intelligence, including relevant participation in standards-setting bodies.

(d) Internship Strategic Plan.—

(1) IN GENERAL.—The Commandant shall develop a strategic plan to develop, mature, adopt, and transition artificial intelligence technologies into operational use where appropriate, that is informed by the plan developed by the designated official under subsection (b)(2)(A).

(2) Elements.—The plan required by paragraph (1) shall include—

(A) Each element described in clause (i) of subsection (b)(2)(A).

(B) A consideration of the identification, adoption, and procurement of artificial intelligence technologies for use in operational and mission support activities.

(3) Coordination.—In developing the plan required by paragraph (2), the Commandant shall coordinate and engage with defense and private industries, research universities, and unaffiliated, nonprofit research institutions.

(4) Submission.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives a report on—

(1) the findings of the Commandant with respect to such review and any action taken or proposed to be taken by the Commandant, and the resources necessary to address such findings;

(2) the performance objectives and accompanying metrics established under subsections (a)(3) and (b)(1)(B); and

(3) any recommendation with respect to proposals for legislative change necessary to substantially implement artificial intelligence applications within the Coast Guard.

SEC. 5234. REVIEW OF ARTIFICIAL INTELLIGENCE APPLICATIONS AND ESTABLISHMENT OF PERFORMANCE METRICS.

(a) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Commandant shall—

(1) review the potential applications of artificial intelligence and digital technology to the platforms, processes, and operations of the Coast Guard;

(2) identify the resources necessary to improve the use of artificial intelligence and digital technology in such platforms, processes, and operations; and

(b) Performance Objectives and Accompanying Metrics.—

(1) SKILL GAPS.—In carrying out subsection (a), the Commandant shall—

(A) conduct a comprehensive review and assessment of—

(i) skill gaps in the fields of software development, software engineering, data science, and artificial intelligence;

(ii) the qualifications of civilian personnel needed for both management and specialist tracks in such fields; and

(iii) the qualifications of military personnel (officer and enlisted) needed for both management and specialist tracks in such fields;

(B) establish recruiting, training, and talent management performance objectives and accompanying metrics for achieving and maintaining staffing needed to fill identified gaps and meet the needs of the Coast Guard for skilled personnel.

(2) AI Modernization Activities.—In carrying out subsection (a), the Commandant shall—

(A) assess investment by the Coast Guard in artificial intelligence innovation, science and technology, and research and development;

(B) assess investment by the Coast Guard in test and evaluation of artificial intelligence capabilities;

(C) assess the integration of, and the resources necessary to better use artificial intelligence in wargames, exercises, and experimentation;

(D) assess the application of, and the resources necessary to better use, artificial intelligence in logistics and sustainment systems;

(E) assess the integration of, and the resources necessary to better use, artificial intelligence for administrative functions; and

(F) establish performance objectives and accompanying metrics for artificial intelligence modernization activities of the Coast Guard; and

(G) identify the resources necessary to effectively use artificial intelligence to carry out the missions of the Coast Guard.

(c) Report to Congress.—Not later than 180 days after the completion of the review required by subsection (a)(1), the Commandant shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives a report on—

(1) the findings of the Commandant with respect to such review and any action taken or proposed to be taken by the Commandant, and the resources necessary to address such findings;

(2) the performance objectives and accompanying metrics established under subsections (a)(3) and (b)(1)(B); and

(3) any recommendation with respect to proposals for legislative change necessary to substantially implement artificial intelligence applications within the Coast Guard.

SEC. 5235. CYBER DATA MANAGEMENT.

(a) IN GENERAL.—The Commandant and the Director of the Cybersecurity and Infrastructure Security Agency shall—

(1) develop policies, processes, and operating procedures governing—

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given the term in section 70101 of title 46, United States Code.

**Subtitle E—Aviation**

**SEC. 5241. SPACE-AVAILABLE TRAVEL ON COAST GUARD AIRCRAFT: PROGRAM AUTHORIZATION AND ELIGIBLE RECIPIENTS.**

(a) In General.—Subchapter 1 of chapter 5 of title 14, United States Code, is amended by adding at the end the following:

> "§ 509. Space-available travel on Coast Guard aircraft

> (a)(1) The Coast Guard may establish a program to provide transportation on Coast Guard aircraft, and shall establish the program, for travel to, or from, the United States, of members of the armed forces on a space-available basis to the categories of eligible individuals described in subsection (c) of this section referred to as the "program".

> (2) Not later than 1 year after the date on which the program is established, the Commandant shall develop a policy for its operation.

> (b)(1) The Commandant shall operate the program in a budget-neutral manner.

> (2) Except as provided in subparagraph (B), no additional funds may be used, or flight hours performed, for the purpose of providing transportation under the program.

> (B) The Commandant may make de minimis expenditures required for the administrative aspects of the program.

(b) E LEMENTS.—The study required by subsection (a) shall not be required to reimburse the Coast Guard for travel provided under this section.

(c) Subject to subsection (d), the categories of eligible individuals described in this subsection are the following:

> (1) Members of the armed forces on active duty.

> (2) Members of the Selected Reserve who hold a valid Uniformed Services Identification and Privilege Card.

> (3) Retired members of a regular or reserve component of the armed forces, including retired members of reserve component who, but for being under the eligibility age applicable under section 12731 of title 10, would be eligible for retired pay under chapter 1223 of title 10.

> (4) Subject to subsection (f), veterans with a permanent service-connected disability rated as total.

> (5) Certain categories of dependents of individuals described in paragraphs (1) through (3) as the Commandant shall specify in the policy under subsection (d)(1), under such conditions and circumstances as the Commandant shall specify in such policy.

> (6) Such other categories of individuals as the Commandant considers appropriate.

(d) In operating the program, the Commandant shall—

> (1) (A) in the sole discretion of the Commandant, establish an order of priority for transportation for categories of eligible individuals that is based on considerations of military necessity, humanitarian concerns, and enhancement of morale;

> (B) give priority in consideration of transportation to the demands of members of the armed forces in the regular components and in the reserve components on active duty and to the need to provide such members, and their dependents, a means of respite from such service.

> (2) Implement policies aimed at ensuring cost control (as required by subsection (b)) and the safety, security, and efficient processing of travel under the program.

> (3) Subject to section 5240 of this title, provide transportation on Coast Guard aircraft on a space-available basis to the categories of eligible individuals described in subsection (c) of this section referred to as the "program."
Representatives a report on facilities requirements for constructing a hangar at Coast Guard Air Station Barbers Point at Oahu, Hawaii.

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

(I) a description of the $65,000,000 phase one development of the hangar at Coast Guard Air Station Barbers Point funded by the Consolidated Appropriations Act, 2021 (Public Law 116-260; 134 Stat. 1332).

(2) An evaluation of the full facilities requirements for such hangar to house, maintain, and operate the MH-65 and HC-130J, including—

(A) storage and provision of fuel; and

(B) maintenance and parts storage facilities.

(3) An evaluation of facilities growth requirements for potential future basing of the MH-60 with the C-130J at Coast Guard Air Station Barbers Point.

(4) A description of and cost estimate for each project phase for the construction of such hangar.

(5) A description of the plan for sheltering in the hangar during extreme weather events aircraft assigned to the Coast Guard and other agencies, such as the National Oceanic and Atmospheric Administration.

(b) A description of the risks posed to operational readiness of Coast Guard Air Station Barbers Point if future project phases for the construction of such hangar are not funded.

SEC. 5243. STUDY ON THE OPERATIONAL AVAILABILITY OF COAST GUARD AIRCRAFT AND STRATEGY FOR COAST GUARD AVIATION.

(a) STUDY.—

(b) COAST GUARD AVIATION STRATEGY.—

(c) The Secretary may vary the authorization of the number of officers on the active duty promotion list for purposes of subsection (b).

(d) Any recommendation with respect to stationing a Coast Guard Academy class.

(e) Any recommendation with respect to the operational availability of Coast Guard aircraft.

(f) The resource and workforce requirements necessary for Coast Guard Aviation to meet current and future mission demands specific to each rotary-wing and fixed-wing aircraft type in the current inventory of the Coast Guard.

(g) The resource and workforce requirements necessary for Coast Guard Aviation to meet current and future mission demands globally, such as in the Western Hemisphere, the Arctic region, and the Western Pacific region.

(h) An assessment of—

(i) the extent to which the fixed-wing and rotary-wing aircraft of the Coast Guard have met annual operational availability targets in recent years;

(ii) the challenges the Coast Guard may face with respect to such aircraft meeting operational availability targets, and the factors such as unexpected events on the Coast Guard’s ability to meet mission requirements; and

(iii) the status of Coast Guard efforts to upgrade or recapitalize its fleet of aircraft.

(i) In future mission demands in the Eastern Pacific, the Western Pacific, the Caribbean, the Indian Ocean, and the area the Commandant considers appropriate.

(j) A description of the feasibility of deploying, and the resource requirements necessary to deploy unmanned aircraft.

(k) An evaluation of current and future facilities needs for Coast Guard aviation units.

(l) Any recommendation with respect to changing the date on which the Commandant considers appropriate.

(m) An evaluation of current and future training and retention needs, including aviation career incentive pay, retention bonuses, and any other workforce tools the Commandant considers appropriate.

(n) BRIEFING.—Not later than 180 days after the date on which the strategy required by paragraph (1) is completed, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the strategy.

Subtitle F—Workforce Readiness

SEC. 5251. AUTHORIZED STRENGTH.

Section 3702 of title 14, United States Code, is amended by adding at the end the following:

"2166. Continuation on active duty of officers with critical skills".

(a) In General.—The Commandant may assign an officer in grade O-2 to remain on active duty after the date otherwise provided for the retirement of the officer in section 2154 of this title if the officer possesses a critical skill or specialty or in a career field designated pursuant to subsection (b).

(b) CRITICAL SKILL, SPECIALTY, OR CAREER FIELD.—The Commandant shall designate 1 or more critical skills, specialties, or career fields for purposes of subsection (a).

(c) DURATION OF CONTINUATION.—An officer continued on active duty pursuant to this section shall, if not earlier retired, be retired on the first day of the month after the month in which the officer completes 40 years of active service.

(d) Policy.—The Commandant shall carry out this section by prescribing policy that specifies the criteria to be used in designating an officer or critical skill or specialty or career field for purposes of subsection (b).

(b) CLERICAL AMENDMENT.—The analysis for chapter 51 of title 14, United States Code, is amended by adding at the end the following:

"5113. Officers not on active duty promotion list.".

SEC. 5253. CONTINUATION ON ACTIVE DUTY OF OFFICERS WITH CRITICAL SKILLS.

(a) In General.—Subchapter II of chapter 21 of title 14, United States Code, is amended by adding at the end the following:

"2166. Continuation on active duty of officers with critical skills".

(a) In General.—The Commandant may assign an officer in grade O-2 to remain on active duty after the date otherwise provided for the retirement of the officer in section 2154 of this title if the officer possesses a critical skill or specialty or in a career field designated pursuant to subsection (b).

(b) CRITICAL SKILL, SPECIALTY, OR CAREER FIELD.—The Commandant shall designate 1 or more critical skills, specialties, or career fields for purposes of subsection (a).

(c) DURATION OF CONTINUATION.—An officer continued on active duty pursuant to this section shall, if not earlier retired, be retired on the first day of the month after the month in which the officer completes 40 years of active service.

(d) Policy.—The Commandant shall carry out this section by prescribing policy that specifies the criteria to be used in designating an officer or critical skill or specialty or career field for purposes of subsection (b).

(b) CLERICAL AMENDMENT.—The analysis for subchapter II of chapter 21 of title 14, United States Code, is amended by adding at the end the following:

"2166. Continuation on active duty of officers with critical skills."
SEC. 5254. CAREER INCENTIVE PAY FOR MARINE INSPECTORS.

(a) AUTHORITY TO PROVIDE ASSIGNMENT PAY OR SPECIAL DUTY PAY.—The Secretary of the department in which the Coast Guard is operating may provide assignment pay or special duty pay under section 312 of title 14, United States Code.

(b) ANNUAL BRIEFING.—

(1) IN GENERAL.—Not later than 180 days after the enactment of this Act, and annually thereafter, the Secretary of the department in which the Coast Guard is operating shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on any uses of the authority under subsection (a) during the preceding year.

(2) ELEMENTS.—Each briefing required by paragraph (1) shall include the following:—

(A) The number of members of the Coast Guard serving as marine inspectors or marine investigators pursuant to section 312 of title 14, United States Code, who are receiving assignment pay or special duty pay under section 312 of title 14, United States Code;

(B) An assessment of the impact of the use of the authority under this section on the effectiveness and efficiency of the Coast Guard in administering the laws and regulations for the promotion of safety of life and property on and under the high seas and waters subject to the jurisdiction of the United States;

(C) An assessment of the effects of assignment pay and special duty pay on retention of members of the Coast Guard as marine inspectors and marine investigators;

(D) If the authority provided in subsection (a) is not exercised, a detailed justification for not exercising such authority, including an explanation of the efforts the Secretary of the department in which the Coast Guard is operating is taking to ensure that the Coast Guard workforce contains an adequate number of qualified marine inspectors.

(c) STUDY.—

(1) IN GENERAL.—Not later than 2 years after the enactment of this Act, the Secretary of the department in which the Coast Guard is operating is taking to ensure that the Coast Guard workforce contains an adequate number of qualified marine inspectors.

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

(A) An evaluation of—

(i) the daily vessel inspection duties of marine inspectors and marine investigators, including the examination of internal cargo tanks and voids and new construction activities;

(ii) major incidents to which marine inspectors and marine investigators have had to respond, and any other significant incident, that has resulted in the exposure of marine inspectors and marine investigators to hazardous chemicals or substances; and

(iii) hazards to which marine inspectors and marine investigators have been exposed relative to the effects such chemicals or substances had had on marine inspectors and marine investigators.

(B) A review and analysis of the current Coast Guard health and safety monitoring systems and recommendations for improving such systems, specifically with respect to the exposure of members of the Coast Guard to hazardous substances while carrying out inspections and investigation duties.

(C) Any other element the Secretary of the department in which the Coast Guard is operating is taking to ensure that the Coast Guard workforce contains an adequate number of qualified marine inspectors.

SEC. 5255. EXPANSION OF THE ABILITY FOR SECTION 312 REPORT TO RECOMMEND CAREER INCENTIVE PAY FOR MARINE INSPECTORS AND MARINE INVESTIGATORS.

(a) AUTHORITY TO PROVIDE ASSIGNMENT PAY OR SPECIAL DUTY PAY.—The Secretary of the department in which the Coast Guard is operating may provide assignment pay or special duty pay under section 312 of title 14, United States Code, to an eligible marine inspector or marine investigator pursuant to section 312 of title 14, United States Code.

(b) ANNUAL BRIEFING.—

(1) IN GENERAL.—Not later than 180 days after the enactment of this Act, and annually thereafter, the Secretary of the department in which the Coast Guard is operating shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives the findings of the study and recommendations for actions the Commandant should take to improve the health and exposure of marine inspectors and marine investigators.

(2) TERMINATION.—The authority provided by subsection (a) shall terminate on December 31, 2027, unless the study required by subsection (b) is completed and submitted as required by that subsection.

SEC. 5256. MODIFICATION TO EDUCATION LOAN REPAYMENT PROGRAM: MEMBERS ON ACTIVE DUTY IN SPECIFIED MILITARY SPECIALTIES.

(a) IN GENERAL.—Section 2772 of title 14, United States Code, is amended, in the section heading by—

(1) by inserting—

* 2772. Education loan repayment program: members on active duty in specified military specialties. *

(2) by inserting after subsection (c) the following:

SEC. 5257. MODIFICATION TO EDUCATION LOAN REPAYMENT PROGRAM: MEMBERS ON ACTIVE DUTY IN SPECIFIED MILITARY SPECIALTIES.

SEC. 5258. REPORT ON RESIGNATION AND RETIREMENT PROCESSING TIMES AND DENIAL.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, and annually thereafter, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives, a report that evaluates resignation and retirement processing timelines.

(b) ELEMENTS.—The report required by subsection (a) shall include the following for the preceding calendar year—

(1) a statement on the number of resignations, retirements, and other separations that occurred;

(2) the processing time for each action described in paragraph (1);

(3) the percentage of requests for such actions that had a command endorsement;

(4) the percentage of requests for such actions that did not have a command endorsement; and

(5) for each denial of a request for a command endorsement and each failure to take action on such a request, a description of the rationale for such denial or failure to take such action.
(a) STUDY.—Not later than 3 years after the date of the enactment of this Act, the Comptroller General of the United States shall complete a study on the Coast Guard Physical Disability Evaluation System and medical retirement procedures.

(2) ELEMENTS.—The study required by paragraph (1) shall review, and provide recommendations for, the following:

(A) Coast Guard compliance with all applicable laws, regulations, and policies relating to the Physical Disability Evaluation System and medical retirement procedures.

(B) Coast Guard compliance with timelines set forth in:

(i) the instruction of the Commandant entitled "Physical Disability Evaluation System" issued on May 19, 2006 (COMDTINST M1850.2D); and

(ii) the Physical Disability Evaluation System Transparency Initiative (ALCOPSIC 039-20).

(C) An evaluation of Coast Guard processes in place to ensure the availability, consistency, and quality of counsel appointed by the Coast Guard Office of the Judge Advocate General to represent members of the Coast Guard undergoing an evaluation under the Physical Disability Evaluation System and the Medical Evaluation Board.

(D) The extent to which the Coast Guard and has and uses processes to ensure that such counsel may perform their functions in a manner that they will be able to perform their functions without undue pressure or interference by the command of the affected member of the Coast Guard, the Personnel Service Center, and the United States Coast Guard Office of the Judge Advocate General.

(E) The frequency with which members of the Coast Guard receive private counsel in lieu of counsel appointed by the Coast Guard Office of the Judge Advocate General, and the frequency of so doing at each member pay grade.

(F) The timeliness of determinations, guidance, and access to medical evaluations necessary for retirement or rating determinations and overall well-being of the affected member of the Coast Guard.

(G) The guidance, formal or otherwise, provided by the Personnel Service Center, the Coast Guard Office of the Judge Advocate General, other than the counsel directly representing affected members of the Coast Guard, in communication with medical personnel regarding counseling.

(H) The guidance, formal or otherwise, provided by the medical professionals reviewing cases within the Physical Disability Evaluation System to affected members of the Coast Guard, and the extent to which such guidance is disclosed to the commanders, commanding officers, or other members of the Coast Guard in the chain of command of such affected members.

(I) The feasibility of establishing a program to allow members of the Coast Guard to select an expedited review process to ensure completion of the Medical Evaluation Board report not later than 180 days after the date on which the review was initiated.

(b) REPORT.—The Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate a report on the findings of the study conducted under subsection (a) and recommendations for improving the physical disability evaluation system process.

(c) UPDATED POLICY GUIDANCE.—Not later than 180 days after the date on which the report under subsection (b) is submitted, the Commandant shall issue updated policy guidance in response to the findings and recommendations contained in the report.

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

(A) A requirement that a member of the Coast Guard, or the counsel of such a member, shall be given the opportunity, and afforded the option to be present for, any communication between the member’s command and the Personnel Service Center, or other Coast Guard entity, with respect to the duty status of the member.

(B) An exception to the requirement described in subparagraph (A) that such an inclusion or exclusion is necessary for the health or safety of the member, command, or any other individual.

(C) An option to allow a member of the Coast Guard to initiate an evaluation by a Non-Medical Appointed Healthcare provider, or other military healthcare provider, has raised a concern about the ability of the member to continue in their duties, including being able to perform their functions without undue pressure or interference by the command of the affected member of the Coast Guard, the Personnel Service Center, and the United States Coast Guard Office of the Judge Advocate General.

(D) An updated policy to remove the command endorsement requirement for retirement or separation unless absolutely necessary for the benefit of the United States.

SEC. 5260. EXPANSION OF AUTHORITY FOR MULTIRATER ASSESSMENTS OF CERTAIN PERSONNEL.

(a) IN GENERAL.—Subchapter I of chapter 21 of title 10, United States Code, is amended by striking "O–5; and" and inserting "O–5; and"

(2) The furnishing of information to a special selection review board convened under this section shall be furnished to the promotion board for promotion to a grade at or below the grade of rear admiral in the United States Navy, or the grade of major general in the United States Air Force, or the grade of general in the United States Army, or the grade of general in the United States Marine Corps.

(b) CONVENING.—(1) Any special selection review board convened under this section shall be convened in accordance with the provisions of section 2121 of this title.

(c) INFORMATION CONSIDERED.—(1) In reviewing a person and the recommendation for promotion of the person is subject to review under this section by a special selection review board convened under this section, the name of the person.

(A) shall not be disseminated or publicly released on the list of officers recommended for promotion by the promotion board recommending the promotion of the person; and

(B) shall not be forwarded to the President or the Senate, as applicable, or included on a promotion list under section 2121 of this title.

(b) Special Selection Review Boards.—(1) In general.—(I) Each officer of the Coast Guard shall undergo a multirater assessment before promotion to—

(A) the grade of O–4; and

(B) the grade of O–5; and

(C) the grade of E–9; and

(D) any other individual.

(2) Appropriate Members.—Each enlisted member of the Coast Guard shall undergo a multirater assessment before advancement to—

(A) the grade of E–7; and

(B) the grade of E–8; and

(C) the grade of E–9; and

(D) any other individual.

(c) Selection.—(1) A reviewee shall not be permitted to select the peers and subordinates who provide opinions for his or her multirater assessment.

(d) Post-Assessment Elements.—(A) In General.—Following an assessment of an individual pursuant to paragraphs (1) and (2), the individual shall be provided appropriate post-assessment counseling and leadership coaching.

(B) Availability of Results.—The supervisor of the individual shall be provided with the results of the multirater assessment.

(d) Cost Assessment.—(1) In General.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall provide to the appropriate committees of Congress an estimate of the costs associated with implementing the amendments made by this section.

(2) Appropriate Committees of Congress Defined.—In this subsection, the term ‘‘appropiate committees of Congress’’ means—

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

(B) the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives.

SEC. 5261. PROMOTION PARITY.

(a) Information To Be Furnished.—(1) Section 2115(a) of title 14, United States Code, is amended—

(2) in paragraph (1), by striking ‘‘; and’’ and inserting a semicolon; and

(3) in paragraph (2), by striking the period at the end and inserting ‘‘and’’;

(b) Special Selection Review Boards.—(1) In general.—(I) The Secretary determines that a person recommended by a promotion board for promotion to a grade at or below the grade of rear admiral in the United States Navy, or the grade of major general in the United States Air Force, or the grade of general in the United States Army, or the grade of general in the United States Marine Corps, or the grade of lieutenant general in the United States Army Reserve, or the grade of major general in the United States Air National Guard, in communication with medical provider, or other military healthcare provider, or other military healthcare provider, or other military healthcare provider, or other military healthcare provider, or other military healthcare provider, has raised a concern about the ability of the member to continue in their duties, including being able to perform their functions without undue pressure or interference by the command of the affected member of the Coast Guard, the Personnel Service Center, and the United States Coast Guard Office of the Judge Advocate General.

(II) An updated policy to remove the command endorsement requirement for retirement or separation unless absolutely necessary for the benefit of the United States.

(c) Information Considered.—(1) In reviewing the record and information concerning the person furnished in accordance with section 2115 of this title to the promotion board during its consideration of the person for promotion as otherwise required by such section, the Secretary shall convene a special selection review board under this section to review the person and determine whether the recommendation for promotion of the person should be sustained.

(2) If a person and the recommendation for promotion of the person is subject to review under this section by a special selection review board convened under this section, the name of the person.

(3) The record and information concerning the person furnished in accordance with section 2115(a) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 10 U.S.C. 1561 note), shall be furnished to the special selection review board convened under this section in accordance with standards and procedures set out in the regulations prescribed by the Secretary.

(d) Appropriate Members.—(1) Each officer of the Coast Guard shall undergo a multirater assessment before promotion to—

(A) the grade of O–4; and

(B) the grade of O–5; and

(C) the grade of E–9; and

(D) any other individual.

(2) Appropriate Members.—Each enlisted member of the Coast Guard shall undergo a multirater assessment before advancement to—

(A) the grade of E–7; and

(B) the grade of E–8; and

(C) the grade of E–9; and

(D) any other individual.

(3) Selection.—A reviewee shall not be permitted to select the peers and subordinates who provide opinions for his or her multirater assessment.

(4) Post-Assessment Elements.—(A) In General.—Following an assessment of an individual pursuant to paragraphs (1) and (2), the individual shall be provided appropriate post-assessment counseling and leadership coaching.

(B) Availability of Results.—The supervisor of the individual shall be provided with the results of the multirater assessment.

(5) Cost Assessment.—(1) In General.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall provide to the appropriate committees of Congress an estimate of the costs associated with implementing the amendments made by this section.

(2) Appropriate Committees of Congress Defined.—In this subsection, the term ‘‘appropriate committees of Congress’’ means—

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

(B) the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives.

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“(A) ranks on an order of merit created by the special selection review board as better qualified for promotion than the sample officer highest on the order of merit list who was considered and not recommended for promotion by the promotion board concerned; and

(B) is comparable in qualification for promotion to the officer who was recommended for promotion by that promotion board.

“(C) The officer is under investigation or any criminal proceeding in a Federal or State court is pending against the officer.

“(D) A Tribal College or University (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001));

“(E) a Hispanic-serving institution (as defined in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1063a));

“(F) A Tribal College or University (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001));

“(G) a Native Hawaiian-serving institution (as defined in section 502 of the Higher Education Act of 1965 (20 U.S.C. 1059c(b)));

“(H) a historically black college or university (as defined in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1070a));

“(I) a predominantly Black institution (as defined in section 371(c) of that Act (20 U.S.C. 1071(q));

“(J) an institution that provides a level of educational attainment that is less than a bachelor’s degree;

“(K) an institution that has an affirmative action plan to increase the number of underrepresented minority groups in the enlisted ranks of the Coast Guard.”

“SEC. 5262. PROGRAM PARTNERSHIP TO DIVERSIFY THE COAST GUARD.

“(a) Establishment.—The Commandant shall establish a program for the purpose of increasing the number of underrepresented minorities in the enlisted ranks of the Coast Guard.

“(b) Partnerships.—In carrying out the program established under subsection (a), the Commandant shall—

(1) seek to enter into 1 or more partnerships with eligible entities—

(A) to increase the visibility of Coast Guard careers;

(B) to promote curriculum development—

(i) to enable acceptance into the Coast Guard; and

(ii) to improve success on relevant exams, such as Armed Services Vocational Aptitude Battery; and

(C) to provide mentoring for students entering and beginning Coast Guard careers; and

(2) enter into a partnership with an existing Junior Reserve Officers’ Training Corps for the purpose of promoting Coast Guard careers.

“(c) Eligible Institution Defined.—In this section, the term ‘eligible institution’ means—

(1) an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001));

(2) an institution that has an affirmative action plan to increase the number of underrepresented minority groups in the enlisted ranks of the Coast Guard;

(3) a Tribal College or University (as defined in section 316(b) of that Act (20 U.S.C. 1063a));

(4) an institution that provides a level of educational attainment that is less than a bachelor’s degree;

(5) an institution that has an affirmative action plan to increase the number of underrepresented minority groups in the enlisted ranks of the Coast Guard.”
SEC. 5263. EXPANSION OF COAST GUARD JUNIOR RESERVE OFFICERS' TRAINING CORPS.

(a) IN GENERAL.—Section 320 of title 14, United States Code, is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by striking subsection (b), by striking “subsection (c)” and inserting “subsection (d)”; and

(b) COST ASSESSMENT.—Not later than 1 year after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall maintain at all times a Junior Reserve Officers' Training Corps program with not fewer than 1 such program established in each Coast Guard district.

SEC. 5264. IMPROVING REPRESENTATION OF WOMEN AND RACIAL AND ETHNIC MINORITIES AMONG COAST GUARD CADET MEMBERS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, in consultation with the Advisory Board on Women at the Coast Guard Academy established under section 1904 of title 14, United States Code, and the minority outreach team program established by section 1905 of such title, the Commandant shall—

(1) determine which recommendations in the RAND representation report may practically be implemented to promote improved representation in the Coast Guard of—

(A) women; and

(B) racial and ethnic minorities; and

(2) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the actions the Commandant shall—

(A) take, to implement such recommendations.

(b) CURRICULUM AND TRAINING.—In the case of any action the Commandant takes to implement such recommendations, the Commandant shall—

(1) at educational institutions at the high school and higher education levels; and

(2) for the officer and enlisted ranks.

(c) DEFINITION OF RAND REPRESENTATION REPORT.—In this section, the term ‘RAND representation report’ means the report of the Homeland Security Operational Analysis Center of the RAND Corporation entitled ‘Improving the Representation of Women and Racial/Ethnic Minorities Among U.S. Coast Guard Active-Duty Members’ issued on August 11, 2021.

SEC. 5265. STRATEGY TO ENHANCE DIVERSITY THROUGH RECRUITMENT AND ACCESS TO ANNUAL AUCTION.

(a) IN GENERAL.—The Commandant shall develop a 10-year strategy to enhance Coast Guard diversity through recruitment and access to annual auctions described in subsection (a)(1) that relate to modification or development of curriculum and training, such modified curriculum and training shall be provided at officer and accession points and at leadership courses managed by the Coast Guard Leadership Development Center.

(b) DEFINITION OF RAND REPRESENTATION REPORT.—In this section, the term ‘RAND representation report’ means the report of the Homeland Security Operational Analysis Center of the RAND Corporation entitled ‘Improving the Representation of Women and Racial/Ethnic Minorities Among U.S. Coast Guard Active-Duty Members’ issued on August 11, 2021.

SEC. 5266. SUPPORT FOR COAST GUARD ACADEMY.

(a) IN GENERAL.—Subchapter II of chapter 9 of title 14, United States Code, is amended by adding at the end the following:

*§ 5953. Support for Coast Guard Academy*

((a) AUTHORITY.—

(1) CONTRACTS AND COOPERATIVE AGREEMENTS.—(A) The Commandant may enter into contract and cooperative agreements with 1 or more qualified organizations for the purpose of supporting Coast Guard programs at the Coast Guard Academy.

(B) Notwithstanding section 320(e) of title 10, the Commandant may enter into such contracts and cooperative agreements on a sole source basis pursuant to section 320(h) of title 10.

(C) Notwithstanding chapter 63 of title 31, a cooperative agreement under this section may be used to acquire property or services for the direct benefit or use of the Coast Guard Academy.

(2) FINANCIAL CONTROLS.—(A) Before entering into a contract or cooperative agreement under paragraph (1), the Commandant shall ensure that the contract or agreement includes appropriate financial controls to account for the resources of the Coast Guard Academy and the qualified organization concerned in accordance with accepted accounting principles.

(B) Any such contract or cooperative agreement shall contain a provision that allows the Commandant to audit, and the Commandant considers necessary, the financial accounts of the qualified organization to determine whether the operations of the qualified organization—

(i) are consistent with the terms of the contract or cooperative agreement; and

(ii) would compromise the integrity or appearance of integrity of any program of the Department of Homeland Security.

(3) LEASES.—For the purpose of supporting the athletic programs of the Coast Guard Academy, the Commandant may, consistent with section 504(a)(13), rent or lease real property located at the Coast Guard Academy to a qualified organization, except that any such lease shall be retained and expended in accordance with subsection (f).

(b) SUPPORT SERVICES.—

(1) AUTHORITY.—To the extent required by a contract or cooperative agreement under subsection (a), the Commandant may provide support services to a qualified organization while the qualified organization conducts its support activities at the Coast Guard Academy only if the Commandant determines that the support services are essential for the support of the athletic programs of the Coast Guard Academy.

(2) NO LIABILITY OF THE UNITED STATES.—Support services rendered without any liability of the United States to a qualified organization.

(c) SUPPORT SERVICES DEFINED.—In this subsection, the term ‘support services’ includes utilities, office furnishings and equipment, communications services, records management, financial reserves, and security systems, in conjunction with the leasing or licensing of property.

(d) TRANSFERS FROM NONAPPROPRIATED FUNDS.—(1) For the purposes of paragraph (2), the Commandant, subject to the acceptance of the qualified organization concerned, may transfer to the qualified organization all title to and ownership of the assets and liabilities of the Coast Guard non-appropriated fund instrumentality, the function of which includes providing support for the athletic programs of the Coast Guard Academy, including bank accounts and financial reserves in the accounts of such fund instrumentality, equipment, supplies, and other personal property.

(2) The Commandant may not transfer under paragraph (1) any interest in real property.

(e) ACCEPTANCE OF SUPPORT FROM QUALIFIED ORGANIZATION.—

(1) IN GENERAL.—Notwithstanding section 1942 of title 31, the Commandant may accept funds from the National College Athletic Association to support the athletic programs of the Coast Guard Academy.

(2) EMPLOYEES OF QUALIFIED ORGANIZATION.—For purposes of this section, employees or personnel of the qualified organization may not be considered to be employees of the United States.

(f) FUNDS RECEIVED FROM NCAA.—The Commandant may accept funds from the National Collegiate Athletic Association to support the athletic programs of the Coast Guard Academy.

(g) LIMITATION.—The Commandant shall ensure that contributions under this subsection and expenditure of funds pursuant to subsection (f) are not transferred.

(h) (A) do not reflect unfavorably on the ability of the Coast Guard, any employee of the Coast Guard, or any member of the armed forces (as defined in section 101(a) of title 10) to carry out any responsibility or duty in a fair and objective manner; or

(B) compromise the integrity or appearance of integrity of any program of the Coast Guard, or any individual involved in such a program.

(i) TRADEMARKS AND SERVICE MARKS.—

(1) LICENSING, MARKETING, AND SPONSORSHIP AGREEMENTS.—An agreement under subsection (a) may, consistent with section 2360 of title 10 (other than subsection (d) of such section), authorize a qualified organization to enter into licensing, marketing, and sponsorship agreements relating to trademarks and service marks identifying the Coast Guard Academy, subject to the approval of the Commandant.

(2) LIMITATIONS.—A licensing, marketing, or sponsorship agreement may not be entered into under paragraph (1) if—

(A) such agreement would reflect unfavorably on the ability of the Coast Guard, any employee of the Coast Guard, or any member of the armed forces to carry out any responsibility or duty in a fair and objective manner; or

(B) the Commandant determines that the use of the trademark or service mark would compromise the integrity or appearance of integrity of any program of the Coast Guard or any individual involved in such a program.

(j) RETENTION AND USE OF FUNDS.—Funds received by the Commandant under this section may be retained for use to support the activities of the Coast Guard Academy and shall remain available until expended.
“(g) SERVICE ON QUALIFIED ORGANIZATION BOARD OF DIRECTORS.—A qualified organization is a designated entity for which authorization under sections 103(a) and 106(b) of title 18, United States Code, is available.

“(h) CONDITIONS.—The authority provided in this section with respect to a qualified organization is available only so long as the qualified organization continues.

“(1) to qualify as a nonprofit organization under section 501(c)(3) of the Internal Revenue Code of 1986 and operates in accordance with the laws of the State of Connecticut, and the constitution and by-laws of the qualified organization; and

“(2) to operate exclusively to support the athletic programs of the Coast Guard Academy.

“(i) QUALIFIED ORGANIZATION DEFINED.—In this section, the term ‘qualified organization’ means an organization—

“(1) described in subsection (c)(3) of section 501 of the Internal Revenue Code of 1986 and exempt from taxation under subsection (a) of that section; and

“(2) established by the Coast Guard Academy Alumni Association solely for the purpose of supporting athletics.

“§ 954. Mixed-funded athletic and recreational extracurricular programs: authority to manage appropriated funds in same manner as nonappropriated funds.

“(a) In general.—In the case of a Coast Guard Academy mixed-funded athletic or recreational extracurricular program, the Commandant may designate funds appropriated to the Coast Guard and available for that program to be treated as nonappropriated funds and expended for that program in accordance with laws applicable to the expenditure of nonappropriated funds. Appropriated funds so designated shall be considered to be nonappropriated funds for all purposes and shall remain available until expended.

“(b) Covered programs.—In this section, the term ‘Coast Guard Academy mixed-funded athletic or recreational extracurricular program’ means an athletic or recreational extracurricular program of the Coast Guard Academy to which each of the following applies:

“(1) The program is not a morale, welfare, or recreation program.

“(2) The program is supported through appropriated funds.

“(3) The program is supported by a nonappropriated fund instrumentality.

“(4) The program is not a private organization and is not operated by a private organization.

“(b) Clerical Amendment.—The analysis for subsection II of chapter 9 of title 14, United States Code, is amended by adding at the end the following:

“953. Support for Coast Guard Academy.

“954. Mixed-funded athletic and recreational extracurricular programs: authority to manage appropriated funds in same manner as nonappropriated funds.”.

SEC. 5276. TRAINING FOR CONGRESSIONAL AFFAIRS PERSONNEL.

(a) In general.—Section 315 of title 14, United States Code, is amended by adding as follows:

“§ 315. Training for congressional affairs personnel.

“(a) In general.—The Commandant shall develop a training course, which shall be administered in person, on the workings of Congress for any member of the Coast Guard selected for a position as a fellow, liaison, counsel, administrative staff for the Coast Guard Office of Governmental and Governmental Affairs, or any Coast Guard district or area governmental affairs officer.

“(b) Course subject matter.—

“(1) In general.—The training course required by this section shall provide an overview and introduction to Congress and the Federal government and the legislative process, the roles of Members of Congress and their staff necessary to enhance communication between Coast Guard units, sectors, and districts and Member offices and committees so as to ensure visibility of Coast Guard activities.

“(2) Detail within Coast Guard office of budget and programs.—

“(A) In general.—At the written request of the receiving congressional office, the training course required by this section shall include a multi-day detail within the Coast Guard Office of Budget and Programs to ensure adequate exposure to Coast Guard policy, oversight, and requests from Congress.

“(B) Nonconsecutive detail permitted.—A detail under this subsection is not required to be consecutive with the balance of the training.

“(C) Completion of required training.—A member of the Coast Guard selected for a position described in subsection (a) shall complete the training required by this section before the date on which such member reports for duty for such position.

“(b) Clerical Amendment.—The analysis for section 315 of title 14, United States Code, is amended by adding at the end the following:

“315. Training for congressional affairs personnel.”.

SEC. 5278. STRATEGY FOR RETENTION OF CUTT lMEN.

(a) In general.—Not later than 180 days after the date of this Act, the Commandant shall publish a strategy to improve incentives to attract and retain a diverse workforce serving on Coast Guard cutters.

(b) Elements.—The strategy required by subsection (a) shall include the following:

“(1) Policies to improve flexibility in the affiliation of personnel with a policy that enables members of the Coast Guard serving on Coast Guard cutters to transition between operations afloat and operations ashore assignments without detriment to their career progression.

“(2) A review of current officer requirement for afloat positions at each pay grade, and an assessment of whether the current requirements are appropriate or present undue limitations.

“(3) Strategies to improve crew comfort afloat, such as berthing accommodations to accommodate all crewmembers.

“(4) Actionable steps to improve access to high-speed internet capable of video conference, educational, and personal use by members of the Coast Guard serving on Coast Guard cutters.

“(5) An assessment of the effectiveness of bonuses to attract members to serve at sea and retain talented members of the Coast Guard serving on Coast Guard cutters to serve in open positions in support of the Commission, department head positions, and command positions.

“(6) Policies to ensure that high-performing members of the Coast Guard serving on Coast Guard cutters are competitive for special assignments, postgraduate education, senior school positions, and other career-enhancing positions.

SEC. 5279. STUDY ON PERFORMANCE OF COAST GUARD FORCE READINESS COMMAND.

(a) In general.—Not later than 1 year after the date of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the study.

SEC. 5277. STUDY ON FREQUENCY OF WEAPONS TRAINING FOR COAST GUARD PERSONNEL.

(a) In general.—Not later than 5 years after the date of enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the study.

SEC. 5276. STUDY ON PERFORMANCE OF COAST GUARD FORCE READINESS COMMAND.

(a) In general.—Not later than 1 year after the date of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the study.

SEC. 5277. BUDGETING OF COAST GUARD RELATED TO COMMERCIAL ACTIVITY.

(a) In general.—Chapter 51 of title 14, United States Code, is amended by adding after the last paragraph the following:

“§ 315. Training for congressional affairs personnel.

“(a) In general.—The Commandant shall develop a training course, which shall be administered in person, on the workings of Congress for any member of the Coast Guard selected for a position as a fellow, liaison, counsel, administrative staff for the Coast Guard Office of Governmental and Governmental Affairs, or any Coast Guard district or area governmental affairs officer.

“(b) Course subject matter.—

“(1) In general.—The training course required by this section shall provide an overview and introduction to Congress and the Federal government and the legislative process, the roles of Members of Congress and their staff necessary to enhance communication between Coast Guard units, sectors, and districts and Member offices and committees so as to ensure visibility of Coast Guard activities.

“(2) Detail within Coast Guard office of budget and programs.—

“(A) In general.—At the written request of the receiving congressional office, the training course required by this section shall include a multi-day detail within the Coast Guard Office of Budget and Programs to ensure adequate exposure to Coast Guard policy, oversight, and requests from Congress.

“(B) Nonconsecutive detail permitted.—A detail under this subsection is not required to be consecutive with the balance of the training.

“(C) Completion of required training.—A member of the Coast Guard selected for a position described in subsection (a) shall complete the training required by this section before the date on which such member reports for duty for such position.

“(b) Clerical Amendment.—The analysis for chapter 3 of title 14, United States Code, is amended by adding at the end the following:

“315. Training for congressional affairs personnel.”.

SEC. 5278. STRATEGY FOR RETENTION OF CUTT lMEN.

(a) In general.—Not later than 180 days after the date of this Act, the Commandant shall publish a strategy to improve incentives to attract and retain a diverse workforce serving on Coast Guard cutters.

(b) Elements.—The strategy required by subsection (a) shall include the following:

“(1) Policies to improve flexibility in the affiliation of personnel with a policy that enables members of the Coast Guard serving on Coast Guard cutters to transition between operations afloat and operations ashore assignments without detriment to their career progression.

“(2) A review of current officer requirement for afloat positions at each pay grade, and an assessment of whether the current requirements are appropriate or present undue limitations.

“(3) Strategies to improve crew comfort afloat, such as berthing accommodations to accommodate all crewmembers.

“(4) Actionable steps to improve access to high-speed internet capable of video conference, educational, and personal use by members of the Coast Guard serving on Coast Guard cutters.

“(5) An assessment of the effectiveness of bonuses to attract members to serve at sea and retain talented members of the Coast Guard serving on Coast Guard cutters to serve in open positions in support of the Commission, department head positions, and command positions.

“(6) Policies to ensure that...
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S3292(b), is further amended by adding at the end the following:

“§ 5114. Expenses of performing and executing defense readiness missions and other activities unrelated to Coast Guard missions

“Not later than 1 year after the date of the enactment of this section, and every Feb-
uary 1 thereafter, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representa-
tives a report that adequately represents a calculation of the annual costs and expendi-
tures of performing and executing all defense readiness missions, activities, including—

“(1) all expenses related to the Coast Guard’s coordination, training, and execution of defense readiness mission activities in the Coast Guard’s capacity as an armed force (as such term is defined in section 101 of title 10) in support of Department of De-
fense national security operations and activities or for any military department or Defense Agency (as such terms are defined in such section);

“(2) costs associated with Coast Guard de-
tachment in support of the Coast Guard’s defense readiness mission; and

“(3) any other related expenses, costs, or matters the Commandant considers appro-
priate for submission to Congress.”.

(b) C LERICAL AMENDMENT.—The analysis for chapter 51 of title 14, United States Code, as amended by section S3292(b), is further amended by striking the end the following: “§5114. Expenses of performing and executing defense readiness missions or other activities unrelated to Coast Guard missions.”

SEC. 5282. COAST GUARD ASSISTANCE TO UNITED STATES SECRET SERVICE.

Section 6 of the Presidential Protection Assistance Act of 1975 (18 U.S.C. 3056 note) is amended—

(1) by striking “Executive departments” and inserting the following: “(a) Altogether as provided in subsection (b), Executive departments”;

(2) by striking “Director; except that the Department of Defense and the Coast Guard shall provide such assistance” and inserting the following: “Director;

(3) by adding at the end:

“(b)(1) Subject to paragraph (2), the De-
partment of Defense shall provide such assistance as described in subsection (a); and

(2) (A) For fiscal year 2022, and each fiscal quarter thereafter, the total cost of assistance described in subsection (a) provided by the Coast Guard on a nonreimbursable basis shall not exceed $15,000,000.

“(B) The Coast Guard may provide assistance described in subsection (a) during a fiscal year in addition to the amounts specified in subparagraph (A) on a reimbursable basis.”.

SEC. 5283. CONVEYANCE OF COAST GUARD VESSELS FOR PUBLIC PURPOSES.

(a) TRANSFER.—Section 914 of the Coast Guard Authorization Act of 2010 (14 U.S.C. 501 note; Public Law 111–281) is—

(1) transferred to subsection 1 of chapter 5 of title 14, United States Code;

(2) added at the end as to follow section 509 of such title, as added by section 5291 of this Act;

(3) redesignated as section 510 of such title; and

(4) amended so that the enumerated, the section heading, typeface, and typestyle conform to those appearing in other sections of title 14, United States Code.

(b) CLERICAL AMENDMENT.—The Coast Guard Authorization Act of 2010 (Public Law 111–281) is amended by striking the item relating to section 914.

(2) TITLE IV.—The analysis for chapter 4 of such title, as added by section 5241 of this Act, is amended by adding at the end the following: “§410. Conveyance of Coast Guard vessels for public purposes unknown that may exist on, or ema-
nate from, such parcel.”

(3) CONVEYANCE OF COAST GUARD VESSELS FOR PUBLIC PURPOSES.—Section 510 of title 14, United States Code, as transferred and redesignated by subsection (a), is amended—

(1) by amending subsection (a) to read as follows:

“(a) IN GENERAL.—On request by the Com-
mandant, the Administrator of the General Services Administration may transfer own-
ership of a Coast Guard vessel or aircraft to an eligible entity for educational, cultural, historical, charitable, recreational, or other public purposes if such transfer is authorized by law.”;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by inserting “as if the request were being processed” after “vessels”; and

(ii) by inserting “and not later than the end of the fiscal quarter under subsection (a), the fol-
lowing:”;

(B) in paragraph (2) by inserting “, as in ef-
fact on the date of the enactment of the Coast Guard Authorization Act of 2022” after “such title”; and

(C) in paragraph (3), by striking “of the Coast Guard”.

SEC. 5284. AUTHORIZATION RELATING TO CERTAIN INTELLIGENCE AND COUNTER INTELLIGENCE ACTIVITIES OF THE COAST GUARD.

(a) AUTHORIZATION.—Consistent with the policies, procedures, coordination and cooperation re-
quired pursuant to section 611 of the Coun-
terintelligence and Security Enhancements Act of 1994 (50 U.S.C. 3381) and section 902 of the Counterintelligence and Security Enhancement Act of 2002 (50 U.S.C. 3382), the Commandant may expend amounts made available for the intel-
ligence and counterintelligence activities of the Coast Guard to conduct such an activity without regard to any other provision of law or regulation relating to the expenditure of Government funds, if the object of the activity is of a critical, extraordinary, or emergency nature.

(b) QUARTERLY REPORT.—At the beginning of each fiscal quarter, the Commandant shall submit to the Committees of Congress a report that includes, for each in-
dividual expenditure during the preceding fiscal quarter under subsection (a), the follow-

ing:

(1) A detailed description of the purpose of such expenditure.

(2) The amount of such expenditure.

(3) An identification of the approving author-
ity for such expenditure.

(4) A justification as to why other authori-
ties available to the Coast Guard could not be used for such expenditure.

(5) Any other matter the Commandant con-
siders appropriate.

(c) APPROPRIATE COMMITTEES OF CON-
GRESS.—In this section, the term “ap-
propriate committees of Congress” means—

(1) the Committee on Commerce, Science, and Transportation, and the Select Com-
mittee on Intelligence of the Senate; and

(2) the Committee on Transportation and Infrastructure and the Permanent Select Committee on Intelligence of the House of Representa-
tives.

(d) SUNSET.—This section shall cease to have effect on the date that is 3 years after the date of the enactment of this Act.

SEC. 5285. TRANSFER AND CONVEYANCE.

(a) IN GENERAL.—

(1) REQUIREMENT.—The Commandant shall, without consideration, transfer in accord-
ance with subsection (b) and convey in ac-
cordance with subsection (c) a parcel of the real property described in paragraph (2), in-
cluding any improvements thereon, to free the Coast Guard of liability for any unfore-
seen environmental remediation or restoration of sub-

sec. 5286. TRANSPARENCY AND OVERSIGHT.

(a) NOTIFICATION.—

(1) IN GENERAL.—Subject to subsection (b), the Secretary of the Treasury shall—

(i) notify the House of Representatives of the transfer and conveyance of such parcel within 30 days of the date of such transfer and conveyance; and

(ii) notify the Senate of the transfer and conveyance of such parcel within 30 days of the date of such transfer and conveyance.

(b) REQUIREMENTS.—The Secretary shall—

(1) submit to the appropriate committees of Congress not later than 3 full business days be-
(A) making or awarding a grant allocation or grant in excess of $1,000,000;
(B) making or awarding a contract, other transaction agreement, or task or delivery order for funds that are not available for contract or, issuing a letter of intent totaling more than $4,000,000;
(C) awarding a task or delivery order requirement that the amount of the award is greater than $10,000,000 from multi-year Coast Guard funds;
(D) making a sole-source grant award; or
(E) amending, publicly the intention to make or award an item described in subparagraph (A), (B), (C), or (D), including a contract covered by the Federal Acquisition Regulation.

(2) ELEMENT.—A notification under this subsection shall include—
(A) the amount of the award;
(B) the fiscal year for which the funds for the award were appropriated;
(C) the type of contract;
(D) an identification of the entity awarded the funds, such as the name and location of the entity; and
(E) the account from which the funds are to be drawn.

(b) EXCEPTION.—If the Secretary of the department in which the Coast Guard is operating determines that compliance with subsection (a) would pose a substantial risk to human life, health, or safety, the Secretary—
(1) may make an award or issue a letter described in subsection (a) without the notification required under that subsection; and
(2) shall notify the appropriate committees of Congress not later than 5 full business days after such an award is made or letter issued.

(c) APPLICABILITY.—Subsection (a) shall not apply to funds that are not available for obligation.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term "appropriate committees of Congress" means—
(1) the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate; and
(2) the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives.

SEC. 5287. STUDY ON SAFETY INSPECTION PROGRAM FOR CONTAINERS AND FACILITIES.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall commence a study that assesses the maritime law enforcement workload requirements of the Coast Guard.

(b) ELEMENTS.—The study required by paragraph (1) shall include the following:
(1) the total number of migrant interdictions, and Coast Guard sectors in which such interdictions occurred;
(2) the total number of drug interdictions, the amount and type of drugs interdicted, and the Coast Guard sectors in which such interdictions occurred;
(3) the physical assets used for drug interdictions, migrant interdictions, and other law enforcement purposes; and
(4) the total number of Coast Guard personnel who carried out drug interdictions, migrant interdictions, and other law enforcement activities.

(c) AN ASSESSMENT OF IMPACT.—The Commandant shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives a report on the findings of the study required by paragraph (a), including the personnel and resource requirements necessary for such program.

SEC. 5288. STUDY ON MARITIME LAW ENFORCEMENT WORKLOAD REQUIREMENTS.

(a) STUDY.—
(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall commence a study that assesses the maritime law enforcement workload requirements of the Coast Guard.

(2) ELEMENTS.—The study required by paragraph (1) shall include the following:
(A) the amount of the award;
(B) the fiscal year for which the funds for the award were appropriated;
(C) the type of contract;
(D) an identification of the entity awarded the funds, such as the name and location of the entity; and
(E) the account from which the funds are to be drawn.

(b) EXCEPTION.—If the Secretary of the department in which the Coast Guard is operating determines that compliance with subsection (a) would pose a substantial risk to human life, health, or safety, the Secretary—
(1) may make an award or issue a letter described in subsection (a) without the notification required under that subsection; and
(2) shall notify the appropriate committees of Congress not later than 5 full business days after such an award is made or letter issued.

(c) APPLICABILITY.—Subsection (a) shall not apply to funds that are not available for obligation.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term "appropriated committee of Congress" means—
(1) the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate; and
(2) the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives.

SEC. 5289. FEASIBILITY STUDY ON CONSTRUCTION OF COAST GUARD STATION AT PORT MANSFIELD.

(a) STUDY.—
(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall commence a feasibility study on construction of a Coast Guard station at Port Mansfield, Texas.

(2) ELEMENTS.—The study required by paragraph (1) shall include the following:
(A) An assessment of the resources and workforce requirements necessary for a new Coast Guard station at Port Mansfield.
(B) An identification of the enhancements to the missions and capabilities of the Coast Guard that a new Coast Guard station at Port Mansfield would provide.
(C) An estimate of the life-cycle costs of such a facility, including the construction, maintenance costs, and staffing.

(b) REPORT.—Not later than 180 days after commencing the study required by subsection (a), the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the study.

SEC. 5290. MODIFICATION OF PROHIBITION ON OPERATION OR PROCUREMENT OF COVERED UNMANNED AIRCRAFT SYSTEMS.

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

"(b) EXEMPTION.—The Commandant is exempt from the restriction under subsection (a) of the operation or procurement for the purposes of—
"(1) counter-USAS system surrogate testing and training; or
"(2) intelligence, electronic warfare, and information warfare operations, testing, analysis, and training;"

(by amending subsection (c) to read as follows:

"(c) WAIVER.—The Commandant may waive the restriction under subsection (a) on a case-by-case basis by certifying in writing not later than 15 days after exercising such waiver to the Department of Homeland Security, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives that the operation or procurement of a covered unmanned aircraft system is required in the national interest of the United States;"

(3) in subsection (d)—

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

"(1) COVERED FOREIGN COUNTRY.—The term "covered foreign country" means any of the following:
"(B) The Russian Federation.
"(C) The Islamic Republic of Iran.
"(D) The Democratic People's Republic of Korea.

(B) by redesigning paragraphs (2) and (3) as paragraphs (3) and (4), respectively;
SEC. 5291. OPERATIONAL DATA SHARING CAPABILITY.

(a) In General.—Not later than 18 months after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall procure a tethered aerostat radar system (as defined in paragraph (2) of section 1005 of title 10, United States Code) for deployment by the Coast Guard and other partner agencies, including U.S. Customs and Border Protection, and at and around Coast Guard Station South Padre Island, Texas.

(b) Priority.—In establishing the capability under subsection (a), the Secretary shall prioritize enforcement areas experiencing the highest levels of enforcement activity.

(c) Requirements.—The capability established under subsection (a) shall be sufficient for the purposes of data collection and surveillance necessary for operational missions, including data from governmental entities, irrespective of whether an asset belongs to the Coast Guard, U.S. Customs and Border Protection, or any other partner agency, located in and around mission operation areas.

(d) Elements.—The Commissioner of U.S. Customs and Border Protection and the Commandant shall jointly:

(1) assess and delineate the types and quality of data sharing needed to meet the respective operational missions of U.S. Customs and Border Protection and the Coast Guard, including video surveillance, seismic sensors, infrared detection, space-based remote sensing, and any other data or information necessary,

(2) develop appropriate requirements and processes for the credentialing of personnel of U.S. Customs and Border Protection and personnel of the Coast Guard to access and use the capability established under subsection (a); and

(3) establish a cost-sharing agreement for the long-term operation and maintenance of the capability and the assets that provide data to the capability.

(e) Report.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives a report on the establishment of the capability under this section.

(f) Rule of Construction.—Nothing in this section shall be construed to authorize the Coast Guard, U.S. Customs and Border Protection, or any agency using a tethered aerostat to acquire, share, or transfer personal information relating to an individual in violation of any Federal law or regulation.

SEC. 5292. PROCUREMENT OF TETHERED AEROSTAT RADAR SYSTEM FOR COAST GUARD STATION SOUTH PADRE ISLAND, TEXAS.

Subject to the availability of appropriations, the Secretary of the department in which the Coast Guard is operating shall procure not fewer than 1 tethered aerostat radar system, or similar technology, for use by the Coast Guard and other partner agencies, including U.S. Customs and Border Protection, and at and around Coast Guard Station South Padre Island, Texas.

SEC. 5293. ASSESSMENT OF IRAN SANCTIONS RELIEF ON COAST GUARD OPERATIONS UNDER THE JOINT COMPREHENSIVE PLAN.

Not later than 1 year after the date of the enactment of this Act, the Commandant, in consultation with the Director of the Defense Intelligence Agency, the Secretary of State, the Secretary of the Treasury, the Secretary of Homeland Security and the Secretary of Defense, shall provide a briefing to the Committee on Foreign Relations of the Senate and the Committee on Homeland Security and the Committee on Appropriations of the House of Representatives, in an unclassified setting with a classified component if necessary, on:

(1) the extent to which the Commandant assesses Iran would use sanctions relief received by Iran under the Joint Comprehensive Plan of Action to bolster Iran’s support for Iraqi forces or Iranian-linked groups across the Middle East in a manner that may impact Coast Guard personnel and operations in the Middle East; and

(2) the Coast Guard requirements for deterring and countering increased malign behavior from such groups with respect to activities under the jurisdiction of the Coast Guard.

SEC. 5294. REPORT ON SHIPYARDS OF FINLAND AND SWEDEN.

Not later than 2 years after the date of the enactment of this Act, the Commandant, in consultation with the Comptroller General of the United States, shall submit to Congress a report that analyzes the shipyards of Finland and Sweden to assess future opportunities for technical assistance related to engineering to aid the Coast Guard in fulfilling its future mission needs.

SEC. 5295. PROHIBITION ON CONSTRUCTION CONTRACTS WITH ENTITIES ASSOCIATED WITH THE CHINESE COMMUNIST PARTY.

(a) In General.—The Commandant may not award awards or contracts for new construction until the date on which the Commandant provides to Congress a certification that the other party has not, during the 10-year period preceding the receipt of the proposed award, directly or indirectly held an economic interest in an entity that is—

(1) owned or controlled by the People’s Republic of China; or

(2) part of the defense industry of the Chinese Communist Party.

(b) Inapplicability to Taiwan.—Subject to section 105 of title 10, United States Code, the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives, and the Committee on Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives, shall—

(1) conduct a review of—

(i) the equipment, testing kits, and rescue medications used to conduct Coast Guard drug interdiction operations; and

(ii) the safety and training standards, policies, and procedures with respect to such operations; and

(2) determine whether the Coast Guard is using the latest equipment and technology and up-to-date training and standards for recognizing, handling, testing, and securing illegal drugs, fentanyl and other synthetic opioids, and precursor chemicals during such operations.

(c) In General.—In general, the Commandant shall submit to the appropriate committees of Congress a report on the results of the review conducted under paragraph (1).

(3) In General.—In general, in this subsection, the term “appropriate committees of Congress” means—

(A) the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the House of Representatives; and

(B) the Committee on Transportation and Infrastructure and the Committee on Appropriations of the Senate.

(b) Requirement.—If, as a result of the review required by subsection (a), the Commandant determines that the Coast Guard is not using the latest equipment and technology and up-to-date training and standards for recognizing, handling, testing, and securing illegal drugs, fentanyl and other synthetic opioids, and precursor chemicals during drug interdiction operations, the Commandant shall ensure that the Coast Guard acquires and uses such equipment and technology, carries out such training, and implements such standards.

(c) Testing for Fentanyl.—The Commandant shall ensure that Coast Guard drug interdiction operations include the testing of substances encountered during such operations for fentanyl, as appropriate.

SEC. 5297. PUBLIC AVAILABILITY OF INFORMATION ON MONTHLY MIGRANT INTERDICATIONS.

Not later than the 15th day of each month, the Commandant shall make available to the public on an internet website of the Coast Guard the number of migrant interdictions carried out by the Coast Guard during the preceding month.

TITLE LIII—ENVIRONMENT

SEC. 5301. DEFINITION OF SECRETARY.

Except as otherwise specifically provided, in this title, the term “secretary” means the Secretary of the department in which the Coast Guard is operating.

Subtitle A—Marine Mammals

SEC. 5311. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

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

(B) the Committee on Transportation and Infrastructure and the Committee on Natural Resources of the House of Representatives.

(2) Core Foraging Habitats.—The term “core foraging habitats” means areas of biological and oceanographic features that aggregate Calanus finmarchicus; and
(B) where North Atlantic right whales foraging aggregations have been well documented.

(3) EXCLUSIVE ECONOMIC ZONE.—The term ‘exclusive economic zone’ has the meaning given that term in section 107 of title 48, United States Code.

(4) INSTITUTION OF HIGHER EDUCATION.—The term ‘institution of higher education’ has the meaning given that term in section 161.55 of title 33, Code of Federal Regulations.

(5) LARGE CETACEAN.—The term ‘large cetacean’ means all endangered or threatened species within—

(A) the suborder Mysticeti; or

(B) the genera Balaenoptera; or

(C) the genera Orcinus.

(6) NEAR-REAL-TIME.—The term ‘near-real-time’, with respect to monitoring of whales, means that visual, acoustic, or other detections of whales are processed, transmitted, and reported as close to the time of detection as is technically feasible.

(7) NONPROFIT ORGANIZATION.—The term ‘nonprofit organization’ means an organization that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

(8) PUGET SOUND REGION.—The term ‘Puget Sound region’ means the Vessel Traffic Service Puget Sound area described in section 216.3 of title 50, Code of Federal Regulations (as of the date of the enactment of this Act).

(9) TRIBAL GOVERNMENT.—The term ‘Tribal government’ means the recognized governing body of any Indian or Alaska Native Tribe, band, nation, pueblo, village, community, component band, or component reservation, or successor thereto, identified (including parenthetically) in the list published most recently as of the date of the enactment of this Act pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131).

(10) UNDER SECRETARY.—The term ‘Under Secretary’ means the Under Secretary of Commerce for Oceans and Atmosphere.

SEC. 3132. ASSISTANCE TO PORTS TO REDUCE THE IMPACTS OF VESSEL TRAFFIC AND PORT OPERATIONS ON MARINE MAMMALS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary, in consultation with the Director of the United States Fish and Wildlife Service, the Secretary, the Secretary of Transportation, and the Administrator of the Maritime Administration, shall establish a grant program to provide assistance to eligible entities to develop and implement mitigation measures that will lead to a quantifiable reduction in threats to marine mammals from vessel traffic, including shipping activities and port operations.

(b) ELIGIBLE ENTITIES.—An entity is an eligible entity for purposes of assistance awarded under subsection (a) if the entity—

(1) a port authority for a port;

(2) a state; local, or Tribal government, or an Alaska Native or Native Hawaiian entity that has jurisdiction over a maritime port authority or a port;

(3) an academic institution, research institution, or nonprofit organization working in partnership with a port; or

(4) a consortium of entities described in paragraph (2) or (3).

(c) ELIGIBLE USES.—Assistance awarded under subsection (a) may be used to develop, assess, and carry out activities that reduce threats to marine mammals by—

(1) reducing underwater stressors related to vessel traffic;

(2) reducing mortality and serious injury from vessel strikes and other physical disturbances;

(3) monitoring sound;

(4) reducing vessel interactions with marine mammals;

(5) conducting other types of monitoring that are consistent with reducing the threats to marine mammals, or enhancing the habitats of, marine mammals; or

(6) supporting State agencies and Tribal governments in developing the capacity to receive assistance under this section through education, training, information sharing, and collaboration to participate in the grant program under this section.

(d) PRIORITY.—The Under Secretary shall prioritize assistance under subsection (a) for projects that—

(1) are based on the best available science with respect to methods to reduce threats to marine mammals;

(2) collect data on the reduction of such threats and the effects of such methods;

(3) assist ports that pose a higher relative threat to marine mammals listed as threatened or endangered cetaceans under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(4) are in close proximity to areas in which threatened or endangered cetaceans are known to experience other stressors; or

(5) allow eligible entities to conduct risk assessments and to track progress toward threat reduction.

(e) OUTREACH.—The Under Secretary, in coordination with the Secretary, the Administrator of the Maritime Administration, and the Administrator of the National Oceanic and Atmospheric Administration, as appropriate, shall conduct coordinated outreach to ports to provide information with respect to—

(1) how to apply for assistance under subsection (a);

(2) the benefits of such assistance; and

(3) facilitation of best practices and lessons learned from activities carried out using such assistance.

(f) REPORT REQUIRED.—Not less frequently than annually, the Under Secretary shall make available to the public on a publicly accessible internet website of the National Oceanic and Atmospheric Administration a report that includes the following information:

(1) the name and location of each entity to which assistance was awarded under subsection (a) during the year preceding submission of the report;

(2) the amount of each such award;

(3) a description of the activities carried out with such award;

(4) an estimate of the likely impact of such activities on the reduction of threats to marine mammals;

(5) an estimate of the likely impact of such activities, including the cost of such activities, on port operations.

(g) FUNDING.—From funds otherwise appropriated to the Under Secretary, $10,000,000 is authorized to carry out this section for each of fiscal years 2023 through 2028.

(h) SAVINGS CLAUSE.—An activity may not be carried out under this section if the Secretary of Defense, in consultation with the Under Secretary, determines that the activity would negatively impact the defense readiness or the national security of the United States.

SEC. 3133. NEAR-REAL-TIME MONITORING AND MITIGATION PROGRAM FOR LARGE CETACEANS.

(a) ESTABLISHMENT.—The Under Secretary, in coordination with the heads of other relevant Federal agencies, shall design and deploy a near real-time monitoring and mitigation program for endangered or threatened cetaceans referred to in this section as the ‘Program’.

(b) PURPOSE.—The purpose of the Program shall be to reduce the risk to large cetaceans posed by vessel collisions, and to minimize other impacts on large cetaceans, through the use of near real-time location monitoring and location information.

(c) REQUIREMENTS.—The Program shall—

(1) prioritize species of large cetaceans for which impacts from vessel collisions are of particular concern;

(2) prioritize areas where such impacts are of particular concern;

(3) be capable of detecting and alerting ocean users and enforcement agencies of the probable location of large cetaceans on an actionable real-time basis, including through real-time data where that is necessary;

(4) inform sector-specific mitigation protocols to effectively reduce takes (as defined in section 216.3 of title 50, Code of Federal Regulations, or successor regulations) of large cetaceans;

(5) integrate technology improvements; and

(6) be informed by technologies, monitoring methods, and mitigation protocols developed under the pilot project required by subsection (d).

(d) PILOT PROJECT.—

(1) ESTABLISHMENT.—In carrying out the Program, the Under Secretary shall first establish a pilot monitoring and mitigation program for North Atlantic right whales (referred to in this section as the ‘pilot project’) for the purposes of informing the Program.

(2) REQUIREMENTS.—In designing and deploying the pilot project, the Under Secretary, in coordination with the heads of other relevant Federal agencies, shall, using the best available scientific information, identify and ensure coverage of—

(A) core foraging habitats; and

(B) important feeding, breeding, calving, rearing, or migratory habitats of North Atlantic right whales that are consistent with reducing the threats from vessel collisions of high risk of mortality or serious injury of such whales from vessels, vessel strikes, or disturbance.

(3) COMPONENTS.—Not later than 3 years after the date of the enactment of this Act, the Under Secretary, in consultation with relevant Federal agencies and Tribal governments, and with input from affected stakeholders, shall design and deploy a near real-time monitoring system for North Atlantic right whales that—

(A) describes the best available detection power, spatial coverage, and survey effort to detect and localize North Atlantic right whales within habitats described in paragraph (2); and

(B) is capable of detecting North Atlantic right whales, including visually and acoustically;

(C) uses dynamic habitat suitability models to inform the likelihood of North Atlantic right whale occurrence in habitats described in paragraph (2) at any given time;

(D) coordinates with the Ocean Observing System of the National Oceanic and Atmospheric Administration and Regional Ocean Partnerships to leverage monitoring assets;

(E) integrates historical data;

(F) integrates near real-time monitoring methods and technologies as such methods and technologies become available;

(G) accurately verifies and rapidly communicates detection data to appropriate ocean users;

(H) creates standards for contributing, and allows ocean users to contribute, data to the monitoring system using comparable near real-time monitoring methods and technologies;

(I) communicates the risks of injury to large cetaceans to ocean users in a manner...
that is most likely to result in informed de-
cision making regarding the mitigation of those risks; and
(J) minimizes additional stressors to large cetaceans.

(c) MEMENTO OF UNDERSTANDING.—The
Under Secretary, in consultation with the Secretary, shall consult with Tribal govern-
ments, the State of Washington, institutions authorized by subsection (c) of section 70001 of the
National Marine Mammal Protection Act, and other relevant entities, as appropriate.
(d) DATA.—The Under Secretary shall le-
verage existing data collection methods, the Program required by section 313, and public
data to ensure accurate and timely information on the sighting of large cetaceans.
(e) CONSULTATIONS.—(1) IN GENERAL.—In carrying out the pilot program required by subsection (a), the Sec-
retary shall consult with Tribal governments, the State of Washington, institutions authorized by subsection (c) of section 70001 of the National Marine Mammal Protection Act, and other relevant entities, as appropriate.
(d) DATA.—The Under Secretary shall le-
verage existing data collection methods, the Program required by section 313, and public
data to ensure accurate and timely information on the sighting of large cetaceans.
(e) CONSULTATIONS.—(1) IN GENERAL.—In carrying out the pilot program required by subsection (a), the Sec-
retary shall consult with Tribal govern-
ments, the State of Washington, institutions authorized by subsection (c) of section 70001 of the National Marine Mammal Protection Act, and other relevant entities, as appropriate.
(d) DATA.—The Under Secretary shall le-
verage existing data collection methods, the Program required by section 313, and public
data to ensure accurate and timely information on the sighting of large cetaceans.
(e) CONSULTATIONS.—(1) IN GENERAL.—In carrying out the pilot program required by subsection (a), the Sec-
retary shall consult with Tribal govern-
ments, the State of Washington, institutions authorized by subsection (c) of section 70001 of the National Marine Mammal Protection Act, and other relevant entities, as appropriate.
(d) DATA.—The Under Secretary shall le-
verage existing data collection methods, the Program required by section 313, and public
data to ensure accurate and timely information on the sighting of large cetaceans.
(2) assesses the efficacy of communication between the Cetacean Desk and the maritime industry and provides recommendations for improvements;

(3) ensures integration and interoperability of existing data collection methods, as well as public data, into the Cetacean Desk operations;

(4) enhances the efficacy of collaboration and stakeholder engagement with Tribal governments, the State of Washington, institutions of higher education, the maritime industry, and Marine Mammal Protection Act (MMPA) related governmental and nongovernmental organizations; and

(5) evaluates the progress, performance, and implementation of guidance and training procedures for the Western Alaska oil spill Vessel Traffic Service personnel.

SEC. 5315. MONITORING OCEAN SOUNDSCAPES.

(a) IN GENERAL.—The Under Secretary shall maintain and expand ocean soundscape development program—

(1) to award grants to expand the deployment of Federal and non-Federal observing and data management systems capable of collecting measurements of underwater sound for purposes of monitoring and analyzing baselines and trends in the underwater soundscape to protect and manage marine life;

(2) to continue to develop and apply standardized forms of measurements to assess sound from marine animals, physical processes, and anthropogenic activities; and

(3) after coordinating with the Secretary of Defense, to coordinate and make accessible to the public the datasets, modeling and analysis, and user-driven products and tools resulting from observations of underwater sound funded through grants awarded under paragraph (1).

(b) COORDINATION.—The program described in subsection (a) shall—

(1) include the Ocean Noise Reference Station Network of the National Oceanic and Atmospheric Administration and the National Park Service;

(2) use and coordinate with the Integrated Ocean Observing System; and

(3) coordinate with the Regional Ocean Partnerships and the Director of the United States Fish and Wildlife Service, as appropriate.

(c) PRIORITY.—In awarding grants under subsection (a), the Under Secretary shall consider the geographic diversity of the recipients of such grants.

(d) SAVINGS CLAUSE.—An activity may not be carried out in this section if the Secretary of Defense, in consultation with the Under Secretary, determines that the activity would negatively impact the defense readiness or the national security of the United States.

(e) FUNDING.—From funds otherwise appropriated to the Under Secretary, $1,500,000 is authorized for each of fiscal years 2023 through 2028 to carry out this section.

Subtitle B—Oil Spills

SEC. 5321. IMPROVING OIL SPILL PREPAREDNESS.

The Under Secretary of Commerce for Oceans and Atmosphere shall include in the Automated Data Inquiry for Oil Spills database (also known as the National Oceanic and Atmospheric Administration oil weathering models new data, including peer-reviewed data, on properties of crude and refined oils, including data on diluted bitumen, as such data becomes publically available.

SEC. 5322. WESTERN ALASKA OIL SPILL PLANNING CRITERIA.

(a) ALASKA OIL SPILL PLANNING CRITERIA PROGRAM.—

(1) IN GENERAL.—Chapter 3 of title 14, United States Code, is amended by adding at the end the following:

"§323. Western Alaska Oil Spill Planning Criteria Program.

(a) ESTABLISHMENT.—There is established within the Coast Guard a Western Alaska Oil Spill Planning Criteria Program (referred to in this section as the 'Program') to develop and administer the Western Alaska oil spill planning criteria.

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this section, the Commandant shall select a permanent Program Manager through a competitive search process for a term of not less than 5 years to serve as the Western Alaska Oil Spill Criteria Program Manager referred to in this section as the 'Program Manager'.

(A) the primary duty of whom shall be to administer the Program; and

(B) who shall not be subject to frequent or routine reassignment.

(2) CONFLICTS OF INTEREST.—The individual selected to serve as the Program Manager shall not have conflicts of interest relating to entities regulated by the Coast Guard.

(3) DUTIES.—

(A) DEVELOPMENT OF GUIDANCE.—The Program Manager shall develop guidance for—

(i) approval, drills, and testing relating to the Western Alaska oil spill planning criteria; and

(ii) gathering input concerning such planning criteria from Federal agencies, State, local, and Tribal governments, and relevant industry and nongovernmental entities.

(B) ASSESSMENTS.—Not less frequently than once every 5 years, the Program Manager shall—

(i) assess whether such existing planning criteria adequately meet the needs of vessels operating in the Program; and

(ii) identify methods for advancing response capability so as to achieve, with respect to a vessel, compliance with national planning criteria.

(C) ONSITE VERIFICATIONS.—The Program Manager shall address the relatively small number and limited nature of verifications of response capabilities for vessels by increasing, within the Seventeenth Coast Guard District, the quantity and frequency of onsite verifications of the providers identified in plan analyses.

(D) TRAINING.—The Commandant shall enhance the knowledge and proficiency of Coast Guard personnel with respect to the Program by—

(i) developing formalized training on the Program that, at a minimum—

(A) provides program analysis of—

(1) the national planning criteria described in part 155 of title 33, Code of Federal Regulations (or successor regulations);

(2) alternative planning criteria;

(3) Western Alaska oil spill planning criteria;

(ii) the national planning criteria described in section 3.85–15(b) of title 33, Code of Federal Regulations (or successor regulations), for vessel response plans; and

(iii) the national planning criteria described in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 3504).

(2) WESTERN ALASKA OIL SPILL PLANNING CRITERIA.—The term 'Western Alaska oil spill planning criteria' means criteria submitted under section 155.1065 or 155.5067 of title 33, Code of Federal Regulations (or successor regulations), for vessel response plans.

(3) PRINCE WILLIAM SOUND CAPTAIN OF THE PORT ZONE.—The term 'Prince William Sound Captain of the Port Zone' means the area described in section 3.85–15(b) of title 33, Code of Federal Regulations (or successor regulations), for vessel response plans.

(ii) WESTERN ALASKA OIL SPILL PLANNING CRITERIA.—

(1) AMENDMENT.—Section 311(j) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)) is amended by adding at the end the following:

"(9) ALTERNATIVE PLANNING CRITERIA PROGRAM.—

(A) DEFINITIONS.—In this paragraph:

"(1) ALTERNATIVE PLANNING CRITERIA.—The term 'alternative planning criteria' means criteria submitted under section 155.1065 or 155.5067 of title 33, Code of Federal Regulations (or successor regulations), for vessel response plans.

(ii) WESTERN ALASKA OIL SPILL PLANNING CRITERIA.—The term 'Western Alaska oil spill planning criteria' means criteria submitted under section 155.1065 or 155.5067 of title 33, Code of Federal Regulations (or successor regulations), for vessel response plans.

(iii) SECRETARY.—The term ‘Secretary’ means the Secretary of the department in which the Coast Guard is operating.

(iv) TRIBAL.—The term ‘Tribal’ means of or pertaining to an Indian Tribe or a Tribal organization (as those terms are defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 3504)).

(v) VESSEL RESPONSE PLAN.—The term ‘vessel response plan’ means a plan required to be submitted by the owner or operator of a tank vessel or a nontank vessel under regulations issued by the President under section 311(j)(5) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)(5)).

(b) DEFINITIONS.—In this section:

(1) ALTERNATIVE PLANNING CRITERIA.—The term alternative planning criteria' means criteria submitted under section 155.1065 or 155.5067 of title 33, Code of Federal Regulations (or successor regulations), for vessel response plans.

(ii) VESSEL.—The term ‘vessel’ means a vessel of the type described in paragraph (1), in any geographic area in the United States and specifically in the Seventeenth Coast Guard District; and

(vi) WESTERN ALASKA CAPTAIN OF THE PORT ZONE.—The term ‘Western Alaska Captain of the Port Zone’ means the area described in section 3.85–15(a) of title 33, Code of Federal Regulations (or successor regulations), for vessel response plans.

(viii) PRINCE WILLIAM SOUND CAPTAIN OF THE PORT ZONE.—The term ‘Prince William Sound Captain of the Port Zone’ means the area described in section 3.85–15(a) of title 33, Code of Federal Regulations (or successor regulations), for vessel response plans.

(b) PROGRAM MANAGER.—(1) IN GENERAL.—The Under Secretary of Commerce for Oceans and Atmosphere shall include in the Automated Data Inquiry for Oil Spills database (also known as the National Oceanic and Atmospheric Administration oil weathering models new data, including peer-reviewed data, on properties of crude and refined oils, including data on diluted bitumen, as such data becomes publically available.

(2) REQUIREMENT.—Except as provided in subparagraph (1), for any part of the area of responsibility of the Western Alaska Captain of the Port Zone or the Prince William Sound Captain of the Port Zone in which the Coast Guard is operating, the Western Alaska oil spill planning criteria established pursuant to this subsection are inappropriate for a vessel
operating in that area, a response plan required under paragraph (5) with respect to a discharge of oil for such a vessel shall comply with the planning criteria established under subparagraph (D)(i)."

"(C) RELATION TO NATIONAL PLANNING CRITERIA.—The planning criteria established under subparagraph (D)(i) shall, with respect to a discharge of oil from a vessel described in subparagraph (B), apply in lieu of any alternative planning criteria accepted for vessels operating in that area prior to the date on which the criteria under subparagraph (D)(i) are established.

"(D) ESTABLISHMENT OF PLANNING CRITERIA.—Acting through the Commandant in consultation with the Western Alaska Oil Spill Criteria Program Manager established under section 523 of title 14, United States Code—

"(i) shall establish—

"(I) Alaska oil spill planning criteria for a worst case discharge of oil, and a substantial threat of such a discharge, within any part of the area of responsibility of the Western Alaska Captain of the Port Zone or Prince William Sound Captain of the Port Zone in which the Secretary has determined that the national planning criteria established pursuant to this subsection are inappropriate for a vessel operating in that area; and

"(II) Alaska oil spill planning criteria for a worst case discharge of oil, and a substantial threat of such a discharge, within any part of the area of responsibility of the Western Alaska Oil Spill Criteria Program Manager established under section 523 of title 14, United States Code—

"(ii) may, as required to develop standards that adequately reflect the needs and capabilities of various locations within the Western Alaska Captain of the Port Zone, develop subregion planning criteria that reflect the significance not later than 30 days after the date on which the Coast Guard determines it suitable.

"(E) INCLUSIONS.—

"(I) In general.—The Western Alaska oil spill planning criteria established under subparagraph (D)(i) shall include planning criteria for the following:

"(aa) has non-mechanical oil spill response resources, to be available under contracts, agreements, or other means approved by the President, capable of responding to a discharge of persistent oil and a discharge of nonpersistent oil in the worst case scenario. "(bb) considers availability of wildlife response resources for primary, secondary, and tertiary responses to support carcass collection, sampling, deterrence, rescue, and rehabilitation of birds, sea turtles, marine mammals, fishery resources, and other wildlife.

"(II) INCLUSIONS.—

"(i) the requirements under this subsection applicable to vessel response plans for vessels operating within the area of responsibility of the Western Alaska Captain of the Port Zone, under paragraph (5);

"(ii) the requirements under this subsection applicable to vessel response plans for vessels operating within the area of responsibility of the Prince William Sound Captain of the Port Zone, under paragraph (5);

"(III) the requirements under this subsection applicable to vessel response plans for vessels operating within the area of responsibility of the Prince William Sound Captain of the Port Zone, under paragraph (5);

"(IV) has temporary storage capability—

"(AA) has non-mechanical oil spill response resources that are required to be located within that area,

"(BB) oil spill response resources that are capable of operating in the ocean environment.

"(V) Ensuring the availability of at least 1 oil spill resource organization that is classified by the Coast Guard and that—

"(aa) is capable of responding in all operating environments in that area;

"(bb) controls oil spill response resources of dedicated and non-dedicated resources within that area, through ownership, contracts, agreements, or other means approved by the President, that the President determines that the national planning criteria are not less stringent than the criteria required for a worst case discharge of oil, and a substantial threat of such a discharge, occurring within that area.

"(VI) Identification vessels for oil spill response that are capable of operating in the ocean environment.

"(VI) Review of determination.—Not less frequently than once every 5 years, the Secretary shall review each determination of the national planning criteria described in subparagraph (B) that the national planning criteria are inappropriate for a vessel operating in the area of responsibility of the Western Alaska Captain of the Port Zone, under paragraph (5). (J) SAVINGS PROVISIONS.—Nothing in this paragraph affects—

"(1) the requirements under this subsection applicable to vessel response plans for vessels operating within the area of responsibility of the Western Alaska Captain of the Port Zone, under paragraph (5);

"(2) the requirements under this subsection applicable to vessel response plans for vessels operating within the area of responsibility of the Prince William Sound Captain of the Port Zone, under paragraph (5);

"(3) the authority of a Federal On-Scene Coordinator to use any available resources when responding to an oil spill, whether or not those resources are included in an oil spill response plan under this subsection.

"(A) DEADLINE.—Not later than 2 years after the date of the enactment of this Act, the President shall establish the planning criteria required to be established under paragraph (b) of section 1321 of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)).

"(B) CONSULTATION.—In establishing the planning criteria described in subparagraphs (B), the President shall consult with the Federal, State, local, and Tribal agencies and the owners and operators that would be subject to those planning criteria, and with oil spill removal organizations, Alaska Native organizations, and environmental non-governmental organizations located within the State of Alaska.

"(C) CONGRESSIONAL REPORT.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall submit to Congress a report describing the spill of national significance not later than 30 days after the date on which the Coast Guard determines it necessary to process those claims.

"SEC. 5324. COAST GUARD CLAIMS PROCESSING COSTS.

"Section 1012(a)(4) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(4)) is amended by striking ‘‘damages’’; and inserting ‘‘damages, including, in the case of a spill of national significance that results in extraordinary Coast Guard claims processing activities, the administrative and personnel costs of the Coast Guard to process those claims (including the costs of commercial claims processing, expert services, training, and technical services), subject to the condition that the Coast Guard shall submit to Congress a report describing the spill of national significance not later than 30 days after the date on which the Coast Guard determines it necessary to process those claims.’’

"SEC. 5325. CALCULATION OF AMOUNT ON DEBT OWED TO THE NATIONAL POLLUTION FUND.

"Section 1005(b)(4) of the Oil Pollution Act of 1990 (33 U.S.C. 2705(b)(4)) is amended by striking ‘‘$1,000,000,000’’ and inserting ‘‘$750,000,000’’; and

"(2) in the heading, by striking ‘‘$1,000,000,000’’ and inserting ‘‘$1,500,000,000’’.

"SEC. 5326. PER INCIDENT LIMITATION.

"Subparagraph (A) of section 9509(c)(2) of the Internal Revenue Code of 1986 is amended—

"(1) in clause (i), by striking ‘‘$1,000,000,000,000’’ and inserting ‘‘$1,500,000,000,000’’;

"(2) by adding at the end the following:

"(B) FEDERAL COST RECOVERY CLAIMS.—The interest paid for Federal Government cost recovery claims, other than Federal Government cost recovery claims, as defined in accordance with subsection 3717 of title 31, United States Code, is subject to the limitation in subsection (a).

"SEC. 5327. ACCESS TO THE OIL SPILL LIABILITY TRUST FUND.

"Section 6002 of the Oil Pollution Act of 1990 (33 U.S.C. 2752) is amended by striking subsection (b) and inserting the following:

"(1) IN GENERAL.—Subsection (a) shall not apply to—
(A) section 1006(f), 1012(a)(4), or 5006; or
(B) an amount, which may not exceed $50,000,000 in any fiscal year, made available by the President from the Fund.

(ii) to initiate the assessment of natural resources damages required under section 1006.

(2) FUND ADVANCES—
(A) In general.—To the extent that the amounts described in subparagraph (B) of paragraph (1) are not adequate to carry out the activities described in that subparagraph, the amounts may be advanced from the Fund as may be necessary, up to a maximum of $100,000,000 for each advance, with the total amount of advances not to exceed $400,000,000 for the activities described in that subparagraph, and
(B) to remain available until expended.

(3) AVAILABILITY.—Amounts to which this subsection applies shall remain available until expended.

SEC. 5329. COST-REIMBURSABLE AGREEMENTS.
Section 1012 of the Oil Pollution Act of 1990 (33 U.S.C. 2712) is amended—
(1) by striking—
"(1) to update the processes established under subsection (b)(1) to incorporate relevant analysis of—
(a) the amount advanced; and
(b) the facts and circumstances that necessitated the advance.

"(2) REIMBURSEMENT.—Amounts advanced under this paragraph shall be repaid to the Fund when, and to the extent that, removal costs are recovered by the Coast Guard from responsible parties for the discharge or substantial threat of discharge.

(3) AVAILABILITY.—Amounts to which this subsection applies shall remain available until expended.

(4) REPORT.—Not later than 3 months after the date of enactment of this Act, and annually thereafter for 5 years, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the effects of the removal of limited indemnity provisions for oil spill response organizations during the period described in paragraph (1).

(5) ANNUAL REPORT.—Not later than 30 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the effects of the removal of limited indemnity provisions for oil spill response organizations during the period described in paragraph (1).

SEC. 5331. ADDITIONAL EXCEPTIONS TO REGULATIONS FOR TOWING VESSELS.
"(a) In general.—Not later than 1 year after the date of enactment of this Act, the Administrator shall—
(1) to increase collection and improve the quality of incident data on oil spill location and response capability by periodically evaluating the data, documentation, and analysis of—
(A) Coast Guard-approved vessel response plans, including vessel response plan audits and assessments;
(B) oil spill response drills conducted under section 311(c)(7) of the Federal Water Pollution Control Act (33 U.S.C. 1321(c)(7)) that occur within the Marine Transportation System;
(C) responses to oil spill incidents that require mobilization of contracted response resources;
(D) update, not less frequently than annually, information contained in the Coast Guard Response Resource Inventory and other Coast Guard tools used to document the availability and status of oil spill response equipment, so as to ensure that such information is updated and accurate. (2) Ongoing and planned efforts to improve the effectiveness and oversight of the vessel response program.

Public Availability.—The Commandant shall publish the report required by subparagraph (A) on a publicly accessible internet website of the Coast Guard.

SEC. 5332. REVIEW AND REMOVAL OF LIMITED INDEMNITY PROVISIONS IN STANDBY OIL SPILL RESPONSE CONTRACTS.
(a) In general.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the effects of the removal of limited indemnity provisions for oil spill response organizations during the period described in paragraph (1).

(2) A review of the costs incurred by the Coast Guard, the Oil Spill Liability Trust Fund established by section 9509(a) of the Internal Revenue Code of 1986, and the Federal Government to cover the indemnity provisions provided to oil spill response organizations during the period described in paragraph (1).

(3) An assessment of the adequacy of contracts described in that subsection in meeting the needs of the United States to carry out oil spill cleanups under the National Contingency Plan (as so defined) in 2009 and ending in 2014 with respect to those contracts that included limited indemnity provisions for oil spill response organizations.

(4) An assessment of the impact that the removal of limited indemnity provisions described in paragraph (3) has had on the ability of oil spill response organizations to enter into contracts described in that subsection.

(5) An assessment of the ability of the Oil Spill Liability Trust Fund established by section 9509(a) of the Internal Revenue Code of 1986, to cover limited indemnity provisions provided to a contractor for liabilities and expenses incidental to the removal of oil and hazardous substances, and

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

(C) Area Contingency Plan (ACP) development;
(D) risk assessments developed under section 70001 of title 46, United States Code, including lessons learned from reportable marine casualties;
(E) mitigating the impact of personnel rotations in Coast Guard field units on knowledge and awareness of vessel response plan requirements, including knowledge gained from the evaluation of proposed alternatives to national planning requirements; and
(F) evaluating the consequences of reporting inaccurate data in vessel response plans submitted to the Commandant pursuant to part 300 of title 40, Code of Federal Regulations, and submitted for storage in the Marine Information for Safety and Law Enforcement database pursuant to section 300.300 of that title (or any successor regulation).

(2) To standardize and develop tools, training, and other relevant guidance that may be shared with vessel owners and operators to assist with accurately calculating and measuring the performance and viability of proposed alternatives to national planning criteria requirements and Area Contingency Plans under the jurisdiction of the Coast Guard;

(3) To improve training of Coast Guard personnel to ensure continuity of planning activities under this section, including by identifying ways that standing may improve the continuity of operations; and

(4) To increase Federal Government engagement with State, local, and Tribal governments and stakeholders so as to strengthen coordination and efficiency of oil spill response.

(c) PERIODIC UPDATES.—Not less frequently than every 5 years, the Commandant shall update the processes established under subsection (b)(1) to incorporate relevant analyses of—
(1) incident data on oil spill location and response quality;
(2) oil spill risk assessments;
(3) oil spill response effectiveness and the effects of such response on the environment;
(4) oil spill response drills conducted under section 311(c)(7) of the Federal Water Pollution Control Act (33 U.S.C. 1321(c)(7));
(5) marine casualties reported to the Coast Guard; and
(6) near miss incidents documented by a Vessel Response Center, if such terms are defined in section 70001(m) of title 46, United States Code.

(d) REPORT.—(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter for 5 years, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the effects of the removal of limited indemnity provisions for oil spill response programs.

SEC. 5333. ADDITIONAL EXCEPTIONS TO REGULATIONS FOR TOWING VESSELS.
(a) In general.—Not later than 180 days after the date of enactment of this Act, the Secretary shall review existing Coast Guard policies with respect to the applicability of subchapter M of chapter I of title 46, Code of Federal Regulations (or successor regulations), for—

(1) towing boom for oil spill response; or
(B) participating in an oil response exercise; and
(2) a fishing vessel while that vessel is operating as a vessel of opportunity.
(b) Not later than 180 days after the date of enactment of this Act, the Secretary shall provide to the Committee on Commerce, Science, and Transportation and the Committee on Energy and Natural Resources a briefing to—
(i) identify any such regulations or rules that may need modification or repeal in the interest of marine safety, security, environmental, and economic concerns, taking into account undersea pipelines, cables, or other infrastructure; and
(ii) develop a cost-benefit analysis for any modification or repeal identified under paragraph (1).
(c) Not later than 180 days after the date of enactment of this Act, the Secretary shall provide a briefing to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that summarizes the review.

SEC. 5341. REVIEW OF ANCHORAGE REGULATIONS UNDER THE COMMERCIAL, TRIBAL, AND RECREATIONAL FISHERIES FROM THE DEVELOPMENT OF OFFSHORE WIND.
(a) REGULATORY REVIEW.—Not later than 1 year after the date of enactment of this Act, the Secretary shall complete a review of existing anchorages regulations or other rules, which review shall include—
(1) identifying any such regulations or rules that may need modification or repeal in the interest of marine safety, security, environmental, and economic concerns, taking into account undersea pipelines, cables, or other infrastructure; and
(2) developing a cost-benefit analysis for any modification or repeal identified under paragraph (1).
(b) BRIEFING.—Upon completion of the review required under subsection (a), not later than 2 years after the date of enactment of this Act, the Secretary shall provide a briefing to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that summarizes the review.

SEC. 5342. STUDY ON IMPACTS ON SHIPPING AND COMMERCIAL, TRIBAL, AND RECREATIONAL FISHERIES FROM THE DEVELOPMENT OF OFFSHORE WIND.
(a) DEFINITIONS.—In this section:
(1) OFFSHORE WIND.—The term "offshore wind" means Federal or State waters off of the Canadian border and out to the furthest extent of the exclusive economic zone along the west coast of the United States.
(2) EXCLUSIVE ECONOMIC ZONE.—The term "exclusive economic zone" has the meaning given that term in section 107 of title 46, United States Code.

(b) STUDY.—Not later than 180 days after the date of enactment of this Act, the Secretary shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a study to—
(1) identify, document, and analyze—
(A) historic and current, as of the date of the study, of tribal, commercial, and recreational fishing grounds, as well as areas where fish stocks are likely to shift in the future, in all covered waters;
(B) current and customized fishing areas in all covered waters;
(C) historic, current, and potential future shipping lanes, based on projected growth in shipping demand, for all covered waters; and
(D) key types of data needed to properly site renewable energy sites on the West Coast with regard to assessing and mitigating conflicts;
(2) analyze—
(A) methods used to manage fishing, shipping, and other maritime activities in the vicinity of offshore wind and offshore energy development; and
(B) how those activities could be impacted by the placement of renewable energy infrastructure and the associated construction, maintenance, and operation of such infrastructure; and
(3) review the current decision-making process for offshore wind in covered waters and outline a more comprehensive approach to include all impacted coastal communities, particularly Tribal governments and fisheries communities, in the decision-making process for offshore wind.
(c) SUBMISSION.—Not later than 1 year after the date of enactment of this Act, the Secretary shall—
(1) submit to the Committees on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that—
(A) contains a plan for the Coast Guard to notify mariners of radio outages for towers covered by this Act and operated by the Seventeenth Coast Guard District; and
(B) addresses in such plan how the Seventeenth Coast Guard—
(i) disseminates updates regarding outages on social media not less frequently than every 48 hours;
(ii) provides updates on a publicly accessible website not less frequently than every 48 hours;
(iii) develop methods for notifying mariners in areas in which cellular connectivity does not exist; and
(iv) develop and advertise a web-based communications update hub on AM/FM radio for mariners; and
(d) MODIFICATIONS TO THE SPORT FISH RESTORATION ACT AMENDMENTS.—
(1) available amounts.—Clause (i) of section 4(a)(1)(B) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 669c(a)(1)(B)) is amended to read as follows:
(1) the change, relative to the preceding fiscal year, in the Consumer Price Index for All Urban Consumers published by the Department of Labor; and
(2) available amounts.—Section 4(a)(1)(B) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 677c(h)(1)(B)) is amended to read as follows:

SEC. 5351. MODIFICATIONS TO THE SPORT FISH RESTORATION ACT AMENDMENTS.
(a) Dingell-Johnson Sport Fish Restoration Act Amendments.—
(1) AVAILABLE AMOUNTS.—Clause (i) of section 4(a)(1)(B) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 669c(a)(1)(B)) is amended—
(i) for the fiscal year that includes November 15, 2021, the product obtained by multiplying—
(1) $12,786,434; and
(2) the change, relative to the preceding fiscal year, in the Consumer Price Index for All Urban Consumers published by the Department of Labor; and
(ii) for the fiscal year that includes
November 15, 2021, the product obtained by multiplying—
(1) $12,786,434; and
(2) the change, relative to the preceding fiscal year, in the Consumer Price Index for All Urban Consumers published by the Department of Labor; and
(B) in paragraph (9), by striking "on a full-time basis"; and
(C) in paragraph (9), by striking "on a full-time basis".

SEC. 5352. IMPROVEMENTS TO COAST GUARD COMMUNICATION WITH NORTH PACIFIC MARITIME AND FISHING INDUSTRY.
(a) Rescue 21 System in Alaska.—
(1) Upgrades.—The Commandant shall ensure the timely upgrade of the Rescue 21 system in Alaska so as to achieve, not later than August 30, 2023, 98 percent operational availability of remote fixed facility sites.

(2) PLAN TO REDUCE OUTAGES.—
(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Commandant shall develop an operational and implementation plan for the Rescue 21 system in Alaska that anticipates maintenance needs so as to reduce Rescue 21 system outages to the maximum extent practicable.
(B) PUBLIC AVAILABILITY.—The plan required by subparagraph (A) shall be made available to the public on a publicly accessible internet website.
(3) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that—
(A) contains a plan for the Coast Guard to notify mariners of radio outages for towers covered by this Act and operated by the Seventeenth Coast Guard District; and
(B) addresses in such plan how the Seventeenth Coast Guard—
(i) disseminates updates regarding outages on social media not less frequently than every 48 hours;
(ii) provides updates on a publicly accessible website not less frequently than every 48 hours;
(iii) develop methods for notifying mariners in areas in which cellular connectivity does not exist; and
(iv) develop and advertise a web-based communications update hub on AM/FM radio for mariners; and
(v) identifies technology gaps necessary to implement the plan and provides a budgetary assessment necessary to implement the plan.
(4) CONTINGENCY PLAN.—
(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commandant, in collaboration with relevant Federal and State entities (including the North Pacific Fishery Management Council, the National Oceanic and Atmospheric Administration Weather Service, the National Oceanic and Atmospheric Administration Fisheries Service, agencies of the State of Alaska, local stakeholders, and stakeholders), shall establish a contingency plan to ensure that notifications of an outage of the Rescue 21 system in Alaska are broadly disseminated in advance of such outage.
(B) ELEMENTS.—The plan required by subparagraph (A) shall require the Coast Guard to—
(i) disseminate updates regarding outages on social media not less frequently than every 48 hours during an outage;
(ii) provide updates on a publicly accessible website not less frequently than every 48 hours during an outage;
(iii) notify mariners in areas in which cellular connectivity does not exist;
(iv) develop and advertise a web-based communications update hub on AM/FM radio for mariners; and
(v) identify technology gaps that need to be addressed in order to implement the plan, and to provide a budgetary assessment necessary to implement the plan.
(b) IMPROVEMENTS TO COMMUNICATION WITH THE FISHING INDUSTRY AND RELATED STAKEHOLDERS.—
(A) IN GENERAL.—The Commandant, in coordination with the National Commercial Fishing Safety Advisory Committee established by section 15102 of title 46, United States Code, shall—
(i) develop an internet website that contains all Coast Guard-related information relating to the
fishing industry, including safety information, inspection and enforcement requirements, hazards, training, regulations (including proposed regulations), Rescue 21 system of vessels, and any information regarding fishing-related activities under the jurisdiction of the Coast Guard.

(2) AUTOMATIC COMMUNICATIONS.—The Commandant shall provide methods for regular and automatic email communications with stakeholders who elect, through the Internet website developed under paragraph (1), to receive such communications.

(c) ADVANCE NOTIFICATION OF MILITARY OR OTHER EXERCISES.—In consultation with the Secretary of State, and commercial fishing industry participants, the Commandant shall develop and publish on a publicly available Internet website an alert system to notify U.S. mariners and the operators of United States fishing vessels in advance of—

(1) military exercises in the exclusive economic zone of the United States (as defined in section 3 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1802)); or

(2) other military activities that will impact recreational or commercial activities.

SEC. 5353. FISHING SAFETY TRAINING GRANTS PROGRAM. Section 15221(h)(4) of title 46, United States Code, is amended by striking “2021 through 2023” and inserting “2021 through 2023.”

SEC. 5354. LOAD LINES.

(a) DEFINITION OF COVERED FISHING VESSEL.—In this section, the term “covered fishing vessel” means a vessel that operates exclusively in one or both of the Thirteenth, Fourteenth, Fifteenth, Sixteenth, and Seventeenth Coast Guard Districts and that—

(1) was constructed, under construction, or under contract to be constructed as a fish tender vessel before January 1, 1980; and

(2) was converted for use as a fish tender vessel before January 1, 2022, and

(A) the vessel has a current stability letter issued in accordance with regulations prescribed under chapter 51 of title 46, United States Code; and

(B) the hull and internal structure of the vessel has been verified as suitable for intended service as examined by a marine surveyor who has been accepted by the Secretary 2 times in the 5 years preceding the date of the determination under this subsection, with no interval of more than 3 years between such examinations; or

(3) operates part-time as a fish tender vessel for a period of less than 180 days.

(b) APPLICATION TO CERTAIN VESSELS.—

(1) FORCED LABOR.—The term “forced labor” means any labor or service for which the person performing such labor or service did not freely choose to perform such labor or service, and that—

(A) the vessel has a current stability letter that allows the Service to approve out-of-season fishing operations; and

(B) the vessel has been verified as suitable for in-season fishing operations;

(2) FORCED LABOR.—The term “forced labor” means any labor or service for which the person performing such labor or service did not freely choose to perform such labor or service, and that—

(A) the vessel has a current stability letter issued in accordance with regulations prescribed under chapter 51 of title 46, United States Code; and

(B) the vessel has been verified as suitable for in-season fishing operations; and

(C) the vessel has been verified as suitable for out-of-season fishing operations;

(D) SEAFARERS.—The term “seafarer” means any person who is a member of a crew of any vessel used in international navigation;

(E) WORKER.—The term “worker” means any person who, for payment or fees, performs any labor or service.

(f) PROHIBITION.—Nothing in this section shall limit the authority of any Agency, in the application of regulations and requirements under this section to or with respect to the United States fishing industry.

SEC. 5355. ACTIONS BY NATIONAL MARINE FISHERIES SERVICE TO INCREASE ENFORCEMENT.

(a) IN GENERAL.—The National Marine Fisheries Service shall, immediately upon the enactment of this Act, take action to address the outstanding backlog of letters of authorization for the Gulf of Mexico.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the National Marine Fisheries Service should—

(1) take immediate action to issue a rule that allows the Service to approve outstanding and future applications for letters of authorization consistent with the Service’s permitting activities; and

(2) on or after the effective date of the rule, prioritize the consideration of applications in a manner that is consistent with applicable Federal law.

Subtitle E—Illegal Fishing and Forced Labor Prevention

SEC. 5361. DEFINITIONS.

In this title—

(1) FORCED LABOR.—The term “forced labor” means any labor or service for which the person performing such labor or service did not freely choose to perform such labor or service, and that—

(A) the vessel has a current stability letter issued in accordance with regulations prescribed under chapter 51 of title 46, United States Code; and

(B) the vessel has been verified as suitable for in-season fishing operations; and

(C) the vessel has been verified as suitable for out-of-season fishing operations;

(D) SEAFARERS.—The term “seafarer” means any person who is a member of a crew of any vessel used in international navigation;

(E) WORKER.—The term “worker” means any person who, for payment or fees, performs any labor or service.

(2)ILLEGAL, UNREPORTED, OR UNREGULATED FISHING.—The term “illegal, unreported, or unregulated fishing” has the meaning given such term in section 3 of the Act (21 U.S.C. 1401).

(3) S EAF OOD.—The term “seafood” means all marine animal and plant life meant for consumption as food other than marine mammals and birds, including fish, shellfish, shrimp, and shellfish products.

(4) SEAFOOD IMPORT MONITORING PROGRAM.—The term “Seafood Import Monitoring Program” means the Seafood Traceability Program established in subpart Q of part 300 of title 12, Code of Federal Regulations (or any successor regulation).
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1826k(a) that have not yet received a subsequent positive certification pursuant to section 609(d) or 610(c) of such Act, respectively;
(2) identified by an appropriate regional fishery management organization as being in illegal, unreported, or unregulated fishing;
(3) identified as having human trafficking or forced labor in any part of the seafood supply chain, including on vessels flagged in such jurisdiction, and including feed for cultured production, in the most recent Trafficking in Persons Report issued by the Department of State in accordance with the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.);
(4) identified as producing goods that contain seafood using forced labor or oppressive child labor in the most recent List of Goods Produced by Child Labor or Forced Labor in accordance with the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.);
and
(5) identified as at risk for human trafficking, including forced labor, in their seafood catching and processing industries by the relevant sector application of the Maritime SAFE Act (Public Law 116-92).

SEC. 5365. AVAILABILITY OF FISHERIES INFORMATION.
Section 409(2) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1881a(b)(1)) is amended—

(1) in subparagraph (G), by striking “or” after the semicolon;
(2) in subparagraph (H), by striking the period and inserting “; or”;
and
(3) by adding at the end the following:

“(I) to Federal agencies, to the extent necessary and appropriate, to administer Federal programs established to combat illegal, unreported, or unregulated fishing (as defined in the Coast Guard Authorization Act of 2022) or forced labor (as defined in section 5361 of the Coast Guard Authorization Act of 2022), which shall not include an authorization for such agencies to release data to the public unless such release is related to enforcement.”.

SEC. 5366. REPORT ON SEAFOOD IMPORT MONITORING PROGRAM.
(a) REPORT TO CONGRESS AND PUBLIC AVAILABILITY OF REPORTS.—The Secretary shall, not later than 120 days after the end of each fiscal year, submit to the Committees on Commerce, Science, and Transportation and the Committee on Finance of the Senate and the Committee on Natural Resources and the Environment of the House of Representatives a report that summarizes the National Marine Fisheries Service’s efforts to prevent the importation of seafood harvested through illegal, unreported, or unregulated fishing, particularly with respect to seafood harvested, produced, processed, or manufactured by forced labor. Each such report shall be made publicly available on the website of the National Oceanic and Atmospheric Administration.

(b) CONTENTS.—Each report submitted under subsection (a) shall include—

(1) the volume and value of seafood species subject to the Seafood Import Monitoring Program, reported by 10-digit Harmonized Tariff Schedule of the United States codes, imported during the previous fiscal year;
(2) the enforcement activities and priorities of the National Marine Fisheries Service with respect to implementing the requirements under the Seafood Import Monitoring Program;
(3) the percentage of import shipments subject to the Seafood Import Monitoring Program selected for inspection or the information or records supporting entry selected for audit, as described in section 300.324(d) of title 50, Code of Federal Regulations;
(4) the number and types of instances of noncompliance with the requirements of the Seafood Import Monitoring Program;
(5) the number and types of instances of violations of State or Federal law discovered through the Seafood Import Monitoring Program;
(6) the seafood species with respect to which violations described in paragraphs (4) and (5) were most prevalent;
(7) the location in a seafood harvest with respect to which violations described in paragraphs (4) and (5) were most prevalent;
(8) the additional tools, such as high performance computing and associated costs, that the Secretary needs to improve the efficacy of the Seafood Import Monitoring Program;
and
(9) other information as the Secretary considers appropriate with respect to monitoring and enforcing compliance with the Seafood Import Monitoring Program.

There is authorized to be appropriated to the Commission of U.S. Customs and Border Protection to carry out enforcement actions pursuant to the Tariff Act of 1930 (19 U.S.C. 1307) $20,000,000 for each of fiscal years 2023 through 2027.

CHAPTER 2—STRENGTHENING INTERNATIONAL MANAGEMENT TO COMBAT HUMAN TRAFFICKING

SEC. 5370. DENIAL OF PORT PRIVILEGES.
Section 101(a) of the High Seas Driftnet Fishery Enforcement Act (16 U.S.C. 1826(a)(2)) is amended to read as follows:

“(2) DENIAL OF PORT PRIVILEGES.—The Secretary of Homeland Security shall—

(A) withhold or revoke the clearance required by section 6010 of title 46, United States Code, for any large-scale driftnet fishing vessel of a nation that has been listed pursuant to section 609(b) or 610(c) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826j(a) or 1826k(c)), or fishing vessels of a nation that has been listed pursuant to section 609(b) or section 610(a) of such Act (16 U.S.C. 1826j(b) or 1826k(c));
and

(B) a nation if—

(1) in subparagraph (G), by striking “or” after the semicolon;
(2) in subparagraph (H), by striking the period and inserting “; or”;
(3) by adding at the end the following:

“(I) to Federal agencies, to the extent necessary and appropriate, to administer Federal programs established to combat illegal, unreported, or unregulated fishing (as defined in the Coast Guard Authorization Act of 2022) or forced labor (as defined in section 5361 of the Coast Guard Authorization Act of 2022), which shall not include an authorization for such agencies to release data to the public unless such release is related to enforcement.”.

SEC. 5371. IDENTIFICATION AND CERTIFICATION CRITERIA.
(a) DENIAL OF PORT PRIVILEGES.—Section 609(a) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826j(a)) is amended—

(1) by striking paragraph (2) and inserting the following:

“(2) FOR ACTIONS OF A NATION.—The Secretary shall identify, and list in such report, a nation engaged in—

(i) seafood-related goods through forced labor or oppressive child labor (as those terms are defined in section 5361 of the Coast Guard Authorization Act of 2022) in the most recent List of Goods Produced by Child Labor or Forced Labor in accordance with the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.); and
(2) by adding at the end the following:

“(4) TIMING.—The Secretary shall make an identification under paragraph (1) or (2) at any time that the Secretary has sufficient information to make such identification.”.

(b) ILLEGAL, UNREPORTED, OR UNREGULATED CERTIFICATION DETERMINATION.—Section 609 of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826j) is amended in subsection (d), by striking paragraph (3) and inserting the following:

“(3) EFFECT OF CERTIFICATION DETERMINATION.—

(A) EFFECT OF NEGATIVE CERTIFICATION.—The provisions of subsection (a), and paragraphs (3) and (4) of subsection (b), of section 101 of the High Seas Driftnet Fishery Enforcement Act (16 U.S.C. 1826a(a) and (b)(3)) shall apply to any nation that, after being identified and notified under subsection (b), has failed to take the appropriate corrective actions for which the Secretary has issued a negative certification under this subsection.

(B) EFFECT OF POSITIVE CERTIFICATION.—The provisions of subsection (a), and paragraphs (3) and (4) of subsection (b), of section 101 of the High Seas Driftnet Fishery Enforcement Act (16 U.S.C. 1826a(a) and (b)(3)) shall not apply to any nation identified under subsection (a) for which the Secretary has issued a positive certification under this subsection.

SEC. 5372. EQUIVALENT CONSERVATION MEASURES.
(a) IDENTIFICATION.—Section 610(a) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826k(a)) is amended to read as follows:

“(a) IDENTIFICATION.—The Secretary shall identify and list in the report under section 607—

(A) a nation if—

(i) any fishing vessel of that nation is engaged in—

(I) fishing in the United States; has been engaged in any fishery jurisdiction under its control which has been engaged in any fishery jurisdiction under its control during the 3 years preceding the date of the determination, in fishing activities or practices on the high seas or within the exclusive economic zones of any nation, that have resulted in bycatch of a protected living marine resource; and

(ii) the vessel’s flag state has not adopted, implemented, and enforced a regulatory program governing such fishing designed to end or reduce such bycatch that is comparable in effectiveness to the regulatory program of the United Nations, the International Atomic Energy Agency, the International Whaling Commission, or the International Seabird Protection Authority; and

(B) a nation if—

(iii) the vessel’s flag state has adopted, implemented, and enforced a regulatory program governing such fishing designed to end or reduce such bycatch that is comparable in effectiveness to the regulatory program of the United Nations, the International Atomic Energy Agency, the International Seabird Protection Authority, or the International Seabird Protection Authority.
“(i) any fishing vessel of that nation is engaged, or has engaged during the 3 years preceding the date of the determination, in fishing activities on the high seas or within the exclusive economic zone of another nation that target or incidentally catch sharks; and

(ii) the vessel’s flag state has not adopted, implemented, and enforced a regulatory program or the conservation of sharks, including measures to prohibit removal of any of the fins of a shark, including the tail, before landing the shark in port, that is comparable to that of the United States.

“(2) TIMING.—The Secretary shall make an identification under paragraph (1) at any time during which a vessel engaged in fishing activities on the high seas or within the exclusive economic zone of another nation that target or incidentally catch sharks; and

“(i) notify, as soon as practicable, the President and nations that are engaged in, or that have any fishing vessels engaged in, fishing activities or practices described in subsection (a), about the provisions of this Act;

“(ii) initiate discussions as soon as practicable with all foreign nations that are engaged in, or have any fishing vessels engaged in, fishing activities described in subsection (a), for the purpose of entering into bilateral and multilateral treaties with such nations to protect such species and to address any underlying failings or gaps that may have contributed to identification under this Act; and

“(iii) after the amendment of any existing international treaty for the protection and conservation of such species to which the United States is a party in order to make such treaty consistent with the purposes and policies of this section.”.

(c) CONSERVATION CERTIFICATION PROCEDURE.—Section 610(c) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826k(c)) is amended—

(1) in paragraph (2), by inserting “public and” after “comment by”; and

(2) by striking “except to the extent that such provisions apply to sport fishing equipment or fish or fish products not caught by the vessels engaged in illegal, unreported, or unregulated fishing, fraud, forced labor, bycatch, and other conservation measures.”.

(d) DEFINITION OF PROTECTED LIVING RESOURCE.—Section 610(e) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826k(e)) is amended by striking paragraph (1) and inserting the following:

“(1) except as provided in paragraph (2), means non-target fish, sea turtles, or marine mammals protected under United States law or international agreement, including—

“(A) the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 et seq.);

“(B) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

“(C) the Shark Finning Prohibition Act (16 U.S.C. 1822 note); and


SEC. 5373. CAPACITY BUILDING IN FOREIGN FISHERIES.

(a) In General.—The Secretary of Commerce, in consultation with the heads of other appropriate, shall develop and carry out with partner governments and civil society—

(1) multi-year coastal and marine resource related international cooperation agreements and projects; and

(2) multi-year capacity-building projects for implementing measures to address illegal, unreported, and unregulated fishing, fraud, forced labor, bycatch, and other conservation measures.

(b) CAPACITY BUILDING.—Section 354k(d) of the Maritime SAFE Act (16 U.S.C. 8013(d)) is amended—

(1) in the matter preceding paragraph (1), by striking “as appropriate,”; and

(2) in paragraph (3), by striking “as appropriate” and inserting “for all priority regions identified by the Working Group”.

(c) RECOVERY.—Section 5303 of the Maritime SAFE Act (16 U.S.C. 8033) is amended—

(1) in paragraph (7), by striking “and” after the semicolon;

(2) in paragraph (8), by striking the period at the end and inserting “; and”;

and

(3) by adding at the end following:

“(9) the status of work with global enforcement partners.”.

SEC. 5374. TRAINING OF UNITED STATES OBSERVERS.

Section 403(b) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1881(b)) is amended—

(1) in paragraph (3), by striking “and” after the semicolon;

(2) by redesignating paragraph (4) as paragraph (5); and

(3) by inserting after paragraph (3) the following:

“(4) ensure that each observer has received training to identify indicators of forced labor (as defined in section 5361 of the Coast Guard Authorization Act of 2022) and human trafficking (as defined in section 5361 of the Coast Guard Authorization Act of 2022) and refer this information to appropriate authorities.”.

SEC. 5375. REGULATIONS.

Not later than 1 year after the date of enactment of this Act, the Secretary shall promulgate such regulations as may be necessary to carry out this title.

SEC. 5376. USE OF DEVICES BROADCASTING ON AIR FOR PURPOSES OF MARKING FISHING GEAR.

The Secretary of the department in which the Coast Guard is operating shall, within the Eleventh Coast Guard District, Thirteenth Coast Guard District, Fourteenth Coast Guard District, and Seventeenth Coast Guard District, suspend enforcement of individual vessel-specific vessel identification systems derived from equipment deployed on the register beginning on the date of enactment of this Act and ending on the earlier of—

(1) the date that is 2 years after such date of enactment; and

(2) the date the Federal Communications Commission promulgates a final rule to authorize a device used to mark fishing equipment to operate in radio frequencies assigned for Automatic Identification System stations.

TITLE LV—SUPPORT FOR COAST GUARD WORKFORCE

Subtitle A—Support for Coast Guard Members and Families

SEC. 5401. COAST GUARD CHILD CARE IMPROVEMENTS

(a) FAMILY DISCOUNT FOR CHILD DEVELOPMENT SERVICES.—Section 2922(b)(2)(A) of title 14, United States Code, is amended by adding at the end the following:

“(D) In the case of an active duty member of the Coast Guard, such term means the discount that the Secretary may provide, consistent with the best interests of the Coast Guard, and does comply, with the regulations, policies, and standards applicable to Coast Guard child care services.

“(2) The Commandant ensures, to the extent practicable, that the eligible provider is able to comply, and does comply, with the regulations, policies, and standards applicable to Coast Guard child care services.

(b) ELIGIBLE PROVIDERS.—A is an amend by adding at the end the following:

“2927. Child care subsidy program

“(a) AUTHORITY.—The Commandant may operate a child care subsidy program to provide financial assistance to eligible providers that provide child care services or youth program services to members of the Coast Guard, members of the Coast Guard with dependents who are participating in the child care subsidy program, and another individual the Commandant considers appropriate, if—

“(1) providing such financial assistance—

“(A) maximizes the ability of the United States to do its work abroad; and

“(B) enables supplementation or expansion of the provision of Coast Guard child care services, while not supplementing or replacing Coast Guard child care services; and

“(2) the Commandant ensures, to the extent practicable, that the eligible provider is able to comply, and does comply, with the regulations, policies, and standards applicable to Coast Guard child care services.

(c) AUTHORIZATION.—There are authorized to be appropriated such sums as necessary to carry out this section.

(d) ELIGIBLE PROVIDERS.—A is a provider of child care services or youth program services eligible for financial assistance under this section if the provider—

“(1) is licensed to provide such services under applicable State and local law;

“(2) is registered in an au pair program of the Department of State;

“(3) is a family home daycare; or

“(4) is a provider of family child care services that—

“(A) otherwise provides federally funded or federally sponsored child development services; and

“(B) provides such services in a child development center owned and operated by a public, not-for-profit organization;

“(C) provides a before-school or after-school child care program in a public school facility;

“(D) conducts an otherwise federally funded or federally sponsored school-age care or youth services program; and

“(E) conducts a school-age child care or youth services program operated by a not-for-profit organization;

“(F) provides in-home child care, such as a nanny or an au pair; or

“(G) is a provider of another category of child care services or youth program services the Commandant considers appropriate for meeting the needs of members of civilian employees of the Coast Guard.

“(c) AUTHORIZATION.—There are authorized to be appropriated such sums as necessary to carry out this section.

“(d) REPORT PAYMENT.—

“(1) IN GENERAL.—In carrying out a child care subsidy program under subsection (a),
subject to paragraph (3), the Commandant shall provide financial assistance under the program to an eligible member or individual the Commandant considers appropriate by direct payment to such eligible member or individual through monthly pay, direct deposit, or other direct form of payment.

(2) POLICY.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall establish a policy to provide direct payment as described in paragraph (1).

(3) ELIGIBLE PROVIDER FUNDING CONTINUATION.—With the approval of an eligible member or an individual the Commandant considers appropriate, which shall include the written consent of such member or individual, the Commandant may continue to provide financial assistance under the child care subsidy program directly to an eligible provider on behalf of such member or individual.

(4) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to affect any preexisting reimbursement arrangement between the Coast Guard and a qualified provider.

(B) CLERICAL AMENDMENT.—The analysis for chapter 29 of title 14, United States Code, is amended by inserting after the item relating to section 2927 the following:

"2927. Child care subsidy program.".

(2) EXPANSION OF CHILD CARE SUBSIDY PROGRAM.—

(A) IN GENERAL.—The Commandant shall—

(i) evaluate potential eligible uses for the child care subsidy program established under section 2927 of title 14, United States Code (referred to in this paragraph as the "program"); and

(ii) expand the eligible uses of funds for the program to accommodate the child care needs of members of the Coast Guard (including such members with nonstandard work hours or other deployment cycles), including by providing funds directly to such members instead of care providers.

(B) CONSIDERATIONS.—In evaluating potential eligible uses for the program, the Commandant shall ensure that such uses—

(i) are in the best interests of the Coast Guard;

(ii) provide flexibility for eligible members and individuals the Commandant considers appropriate, including such members and individuals with nonstandard work hours; and

(iii) ensure a safe environment for dependents of such members and individuals.

(3) ELEMENTS.—The study required by subsection (a) shall include the following:

(A) A description of the analysis used to identify eligible uses that were evaluated and incorporated into the manual under subparagraph (D);

(B) A description of any additional uses that were approved by the Commandant or the Secretary of the Department of Homeland Security;

(C) A summary of each of the following:

(i) the current and anticipated future child care subsidy demands of the Coast Guard;

(ii) the current and anticipated future child care subsidy demands of the Coast Guard, for the location of the member or individual;

(iii) the current and anticipated future child care subsidy demands of the Coast Guard, for members of the Coast Guard who have died on active duty, if such dependents were beneficiaries of a Coast Guard child development service at the time of the death of such members;

(iv) the current and anticipated future child care subsidy demands of the Coast Guard, for members of the armed forces (as defined in section 101 of title 10, United States Code); and

(v) Federal civilian employees.

(4) REPORT AND BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report outlining the expansion of the program.

(E) REPORT.—

(i) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Commandant shall submit an updated Commandant Instruction Manual (referred to in this paragraph as the "manual") that describes the expanded eligible uses of the program.

(II) A description of the analysis used to identify eligible uses that were evaluated and incorporated into the manual under subparagraph (D);

(III) A description and justification with respect to the forms of care that were ultimately not included in the manual.

(IV) Any recommendation with respect to funding or additional authorities necessary, including proposals for legislative change, to meet the current and anticipated future child care subsidy demands of the Coast Guard;

(V) Any recommendation with respect to the child care subsidy demands of the Coast Guard, for the location of the member or individual;

(VI) The location of the member or individual;

(VII) An analysis of the considerations described in subparagraph (B).

(II) A description of the analysis used to identify eligible uses that were evaluated and incorporated into the manual under subparagraph (D);

(III) A description of any additional uses that were approved by the Commandant or the Secretary of the Department of Homeland Security;

(IV) A description of any additional uses that were approved by the Commandant or the Secretary of the Department of Homeland Security;

(V) Any recommendation with respect to funding or additional authorities necessary, including proposals for legislative change, to meet the current and anticipated future child care subsidy demands of the Coast Guard;
Coast Guard units located in areas identified as food deserts;
(ii) to reduce transit costs for members of the Coast Guard and their dependents who are required to travel to access high-quality, affordable food; and
(iii) for improving the accuracy of the calculations referred to in subparagraph (D).

F. Modifying Implementation and Periodic Updates.—The Commandant shall:
(1) modify such standards as necessary based on the recommendations provided under subsection (c);
(2) implement the standards;
(3) review and update the standards not less frequently than every 4 years.

SEC. 5422. HEALTHCARE SYSTEM REVIEW AND STRATEGIC PLAN.
(a) In General.—Not later than 270 days after the completion of the studies conducted by the Comptroller General of the United States set forth in sections 8259 and 8260 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 4679), the Commandant shall:
(1) conduct a comprehensive review of the Coast Guard healthcare system; and
(2) develop a strategic plan for improvements to, and modernization of, such system to ensure high-quality, timely healthcare for members of the Coast Guard, their dependents, and applicable Coast Guard retirees.

(b) Plan.—
(1) In General.—The strategic plan developed under subsection (a) shall seek—
(A) to maximize the medical readiness of members of the Coast Guard;
(B) to optimize delivery of healthcare benefits;
(C) to ensure high-quality training of Coast Guard medical personnel;
(D) to prepare for the future needs of the Coast Guard.

(2) Elements.—The plan shall address, at a minimum, the following:
(A) Improving access to healthcare for members of the Coast Guard, their dependents, and applicable Coast Guard retirees.
(B) Quality of care.
(C) The experience and satisfaction of members of the Coast Guard and their dependents with the Coast Guard healthcare system.
(D) The readiness of members of the Coast Guard and Coast Guard medical personnel.

(c) Review Committee.—
(1) Establishment.—The Commandant shall establish a review committee to conduct a comprehensive analysis of the Coast Guard healthcare system (referred to in this section as "Review Committee").
(2) Membership.—
(A) Composition.—The Review Committee shall be composed of members selected by the Commandant, including—
(i) 1 or more members of the unified services (as defined in section 101 of title 10, United States Code) or Federal employees with expertise in—
(I) the medical, dental, pharmacy, or behavioral health fields; or
(II) any other field the Commandant considers appropriate;
(ii) a representative of the Defense Health Agency; and
(iii) a medical representative from each Coast Guard geographic sector;
(3) Chairperson.—The chairperson of the Review Committee shall be the Director of the Health, Safety, and Work Life Directorate of the Coast Guard;
(4) Staff.—The Review Committee shall be staffed by employees of the Coast Guard.

(5) Report to Commandant.—Not later than 1 year after the Review Committee is established, the Review Committee shall submit to the Commandant a report that—
(A) includes the results of the comprehensive analysis of the current Coast Guard medical staffing standards developed under section 5422;
(B) recommends the medical staffing standards set forth in the Comptroller General’s study conducted under section 8259 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 4679), and modifies such medical staffing standards of the Department of Defense and the private sector;
(C) addresses improvements needed to ensure access to high-quality, timely healthcare for members of the Coast Guard, including by evaluating the feasibility of having a dedicated primary care manager for each such member while the member is stationed at a duty station;
(D) evaluates the effects of increased surge deployments of medical personnel on staffing needs at Coast Guard clinics;
(E) identifies ways to improve access to care for members of the Coast Guard and their dependents who are stationed in remote areas, including methods to expand access to care providers in remote locations, and the Coast Guard may better use available resources to improve care;
(F) identifies barriers to participation in the Coast Guard healthcare system and ways the Coast Guard may better use existing resources to improve care;
(G) evaluates recommendations to improve the Coast Guard healthcare system; and
(H) any other matter the Commandant or the Review Committee considers appropriate.

(6) Termination.—The Review Committee shall terminate on the date that is 30 days after the date on which the Review Committee submits the report required by paragraph (5).


(d) Report to Congress.—Not later than 2 years after the date of enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation of the House of Representatives the following:
(1) the strategic plan for the Coast Guard medical system required by subsection (a);
(2) the report of the Review Committee submitted to the Commandant under subsection (c)(5); and
(3) a description of the manner in which the Commandant plans to implement the recommendations of the Review Committee.

SEC. 5423. DATA COLLECTION AND ACCESS TO CARE.
(a) In General.—Not later than 180 days after the date of enactment of this Act, the Commandant, in consultation with the Defense Health Agency and any healthcare expert the Commandant considers appropriate, shall develop a policy to require the collection of data regarding access by members of the Coast Guard and their dependents to medical, dental, and behavioral health care as recommended by the Comptroller General of the United States in the report entitled “Coast Guard Health Care: Improvements Needed for Determining Staffing Needs and Monitoring Access to Care” published in February 2022.
(1) Methods to collect data on access to care for—
(A) routine annual physical health assessments;
(B) flight physicals for aviators and prospective aviators;
(C) sick call;
(D) injuries;
(E) dental health; and
(F) behavioral health conditions.
(2) Collection of data on access to care for referrals.
(3) Collection of data on access to care for members of the Coast Guard stationed at remote units, aboard Coast Guard cutters, and on deployments.
(4) Development of an electronic health record system to improve data collection on access to care.
(5) Use of data for addressing the standards of care, including time between requests for appointments and actual appointments, including appointments made with referral services.
(c) REVIEW BY COMPTROLLER GENERAL.—
(1) SUBMISSION.—Not later than 15 days after the policy is developed under subsection (a), the Commandant shall submit the policy to the Comptroller General of the United States.
(2) REVIEW.—Not later than 180 days after receiving the policy, the Comptroller General shall review the policy and provide recommendations to the Commandant.
(3) MODIFICATION.—Not later than 60 days after receiving the recommendations of the Comptroller General, the Commandant shall modify the policy as necessary based on such recommendations.
(d) PUBLICATION AND REPORT TO CONGRESS.—Not later than 90 days after the policy is modified under subsection (c)(3), the Commandant shall—
(1) publish the policy on a publicly accessible internet website of the Coast Guard; and
(2) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the policy and the manner in which the Commandant plans to address access to needed services.
(e) PERIODIC UPDATES.—Not less frequently than every 5 years, the Commandant shall review and update the policy.
SEC. 5424. BEHAVIORAL HEALTH POLICY.
(a) SENSE OF CONGRESS.—It is the sense of Congress that—
(1) members of the Coast Guard—
(A) are necessary to high-risk and often stressful duties; and
(B) should be encouraged to seek appropriate medical treatment and professional guidance; and
(2) after treatment for behavioral health conditions, many members of the Coast Guard should be allowed to resume service in the Coast Guard if they—
(A) are able to do so without persistent duty modifications; and
(B) do not pose a risk to themselves or other members of the Coast Guard.
(b) INTERIM BEHAVIORAL HEALTH POLICY.—
(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall establish an interim behavioral health policy for members of the Coast Guard that is in parity with section 5.28 (relating to behavioral health) of Department of Defense Instruction 6130.03, volume 2, "Medical Standards for Military Service: Retention".
(2) TERMINATION.—The interim policy established under paragraph (1) shall remain in effect until the date on which the Commandant issues a permanent behavioral health policy for members of the Coast Guard.
(c) PERMANENT POLICY.—In developing a permanent policy with respect to retention and behavioral health, the Commandant shall ensure that, to the extent practicable, the policy of the Coast Guard is in parity with section 5.28 (relating to behavioral health) of Department of Defense Instruction 6130.03, volume 2, "Medical Standards for Military Service: Retention".
SEC. 5425. MEMBERS ASSERTING POST-TRAUMATIC STRESS DISORDER OR TRAUMATIC BRAIN INJURY.
(a) IN GENERAL.—Subchapter I of chapter 25 of title 14, United States Code, is amended by adding at the end the following:
"§ 2515. Members asserting post-traumatic stress disorder or traumatic brain injury.

(a) MEDICAL EXAMINATION REQUIRED.—(1) The Secretary shall ensure that a member of the Coast Guard who has performed Coast Guard operations or has been sexually assaulted during the preceding 2-year period, and who is diagnosed by an appropriate licensed or certified healthcare professional as experiencing post-traumatic stress disorder or traumatic brain injury or who otherwise alleges, based on the service of the member, the basis of medical examination, the influence of such a condition, receives a medical evaluation to evaluate a diagnosis of post-traumatic stress disorder or traumatic brain injury.

(2) A member described in paragraph (1) shall not be administratively separated under conditions other than honorable, including behavioral health conditions, in lieu of court-martial, until the results of the medical examination have been reviewed by appropriate authorities responsible for evaluating, reviewing, and making the separation case, as determined by the Secretary.

(3) (A) In a case involving traumatic brain injury, the medical examination shall be—
(i) performed by—
(I) a board-certified or board-eligible psychiatrist; or
(II) a licensed doctorate-level psychologist; or
(ii) performed under the close supervision of—
(I) a board-certified or board-eligible psychiatrist; or
(II) a licensed doctorate-level psychologist, classified or certified healthcare professional as defined in section 274.15 of title 38, United States Code, and outside employment.
"(b) MEDICAL EXAMINATION.—The medical examination required by subsection (a) shall include the following:
(1) In a case involving post-traumatic stress disorder, the medical examination shall be—
(A) performed by—
(i) a board-certified or board-eligible psychiatrist; or
(ii) performed under the close supervision of—
(I) a board-certified or board-eligible psychiatrist; or
(II) a licensed doctorate-level psychologist, classified or certified healthcare professional as defined in section 274.15 of title 38, United States Code, and outside employment;
(2) In a case involving traumatic brain injury, the medical examination shall be performed by a psychiatrist, psychologist, neurosurgeon, or neurologist.
"(c) T EMPORARY POLICY.—The medical examination required by subsection (a) shall assess whether the effects of mental or neurocognitive disorders, including post-traumatic stress disorder and traumatic brain injury, constitute matters in extremity that relate to the basis for administrative separation under conditions other than honorable, or based on such sexual assault, the influence of which may be necessary medical appointments required for the member's physical disability evaluation.
"(d) MEDICAL EXAMINATION.—The medical examination required by subsection (a) shall include the following:
(1) A requirement that the Coast Guard provide maximum career transition benefits to members of the Coast Guard undergoing the Physical Disability Evaluation System, or a related formal or informal process.
"(e) ELEMENTS.—The policy required by subsection (a) shall include the following:
(1) A requirement that the member, the Commandant and career transition benefits for members of the Coast Guard undergoing the Physical Disability Evaluation System, or a related formal or informal process shall be placed in a duty status that allows the member the opportunity to attend necessary medical appointments and other activities relating to the Physical Disability Evaluation System, including completion of any application of the Department of Veterans Affairs and career transition planning.
(2) In the case of a Medical Evaluation Board report that is not completed within 120 days after the date on which an evaluation by the Medical Evaluation Board was initiated, the appointment timeline is in the best interests of the immediate health of the member.
(3) A requirement that the date of initiation of an evaluation by a Medical Evaluation Board be placed in a duty status that allows the member to enter permissive duty status.
"(f) MEDICAL EXAMINATION.—The medical examination required by subsection (a) shall include the following:
(1) A requirement that the member be placed in a duty status that allows the member the opportunity to attend necessary medical appointments required for the member's physical disability evaluation.
"(g) MEDICAL EXAMINATION.—The medical examination required by subsection (a) shall be—
(1) performed by—
(A) a board-certified or board-eligible psychiatrist; or
(B) a licensed doctorate-level psychologist; or
(2) performed under the close supervision of—
(A) a board-certified or board-eligible psychiatrist; or
(B) a licensed doctorate-level psychologist, classified or certified healthcare professional as defined in section 274.15 of title 38, United States Code, and outside employment.
(ii) a calculation of the costs to retain the member on active duty, including the pay, allowances, and other associated benefits of the member, for the period beginning on the date of the enactment of this Act and ending on the date of the enactment of an evaluation by a Medical Evaluation Board by any competent authority and on the date on which the member is separated from the Coast Guard.

(b) the availability of administrative solutions to any such delay.

(8) With respect to a member of the Coast Guard who is on a delayed duty status, an option to remain in the member's current billet, to the maximum extent practicable, or to be transferred to a different active-duty or reserve duty billet, if the Commandant believes that any such delay will have a negative impact on the member's career trajectory.

(9) A requirement that each respective command shall report to the Commandant on the status of such member, including between stages of the processes, the Medical Evaluation Board, the Informal Physical Evaluation Board, and the Formal Physical Evaluation Board.

(10) A requirement that, not later than 7 days after receipt of a report of a delay described in paragraph (9), the Personnel Service Center shall take corrective action, which shall ensure that the Coast Guard exercises all of the options to continue the Physical Disability Evaluation System of such a member in a timely manner, unless such delay is caused by the member.

(11) A requirement that—

(A) a member of the Coast Guard shall be allowed to make a request for a reasonable delay in the Physical Disability Evaluation System, including additional input and consultation from a medical or legal professional; and

(B) any such request for delay shall be approved by the Commandant based on a showing of good cause by the member.

(c) REPORT ON TEMPORARY POLICY.—Not later than 60 days after the date of enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report of the policy developed under subsection (a).

(d) PERMANENT POLICY.—Not later than 180 days after the date of enactment of this Act, the Commandant shall publish a permanent policy, including any permanent changes to the policy developed under subsection (a), for publication on the Department of Defense Electronic Code.

(e) BRIEFING.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the policy described in subsection (d), and a copy of the permanent policy.

(f) ALTER BILLET COSTS.—

(1) IN GENERAL.—Not less frequently than annually, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that, for the preceding fiscal year—

(A) a summary of Coast Guard service-wide costs described in subsection (b)(7)(A)(ii) for members of the Coast Guard whose Physical Disability Evaluation System process has exceeded 90 days; and

(B) includes for each such member—

(i) an accounting of such costs; and

(ii) the number of days that elapsed between the initiation and completion of the Physical Disability Evaluation System process.

(2) PERSONALLY IDENTIFIABLE INFORMATION.—A report under paragraph (1) shall not include the personally identifiable information of any member of the Coast Guard.

SEC. 5427. RELATION OF ACCESS TO COUNSELING.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall hire, train, and deploy not fewer than an additional 5 behavioral health specialists.

(b) REQUIREMENT.—(1) Through the hiring process required under subsection (a), the Commandant shall ensure that at least 35 percent of behavioral health specialists employed by the Coast Guard have experience in behavioral health disciplines of supporting members of the Coast Guard with needs for perinatal mental health care and counseling services for miscarriage, child loss, and postpartum depression.

(2) Accessibility.—The support provided by the behavioral health specialists described in subsection (a)—

(1) may include care delivered via telemedicine; and

(2) shall be made widely available to members of the Coast Guard.

(c) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts authorized to be appropriated under section 4902(1)(A) of title 14, United States Code, is amended by striking "350" and inserting "385".

SEC. 5428. EXPANSION OF POSTGRADUATE OPPORTUNITIES FOR MEMBERS OF THE COAST GUARD IN MEDICAL AND RELATED FIELDS.

(a) IN GENERAL.—The Commandant shall expand opportunities for members of the Coast Guard to secure postgraduate degrees in medical and related professional disciplines for the purpose of supporting Coast Guard clinics and operations.

(b) MILITARY TRAINING STUDENT LOADS.—Section 4904(h) of title 14, United States Code, is amended by adding "or" at the end of section (b) and inserting "telemedicine program.

(c) ACCESIBILITY.—The support provided under the telemedicine program may be expanded to provide better clinical and behavioral medical services to members of the Coast Guard, including such members stationed at remote units or onboard Coast Guard cutters at sea.

(d) COSTS.—The costs savings associated with the provision of care—

(i) care through telemedicine; and

(ii) preventative care.

(2) Identification of barriers to full use or expansion of the telemedicine program.

(3) A description of the resources necessary to expand such program to its full capability.

(e) REPORT.—Not later than 1 year after commencing the study required by subsection (a), the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the study.

SEC. 5441. STRATEGY TO IMPROVE QUALITY OF LIFE AT REMOTE UNITS.

(a) IN GENERAL.—Not more than 180 days after the date of the enactment of this Act, the Commandant shall develop a strategy to improve the quality of life for members of the Coast Guard and their dependents who are stationed in remote units.

(b) ELEMENTS.—The strategy required by subsection (a) shall address the following:

(1) Methods to improve the availability or accessibility of medical and dental care for members of the Coast Guard and their dependents through—

(A) Coast Guard-owned housing;

(B) Coast Guard-facilitated housing; or

(C) basic allowance for housing adjustments to rates that are more competitive for members of the Coast Guard seeking privately owned or privately rented housing.

(2) Methods to improve access by members of the Coast Guard and their dependents to—

(A) medical, dental, and pharmaceutical services; and

(B) behavioral health care that is covered under the TRICARE program (as defined in section 1072 of title 10, United States Code).

(3) Methods to improve access to child care services, including recommendations for increasing child care capacity and opportunities for care within the Coast Guard and in the private sector.

(4) Methods to improve non-Coast Guard network internet access at remote units—

(A) to improve communications between families and members of the Coast Guard on active duty; and

(B) for other purposes such as education and training.

(5) Methods to support spouses and dependents who face challenges specific to remote locations.

(6) Any other matter the Commandant considers appropriate.

(c) BRIEFING.—Not later than 180 days after the strategy required by subsection (a) is adopted, the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the study.

SEC. 5430. STUDY ON COAST GUARD MEDICAL FACILITIES NEEDS.

(a) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Comptroller General of the United States shall commence a study on Coast Guard medical facilities needs.

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

(1) A current list of Coast Guard medical facilities, including clinic, resource centers, and shipboard facilities.

(2) A summary of capital needs for Coast Guard medical facilities, including construction and repair.

(3) A summary of equipment upgrade backlogs of Coast Guard medical facilities.

(4) An assessment of improvements to Coast Guard medical facilities, including improvements to IT infrastructure, required to enable the Coast Guard to fully use telemedicine and implement other modernization initiatives.

(5) An evaluation of the processes used by the Coast Guard to identify, monitor, and construct Coast Guard medical facilities.

(c) REPORT.—Not later than 1 year after commencing the study required by subsection (a), the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the study.

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completed, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the strategy.

(d) Remote UNit Defined.—In this section, the term ‘remote UNit means a unit located in an area in which members of the Coast Guard and their dependents are eligible for TRICARE Prime Remote.

SEC. 5442. STUDY ON COAST GUARD HOUSING ACCESS, COST, AND CHALLENGES.

(a) In General.—Not later than 90 days after the date of the enactment of this Act, the Comptroller General of the United States shall commence a study on housing access, cost, and associated challenges facing members of the Coast Guard.

(b) Elements.—The study required by subsection (a) shall include the following:

(1) An assessment of—

(A) the extent to which—

(i) the Commandant has evaluated the sufficiency, availability, and affordability of housing options for members of the Coast Guard and their dependents; and

(ii) the Coast Guard owns and leases housing for members of the Coast Guard and their dependents;

(B) the methods used by the Commandant to manage housing data, and the manner in which the Commandant uses such data—

(i) to inform Coast Guard housing policy; and

(ii) to guide investments in Coast Guard-owned housing capacity and other investments in housing, such as long-term leases and other options; and

(C) the process used by the Commandant to gather and provide information used to calculate housing allowances for members of the Coast Guard and their dependents, including whether the Commandant has established best practices to manage low-data areas.

(2) An assessment as to whether it is advantageous for the Coast Guard to continue to use the Department of Defense basic allowance for housing.

(3) Recommendations for actions the Commandant should take to improve the availability and affordability of housing for members of the Coast Guard and their dependents who are stationed in—

(A) remote units located in areas in which members of the Coast Guard and their dependents are eligible for TRICARE Prime Remote; or

(B) units located in areas with a high number of vacation rental properties.

(c) STRATEGY.—Not later than 1 year after commencing the study required by subsection (a), the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a strategy of the findings of the study.

(d) Strategy.—Not later than 180 days after the submission of the report required by subsection (c), the Commandant shall publish a Coast Guard housing strategy that addresses the findings set forth in the report, which shall, at a minimum—

(1) address housing, inventory shortages and affordability; and

(2) include a Coast Guard-owned housing infrastructure investment prioritization plan.

SEC. 5443. AUDIT OF CERTAIN MILITARY HOUSING CONDITIONS OF ENLISTED MEMBERS OF THE COAST GUARD IN KEY WEST, FLORIDA.

(a) In General.—Not later than 30 days after the date of the enactment of this Act, the Comptroller General, in coordination with the Secretary of the Navy, shall commence the conduct of an audit to assess—

(1) the conditions of housing units of enlisted members of the Coast Guard located at Naval Air Station Key West Sigsbee Park Annex;

(2) the percentage of those units that are considered unsafe or unhealthy housing units for enlisted members of the Coast Guard and their families; and

(3) the presence of enlisted members of the Coast Guard and their families to report housing concerns;

(b) Study.—The extent to which enlisted members of the Coast Guard and their families who experience unsafe or unhealthy housing units incur relocation, per diem, or similar expenses; or the direct result of displacement that are not covered by a landlord, insurance, or claims process and the feasibility of providing reimbursement for uncovered expenses; and—

(5) what is needed to provide appropriate and safe living quarters for enlisted members of the Coast Guard and their families in Key West, Florida.

(b) Report.—Not later than 90 days after the commencement of the audit under subsection (a), the Commandant shall submit to the appropriate committees of Congress a report on the results of the audit.

(c) Definitions.—In this section:

(1) appropriate committees of Congress.—The term ‘appropriate committees of Congress’ means—

(A) the Committee on Commerce, Science, and Transportation of the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives.

(2) Privatized military housing.—The term ‘privatized military housing’ means military housing provided under subchapter IV of chapter 169 of title 10, United States Code.

(3) Unsafe or unhealthy housing unit.—The term ‘unsafe or unhealthy housing unit’ means a unit of privatized military housing in which is present, at levels exceeding national standards or guidelines, at least one of the following hazards:

(A) Physiological hazards, including the following:

(i) Dampness or microbial growth.

(ii) Lead-based paint.

(iii) Asbestos or manmade fibers.

(iv) Ionizing radiation.

(v) Biocides.

(vi) Carbon monoxide.

(vii) Volatile organic compounds.

(viii) Infectious agents.

(ix) Fine particulate matter.

(B) Psychological hazards, including the following:

(i) Ease of access by unlawful intruders.

(ii) Lighting.

(iii) Poor ventilation.

(iv) Safety hazards.

(v) Other hazards similar to the hazards specified in clauses (i) through (iv).

SEC. 5444. STUDY ON COAST GUARD HOUSING AUTHORIZATIONS AND PRIVATIZED HOUSING.

(a) Study.—

(1) In General.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall commence a study—

(A) to evaluate the authorities of the Coast Guard relating to construction, operation, and maintenance of housing provided to members of the Coast Guard and their dependents; and

(B) to assess other options to meet Coast Guard housing needs in rural and urban housing markets, including public-private partnerships, long-term lease agreements, privately owned housing, and any other housing option the Comptroller General identifies.

(2) Elements.—The study required by paragraph (1) shall include the following:

(A) A review of authorities, regulations, and policies available to the Secretary of the department in which the Coast Guard is organized, referred to in this section as the ‘Secretary’ (with respect to construction, maintenance, and operation of housing for members of the Coast Guard and their dependents, including unaccompanied member housing, that considers—

(i) housing that is owned and operated by the Coast Guard;

(ii) long-term leasing or extended-rental housing;

(iii) public-private partnerships or other privatized housing options for which the Secretary may enter into 1 or more contracts with a private entity to build, maintain, and operate privatized housing for members of the Coast Guard and their dependents;

(iv) on-installation and off-installation housing options, and the availability of, and authorities relating to, such options; and

(v) housing availability near Coast Guard units, readiness needs, and safety.

(B) A review of the housing-related authorities, regulations, and policies available to the Secretary of Defense, and an identification of the differences between authorities afforded to the Secretary of Defense and the housing-related authorities, regulations, and policies afforded to the Secretary.

(C) A description of lessons learned or recommendations for the Coast Guard based on the use by the Department of Defense of privatized housing, including the recommendations set forth in the report of the Government Accountability Office entitled ‘Privatized Military Housing: Update on DOD’s Efforts to Implement the ‘Bright Chal-ленge’ (GAO–22–105866), issued in March 2022.

(D) An assessment of the extent to which the Secretary has used the authorities provided in chapter 169 of title 10, United States Code.

(E) An analysis of immediate and long-term costs associated with housing owned and operated by the Coast Guard, as compared to opportunities for long-term leases, private housing, and other public-private partnerships in urban rental projects.

(b) Report.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General shall submit to the appropriate committees of Congress a report on the results of the study conducted under subsection (a).

(c) Briefing.—Not later than 180 days after the date on which the report required by subsection (b) is submitted, the Commandant or the Secretary shall provide a briefing to the appropriate committees of Congress on—

(1) the actions the Commandant has, or has not, taken with respect to the results of the study;

(2) a plan for addressing areas identified in the report that present opportunities for improving the housing options available to members of the Coast Guard and their dependents; and

(3) the need for, or potential manner of use of, any authorities the Coast Guard does not now have with respect to housing, as compared to the Department of Defense.

(D) APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ‘appropriate committees of Congress’ means the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.
Representatives a report on the availability of emergency supplies at Coast Guard units.

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

(1) An assessment of the extent to which—

(A) the Commandant ensures that Coast Guard units assess risks and plan accordingly to obtain and maintain appropriate emergency supplies; and

(B) Coast Guard units have emergency food and water supplies available according to local emergency preparedness needs.

(2) A description of any challenge the Commandant faces in planning for and maintaining adequate emergency supplies for Coast Guard units; and

(3) A process for periodic review and engagement with Coast Guard units to ensure emerging emergency response supply needs are achieved and maintained.

TITLE LV—MARITIME

Subtitle A—Vessel Safety

SEC. 5501. ABANDONED SEAFARERS FUND AMENDMENTS.

Section 11113(c) of title 46, United States Code, is amended—

(A) in the matter preceding subparagraph (A) of paragraph (1), by inserting "plus a surcharge of not less than 5 percent of such total amount. after "seafarer"; and

(B) by striking paragraph (4).

SEC. 5502. BUILDING INTERNATIONAL AGREEMENTS FOR ICE PATROL SERVICES.

Section 8031(c) of title 46, United States Code, is amended by striking the period at the end and inserting "and the Secretary shall establish and maintain, during the period beginning on the date of the enactment of this Act and extending through the duration of the pilot program established under subsection (a), the Secretary shall publish a strategy and recommendations in response to the report that includes—

(1) a plan for improving emergency preparedness and response for emergency supplies for Coast Guard units; and

(2) a process for periodic review and engagement with Coast Guard units to ensure emergency response supplies needs are achieved and maintained.

SEC. 5503. PASSENGER VESSEL SECURITY AND SAFETY REQUIREMENTS.

Notwithstanding any other provision of law, requirements authorized under sections 3509 of title 46, United States Code, shall not apply to any passenger vessel, as defined in section 2101 of such title, that—

(1) carries in excess of 250 passengers; and

(2) is, or was, in operation in the internal waters of the United States on voyages beyond the Boundary Line, as defined in section 103 of such title, on or before July 27, 2038.

SEC. 5504. AT-SEA RECOVERY OPERATIONS PILOT PROGRAM.

(a) IN GENERAL.—The Secretary shall conduct a pilot program to evaluate the potential use of remotely controlled or autonomous operation and monitoring of certain vessels for the purposes of—

(1) better understanding the complexities of such at-sea operations and potential risks to navigation safety, vessel security, maritime workers, the public, and the environment;

(2) gathering observational and performance data from comparing the use of remotely-controlled or autonomous vessels; and

(3) assessing and evaluating regulatory requirements necessary to guide the development of future occurrences of such operations and monitoring activities.

(b) DURATION AND EFFECTIVE DATE.—The duration of the pilot program established under this section shall not be more than 5 years beginning on the date on which the pilot program is authorized, which shall be not later than 180 days after the date of enactment of this Act.

(c) AUTONOMOUS ACTIVITIES.—The activities authorized under this section include—

(1) remote over-the-horizon monitoring operations related to the active at-sea recovery of spaceflight components on an unmanned vessel or platform;

(2) procedures for the unaccompanied operation and monitoring of an unmanned spaceflight recovery vessel or platform; and

(3) unmanned vessel transits and testing operations without a physical tow line related to space launch and recovery operations, except within 12 nautical miles of a port.

(d) INFECTION AUTHORITY.—In recognition of potential risks to navigation safety, vessel security, maritime workers, the public, and the environment, and the unique circumstances requiring the use of remotely operated or autonomous vessels, the Secretary, in the pilot program established under subsection (a), may—

(1) allow remotely controlled or autonomous vessel operations to proceed consistent with any requirements under sections 33 and 46 of the United States Code, including navigation and manning laws and regulations;

(2) modify or waive applicable regulations and guidance as the Secretary considers appropriate to—

(A) allow remote and autonomous vessel at-sea operations and activities to occur while ensuring navigation safety; and

(B) ensure the reliable, safe, and secure operation of remotely-controlled or autonomous vessels; and

(3) require each remotely operated or autonomous vessel to be at all times under the supervision of 1 or more individuals—

(A) holding a merchant mariner credential which is suitable to the satisfaction of the Coast Guard; and

(B) who shall practice due regard for the safety of navigation, autonomous vessel, and the environment, and the unique circumstances requiring the use of remotely operated or autonomous vessels; and

(4) require each remotely operated or autonomous vessel to be at all times under the supervision of 1 or more individuals—

(A) holding a merchant mariner credential which is suitable to the satisfaction of the Coast Guard; and

(B) who shall practice due regard for the safety of navigation, autonomous vessel, and the environment, and the unique circumstances requiring the use of remotely operated or autonomous vessels; and

(5) require each remotely operated or autonomous vessel to be at all times under the supervision of 1 or more individuals—

(A) holding a merchant mariner credential which is suitable to the satisfaction of the Coast Guard; and

(B) who shall practice due regard for the safety of navigation, autonomous vessel, and the environment, and the unique circumstances requiring the use of remotely operated or autonomous vessels;

(5) assessing and evaluating regulatory requirements necessary to guide the development of future occurrences of such operations and monitoring activities; and

(6) include in the report, a process for periodic review and engagement with Coast Guard units to ensure emergency response supplies needs are achieved and maintained.

(f) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to authorize the Secretary—

(1) permit foreign vessels to participate in the pilot program established under subsection (a); or

(2) waive or modify any regulations arising under international conventions.

(i) SAVINGS PROVISION.—Nothing in this section may be construed to authorize the employment in trade of a vessel or platform that does not meet the requirements of sections 12112, 55102, 55103, and 55111 of title 46, United States Code.

(g) BRIEFINGS.—The Secretary or the designee of the Secretary shall brief the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the program established under subsection (a) on a quarterly basis.

(i) REPORT.—Not later than 180 days after the expiration of the pilot program established under subsection (a), the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the state of autonomous and remote technologies in the operation of shipboard equipment and the safe and secure navigation of vessels in Federal waters of the United States.

(j) ELEMENTS.—The report required under paragraph (1) shall include the following:

(A) An assessment of commercially available autonomous and remote technologies in the operation of shipboard equipment and the safe and secure navigation of vessels during the 10 years immediately preceding the date of the report.

(B) An analysis of the safety, physical security, cybersecurity, and collision avoidance risks and benefits associated with autonomous and remote technologies in the operation of shipboard equipment and the safe and secure navigation of vessels, including environmental considerations.

(C) An assessment of the impact of such autonomous and remote technologies, and all associated technologies, on labor, including—

(i) roles for credentialed and noncredentialed workers regarding such autonomous, remote, and associated technologies; and

(ii) training and workforce development needs associated with such technologies.

(D) An assessment and evaluation of regulatory requirements necessary to guide the development of future occurrences of such operations and monitoring activities.

(E) Recommendations regarding authorization, infrastructure, and other requirements necessary for the implementation of such technologies in the United States.

(F) A consultation with the maritime industry including—

(A) vessel operators, including commercial carriers, entities engaged in exploring for, developing, or producing resources, including non-mineral energy resources in its offshore areas, and supporting entities in the maritime industry;

(B) shipboard personnel impacted by any changes to autonomous vessel operations, in order to assess the various benefits and risks associated with the implementation of autonomous, remote, and associated technologies in the operation of shipboard equipment and safe and secure navigation of vessels and the impact such technologies would have on maritime jobs and maritime management; and

(C) relevant federally funded research institutions, non-governmental organizations, and academia.

(j) DEPLOYMENT.—In this section—

(1) MERCHANT MARINER CREDENTIAL.—The term "merchant mariner credential" means a merchant mariner license, certificate, or endorsement issued by the Secretary and the term is authorized to issue pursuant to title 46, United States Code.
SECTION 3505. EXONERATION AND LIMITATION OF LIABILITY FOR SMALL PASSENGER VESSELS.

(a) Restructuring.—Chapter 305 of title 46, United States Code, is amended—

(1) by inserting before section 30501 the following:

"Subchapter I—General Provisions";

(2) by inserting before section 30503 the following:

"Subchapter II—Exoneration and Limitation of Liability";

and

(3) by redesignating sections 30503 through 30512 as sections 30521 through 30530, respectively.

(b) Definitions.—Section 30501 of title 46, United States Code, is amended to read as follows:

"§ 30501. Definitions

"In this chapter:

"(1) COVERED SMALL PASSENGER VESSEL.—The term "covered small passenger vessel"—

"(A) means a small passenger vessel, as defined in section 30501, that is—

"(i) not a wing-in-ground craft; and

"(ii) carrying—

"(I) not more than 49 passengers on an overnight voyage; and

"(II) not more than 150 passengers on any voyage that is not an overnight domestic voyage; and

"(B) includes any wooden vessel constructed prior to March 11, 1996, carrying at least 1 passenger for hire.

"(2) OWNER.—The term ‘owner’ includes a charterer that mans, supplies, and navigates a vessel at the charterer’s own expense or by the charterer’s own procurement.

"(c) Applicability.—Section 30502 of title 46, United States Code, is amended—

(1) by striking "Except as otherwise provided" and inserting the following: "(a) In General.—Except as to covered small passenger vessels and as otherwise provided";

(2) by striking "section 30503" and inserting "section 30521"; and

(3) by adding at the end the following:

"(A) APPLICATION.—Notwithstanding subsection (a), the requirements of section 30526 of this title shall apply to covered small passenger vessels.

(b) Notices Requiring Notice of Claim or Limiting Time for Bringing Action.—Section 30526 of title 46, United States Code, as redesignated by subsection (a), is amended—

(1) in subsection (b), by striking "pocketsized,"; and

(2) by striking subsection (c) and inserting the following:

"(c) Extension for Covered Historic Vessels.—In this section, the term "covered historic vessels" means the following:

(A) American Eagle (Official Number 229913).

(B) Angelique (Official Number 623562).

(C) Heritage (Official Number 649561).

(D) J & E Riggin (Official Number 236422).

(E) Ladona (Official Number 222228).

(F) Lewis B. French (Official Number 015801).

(G) Mary Day (Official Number 288714).

(H) Stephen Taber (Official Number 115469).

(I) Victory Chimes (Official Number 136789).

(J) Grace Bailey (Official Number 085754).

(K) Mercantile (Official Number 214388).

(L) Mistress (Official Number 55004).

SECTION 3506. MORATORIUM ON TOWING VESSEL INSPECTION USER FEES.

Notwithstanding section 9701 of title 31, United States Code, and section 2110 of title 46 of such Code, the Secretary of the department in which the Coast Guard is operating may not charge an inspection fee for a towing vessel that has a certificate of inspection issued under subchapter M of chapter 1 of title 46, National Electrical Code Regulations (or any successor regulation), and that uses the Towing Safety Management System option for compliance with such subchapter, until—

(1) the maritime industry, including relevant federally funded research institutions, nongovernmental organizations, and academic institutions, has verified the practicability of the application of section 3060(n)(3)(A)(v) of title 46, United States Code, to covered historic vessels.

(2) The Coast Guard determines that the requirements under section 3060(n)(3)(A)(v) of title 46, United States Code, take effect, provide a prominently displayed notice on its website, ticket counter, and each ticket for passengers that the vessel is exempt from meeting the Coast Guard safety compliance standards concerning egress as provided for under such section.

(c) Extension for Covered Historic Vessels.—In this section, the term "covered historic vessels" means the following:

(A) American Eagle (Official Number 229913).

(B) Angelique (Official Number 623562).

(C) Heritage (Official Number 649561).

(D) J & E Riggin (Official Number 236422).

(E) Ladona (Official Number 222228).

(F) Lewis B. French (Official Number 015801).

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(I) Victory Chimes (Official Number 136789).

(J) Grace Bailey (Official Number 085754).

(K) Mercantile (Official Number 214388).

(L) Mistress (Official Number 55004).

SECTION 3508. COAST GUARD DIGITAL REGISTRATION.

Section 12304(a)(4), of title 46, United States Code, is amended—

(1) by striking "shall be pocketsized,"; and

(2) by striking "may be valid" and inserting "may be in hard copy or digital format."
SEC. 5510. COMPTROLLER GENERAL OF THE UNITED STATES STUDY AND REPORT ON THE COAST GUARD'S OVERSIGHT OF THIRD PARTY ORGANIZATIONS.

(a) IN GENERAL.—The Comptroller General of the United States shall initiate a review, not later than 1 year after the date of enactment of this Act, that assesses the Coast Guard’s oversight of third party organizations.

(b) ELEMENTS.—The study required under subsection (a) shall analyze the following:

(1) Coast Guard utilization of third party organizations in its prevention mission, and the extent to which Coast Guard plans to increase such use to enhance prevention mission performance, including resource utilization and specialized expertise.

(2) The extent to which the Coast Guard has assessed the potential risks and benefits of using third party organizations to support prevention mission activities.

(3) The extent to which the Coast Guard provides oversight of third party organizations authorized to support prevention mission activities.

(c) REPORT.—The Comptroller General shall submit the results from this study not later than 1 year after initiating the review to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

SEC. 5511. ARTICULATED TUG-BARGE MANNING.

(a) In General.—Notwithstanding the watch setting requirements set forth in section 4010 of title 46, United States Code, the Secretary of the department in which the Coast Guard is operating shall authorize an Officer in Charge, Marine Inspection to issue an amended certificate of inspection that does not require engine room watch setting to inspected towing vessels certified prior to July 19, 2022, forming part of an articulated tug-barge configuration that

(b) Definitions.—In this section:

(1) CERTIFICATE OF INSPECTION.—The term ‘‘certificate of inspection’’ means a certificate of inspection under subchapter M of chapter I of title 46, Code of Federal Regulations.

(2) INSPECTED TOWING VESSEL.—The term ‘‘inspected towing vessel’’ means a vessel issued a certificate of inspection.

 SEC. 5512. ALTERNATE SAFETY COMPLIANCE PROGRAM EXCEPTION FOR CERTAIN VESSELS.

Section 4506a of title 46, United States Code, is amended by adding at the end the following:

‘‘(d) Subsection (a) shall not apply to a vessel that—

(1) is 79 feet or less in length as listed on the vessel’s certificate of documentation or certificate of number; and

(2)(A) successfully completes a discussion examination by the Secretary every 2 years in accordance with section 4502(b)(2)(B) of this title; and

(B) visibly displays a current decal demonstrating examination compliance in the pilothouse or equivalent space.’’

SEC. 5521. DEFINITION OF A STATELESS VESSEL.

Section 70502(d)(1) of title 46, United States Code, is amended—

(1) by redesignating subsections (d) through (f) as subsections (e) through (g), respectively; and

(2) by inserting after subsection (c) the following:

‘‘(d) Subsection (a) shall not apply to a vessel that—

(1) is 79 feet or less in length as listed on the vessel’s certificate of documentation or certificate of number; and

(2)(A) successfully completes a discussion examination by the Secretary every 2 years in accordance with section 4502(b)(2)(B) of this title; and

(B) visibly displays a current decal demonstrating examination compliance in the pilothouse or equivalent space.’’

Subsection B.

SEC. 5522. REPORT ON ENFORCEMENT OF COAST-WISE LAWS.

Not later than 1 year after the date of enactment of this Act, the Commandant shall submit to Congress a report describing any changes to the enforcement of chapters 121 and 551 of title 46, United States Code, as a result of the amendments to section 4(a)(1) of the Outer Continental Shelf Lands Act (43 U.S.C. 1333(a)(1)) made by section 5803 of the William M. Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283).

SEC. 5523. STUDY ON MULTI-LEVEL SUPPLY CHAIN SECURITY STRATEGY OF THE DEPARTMENT OF HOMELAND SECURITY.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall initiate a study that assesses the effects of the Department of Homeland Security with respect to securing vessels and maritime cargo bound for the United States and the threats from national security related risks and threats.

(b) ELEMENTS.—The study required under subsection (a) shall assess the following:

(1) Program of Inspection.

(2) The extent to which the components of the Department of Homeland Security responsible for securing maritime cargo bound for the United States have implemented leading practices in collaboration.
agency action involving a credentialed mariner or regarding any involvement in a mariner casualty; and

(B) maintains such records in a manner such that data can be readily accessed and retrieved by the Federal Government for the purpose of assuring workforce needs and for the purpose of the economic and national security of the United States.

(2) ELEMENTS.—The study required under paragraph (1) shall—

(A) include an assessment of the resources, including personnel and computing resources, required to develop and maintain the database described in such paragraph; and

(B) specifically address the protection of the privacy interests of any individuals whose information may be contained within the database, which shall include limiting access to the database or having access to the database be monitored by, or accessed through, a member of the Coast Guard.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results of the study under subsection (a), including findings, conclusions, and recommendations.

(c) DEFINITIONS.—In this section:

(1) CREDENTIALED MARINER.—The term ‘‘credentialled mariner’’ means an individual who is authorized by the Secretary to issue pursuant to title 46, United States Code.

(2) BRIEFING REQUIRED.—Not later than 180 days after the date of enactment of this Act, the Secretary shall conduct an assessment to determine the resources, including personnel and computing resources, required to—

(A) reduce the amount of time necessary to process merchant mariner credentialing applications to not more than 2 weeks after the date of receipt; and

(B) develop and maintain an electronic merchant mariner credentialing application process.

(b) BRIEFING REQUIRED.—Not later than 180 days after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall provide a briefing to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives with the results of the assessment required under subsection (a).

(c) DEFINITION.—In this section, the term ‘‘merchant mariner credentialing application’’ means a credentialing application for a merchant mariner license, certificate, or document that the Secretary is authorized to issue pursuant to title 46, United States Code.

SEC. 5527. MILITARY TO MARINERS ACT OF 2022.

(a) SHORT TITLE.—This section may be cited as the ‘‘Military to Mariners Act of 2022’’.

(b) FINDINGS; SENSE OF CONGRESS.—

(1) FINDINGS.—Congress makes the following findings:

(A) The United States Uniformed Services are composed of the world’s most highly trained and professional servicemembers.

(B) A robust Merchant Marine and ensuring United States merchant mariners can continue to provide secure and efficient service to the global workforce are vital to economic and national security.

(C) Attracting additional trained and credentialled mariners, particularly from active duty servicemembers and military veterans, will support United States national security and the economic security of the United States.

(D) There is a need to ensure that the Federal Government has a robust, state of the art, and efficient merchant mariner credentialing system to support economic and national security.

(2) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) veterans and members of the Uniformed Services, whose information may be contained within the database, who are credentialled mariners should receive vigorous support; and

(B) it is incumbent upon the regulatory bodies of the United States to streamline regulations to facilitate transition of veterans and members of the Uniformed Services into the United States Merchant Marine to maintain a strong maritime presence in the United States and worldwide.

(c) MODIFICATION OF SEA SERVICE REQUIREMENTS FOR MERCHANT MARINER CREDENTIALS FOR VETERANS AND MEMBERS OF THE UNIFORMED SERVICES.—

(1) DEFINITIONS.—In this subsection:

(A) MERCHANT MARINER.—The term ‘‘merchant mariner credential’’ has the meaning given the term in section 7510 of title 46, United States Code.

(B) SECRETARY.—The term ‘‘Secretary’’ means the Secretary of the department in which the Coast Guard is operating.

(2) REVIEW AND REGULATIONS.—Notwithstanding any other provision of law, not later than 2 years after the date of enactment of this Act, the Secretary shall—

(A) review and examine—

(i) the requirements and procedures for veterans and members of the Uniformed Services to receive a merchant mariner credential;

(ii) the classifications of sea service acquired through training and service as a member of the Uniformed Services and level of equivalence to sea service on merchant vessels;

(iii) the amount of sea service, including percent of the total time onboard for purposes of qualifying for sea service, that will be accepted as required experience for all endorsement applicants for a merchant mariner credential who are veterans or members of the Uniformed Services;

(B) provide the availability for a fully internet-based application process for a merchant mariner credential, to the maximum extent practicable;

(C) issue new regulations to—

(i) reduce paperwork, delay, and other burdens for applicants for a merchant mariner credential, and members of the Uniformed Services, and, if determined to be appropriate, increase the acceptable percentages of time equivalent to sea service for such applicants; and

(ii) reduce burdens and create a means of alternative compliance to demonstrate instructor competency for Standards of Training, Certification and Watchkeeping for Seafarers courses.

(3) CONSIDERATION.—In carrying out paragraph (2), the Secretary shall consult with the National Maritime Personnel Advisory Committee taking into account the present and future needs of the United States Merchant Marine labor workforce.

(b) REPORT.—Not later than 180 days after the date of enactment of this Act, the Committee on the Marine Transportation System shall submit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Armed Services of the Senate, the Committee on Energy and Natural Resources of the Senate, the Committee on Armed Services of the House of Representatives, and the Committee on Armed Services of the House of Representatives, a report that contains an update on the activities carried out to transfer the functions of the Coast Guard to the Secretary of the Department of Commerce.

(d) ASSESSMENT OF SKILLBRIDGE FOR EMPLOYMENT AS A MERCHANT MARINER.—The Secretary of the department in which the Coast Guard is operating, in collaboration with the Secretary of Defense, should assess the use of the SkillBridge program of the Department of Defense as a means for transitioning active duty sea service personnel toward employment as a merchant mariner.

SEC. 5601. DEFINITIONS.

(a) IN GENERAL.—Section 5512(a) of title 46, United States Code, is amended—

(1) by striking ‘‘(C)’’ and inserting ‘‘(C)’’;

(b) by striking ‘‘2015; and’’ and inserting ‘‘2015; or’’; and

(c) by adding at the end the following:

‘‘(ii) had a letter of intent for purchase by such shipyard or affiliate signed prior to such date of enactment; and’’;

(2) by inserting after paragraph (44) the following:

‘‘(45) ‘‘sexual assault’’ means any form of abuse or contact as defined in chapter 108A of title 18, or a similar offense under a State, local, or Tribal law;’’;

(3) by adding at the end the following:

‘‘(46) ‘‘sexual harassment’’ means any of the following:

(II) any submission to, or rejection of, any conduct by the individual which is used as a basis for decisions affecting the individual’s job, pay, career, benefits, or entitlements of the individual;

(III) such conduct has the purpose or effect of unreasonably interfering with the individual’s work performance or creating an intimidating, hostile, or offensive working environment; and

(III) such conduct is so severe or pervasive that a reasonable person would perceive, and the individual does perceive, the environment as hostile or offensive.

(II) involves unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct or communication of a sexual nature when

(i) such conduct is so severe or pervasive that a reasonable person would perceive, and the individual does perceive, that the working environment is hostile or offensive;
Section 5604. Protection Against Discrimination.

Section 2114(a) of title 46, United States Code, is amended by adding at the end the following:

"(c) CONFORMING AMENDMENTS.—

(1) Section 1213(3) of title 46, United States Code, is amended by striking “section 2101(51)(A)” and inserting “section 2101(51)(B) “.

(2) Section 4106 of title 46, United States Code, is amended—

(A) in subsection (b)(1) and (c), by striking “section 2101(53)” and inserting “section 2101(54)”;

(B) in subsection (d), by striking “section 2101(51)(A)” and inserting “section 2101(52)”;

(C) Section 1131(g)(1)(E) of title 49, United States Code, is amended by striking “section 2101(46)” and inserting “116”;

(D) in subsection (c), by striking “paragraph (1)(B)” and inserting “paragraph (1)(C)”;

(E) in subsection (d), by striking “paragraph (2)” and inserting “paragraph (3)”;

(F) in subsection (e), by striking “paragraph (1)” and inserting “paragraph (2)”; and

(G) in subsection (f), by striking “paragraph (1)” and inserting “paragraph (2)”."

Section 5605. Alcohol at Sea.

(a) IN GENERAL.—The Commandant shall seek to enter into an agreement with the National Academy of Sciences not later than 1 year after the date of the enactment of this Act under which the National Academy of Sciences shall prepare an assessment to determine safe levels of alcohol consumption and possession by crew members aboard vessels of the United States engaged in commercial service, for determination such possession is associated with the commercial sale to individuals aboard the vessel who are not crew members.

(b) ASSESSMENT.—The assessment under this section shall—

(1) take into account the safety and security of every individual on the vessel; and

(2) take into account reported incidences of sexual harassment or sexual assault, as defined in section 2101 of United States Code; and

(3) provide any appropriate recommendations for any changes to laws, including regulations, or employer policies.

(c) SUBMISSION.—The assessment under this section, the National Academy of Sciences shall submit the assessment to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, the Chairman, and the Secretary of the department in which the Coast Guard is operating.

(d) REGULATIONS.—The Commandant—

(1) shall promulgate and recommendations of the assessment under this section by not later than 180 days after receiving the assessment under subsection (c); and

(2) taking into account the safety and security of every individual on vessels of the United States engaged in commercial service, may issue regulations relating to alcohol consumption on such vessels.

(e) REPORT REQUIRED.—If, by the date that is 1 year after the recommendation under subsection (c), the Commandant does not issue regulations under subsection (d), the Commandant shall provide a report by such date to the appropriate committees of Congress—

(1) regarding the rationale for not issuing such regulations; and

(2) regarding any recommendations as necessary to ensure safety at sea.

Section 5606. Sexual Harassment or Sexual Assault as Grounds for Suspension and Revocation.

(a) IN GENERAL.—Chapter 77 of title 46, United States Code, is amended by inserting after section 7704 the following:

"7704a. Sexual harassment or sexual assault as grounds for suspension and revocation.

"(a) SEXUAL HARASSMENT.—If it is shown at a hearing under this chapter that a holder of a license, certificate of registry, or merchant mariner’s document issued under this part, within 10 years before the beginning of the suspension and revocation proceedings, is the subject of a substantiated claim of sexual harassment or sexual assault, the certificate of registry, or merchant mariner’s document shall be suspended or revoked.

(b) SEXUAL ASSAULT.—If it is shown at a hearing under this chapter that a holder of a license, certificate of registry, or merchant mariner’s document issued under this part, within 20 years before the beginning of the suspension and revocation proceedings, is the subject of a substantiated claim of sexual assault, then the license, certificate of registry, or merchant mariner’s document shall be revoked.

"(c) SUBSTANTIATED CLAIM.—

"(1) IN GENERAL.—In this section, the term "substantiated claim" means a determination by an investigation by the Coast Guard that it is more likely than not that the individual committed sexual harassment or sexual assault as defined in section 2101 of United States Code that affords appropriate due process rights to the subject of the investigation.

"(2) ADDITIONAL REVIEW.—A license, certificate of registry, or merchant mariner’s document shall not be suspended or revoked under subsection (a) or (b), unless the substantiated claim is reviewed and affirmed, in accordance with the applicable regulation in section 2101, by an administrative law judge at the same suspension or revocation hearing under this chapter described in subsection (a), (b), as applicable;

(b) CLERICAL AMENDMENT.—The analysis for chapter 77 of title 46, United States Code, is amended by adding after the item relating to section 7704 the following:

"7704a. Sexual harassment or sexual assault as grounds for suspension or revocation."
commercial service that do not carry passengers and are any of the following:

(a) A documented vessel with overnight accommodations for at least 10 persons on board that are operating for no less than 72 hours on waters superjacent to the outer Continental Shelf (as defined in section 2(a) of the Outer Continental Shelf Lands Act (43 U.S.C. 1331(a))).

(b) A vessel with overnight accommodations for at least 10 persons on board that are operating for no less than 72 hours on waters superjacent to the outer Continental Shelf (as defined in section 2(a) of the Outer Continental Shelf Lands Act (43 U.S.C. 1331(a))).

(c) A vessel to which this section applies shall maintain a video surveillance equipment system in accordance with this section.

(d) Notice of video and audio surveillance equipment.—The owner of a vessel to which this section applies shall install video and audio surveillance equipment aboard the vessel no later than 2 years after the date of enactment of the Coast Guard Authorization Act of 2022, or during the next scheduled dry-dock, whichever is later.

(e) Requirement for maintenance of video surveillance system.—Each vessel to which this section applies shall maintain a video surveillance system in accordance with this section.

(f) Retention requirements.—The owner of a vessel to which this section applies shall maintain all records of video and audio surveillance equipment aboard the vessel for not less than 4 years after the footage was obtained. Any video and audio surveillance equipment found to be associated with an incident of sexual harassment or sexual assault shall be retained by the owner for no less than 10 years from the date of the alleged incident.

(g) Personnel training.—A vessel owner, manager, operating, or employer of a seafarer (in this subsection referred to as the ‘‘company‘‘) shall provide training for all individuals employed by the company for the purpose of responding to incidents of sexual assault or sexual harassment, including—

(i) such training to ensure the individuals—

(A) retain audio and visual records and other evidence objectively; and

(B) if impartively without influence from the company or others; and

(ii) training on applicable Federal, State, Tribal, and local laws and regulations regarding sexual assault and sexual harassment investigations and reporting requirements.

(b) Definition of owner.—In this section, the term ‘‘owner‘‘ means the owner, charterer, managing operator, master, or other individual in charge of a vessel.

(c) Clarifying statement.—The analysis of subtitle II at the beginning of title 46, United States Code, is amended by adding after the item relating to chapter 47 the following:

‘‘Chapter 3106. Master key control system.

SEC. 3106. MASTER KEY CONTROL.

(a) In General.—Chapter 31 of title 46, United States Code, is amended by adding at the end the following:

‘‘3106. Master key control system.

(a) In General.—The owner of a vessel subject to inspection under section 3301 shall—

(1) ensure that such vessel is equipped with a vessel master key control system, manual or electronic, which provides control access to all copies of the vessel’s master key of which access shall only be available to the individuals described in paragraph (2);

(2) establish a list of all crew members, identified by position, allowed to access and use the master key; and

(3) maintain such list upon the vessel within a video surveillance system in accordance with section 3303(a)(6).

(b) Notice of video and audio surveillance equipment.—The owner of a vessel to which this section applies shall maintain a video surveillance system in accordance with this section.

(c) Placement of video and audio surveillance equipment.—The owner of a vessel to which this section applies shall install video and audio surveillance equipment aboard the vessel no later than 2 years after the date of enactment of the Coast Guard Authorization Act of 2022, or during the next scheduled dry-dock, whichever is later.

(d) Notice of video and audio surveillance equipment.—The owner of a vessel to which this section applies shall install video and audio surveillance equipment aboard the vessel no later than 2 years after the date of enactment of the Coast Guard Authorization Act of 2022, or during the next scheduled dry-dock, whichever is later.

(e) Requirement for maintenance of video surveillance system.—Each vessel to which this section applies shall maintain a video surveillance system in accordance with this section.

(f) Retention requirements.—The owner of a vessel to which this section applies shall maintain all records of video and audio surveillance equipment aboard the vessel for not less than 4 years after the footage was obtained. Any video and audio surveillance equipment found to be associated with an incident of sexual harassment or sexual assault shall be retained by the owner for no less than 10 years from the date of the alleged incident.

(g) Personnel training.—A vessel owner, manager, operating, or employer of a seafarer (in this subsection referred to as the ‘‘company‘‘) shall provide training for all individuals employed by the company for the purpose of responding to incidents of sexual assault or sexual harassment, including—

(i) such training to ensure the individuals—

(A) retain audio and visual records and other evidence objectively; and

(B) if impartively without influence from the company or others; and

(ii) training on applicable Federal, State, Tribal, and local laws and regulations regarding sexual assault and sexual harassment investigations and reporting requirements.
of employer policy or law of which such vessel owner, master, managing operator, or employer of the seafarer is made aware. Such reporting shall include results of any investigation into the incident, if applicable, and any action taken against the offending crew member.

2) PENALTY.—A vessel owner, master, or managing operator, or employer of a seafarer on that vessel who knowingly fails to report in compliance with paragraph (1) is liable to the United States Government for a civil penalty of not more than $50,000.

§ 565. Access to care and sexual assault forensic examinations

1) IN GENERAL.—Before embarking on any prescribed voyage, a Coast Guard vessel shall have in place a written operating procedure that ensures that an embarked medical facility, including coordination as needed, is capable of conducting an examination; and

2) requires an examination; and

3) TREATMENT.—The Commandant shall periodically perform an audit of such reports to ensure that the reports made under subsection (a) are accurate and complete. The Commandant shall submit to Congress an annual report on the findings of such audit, including a statistical analysis of compliance with the safety management system criteria under section 3203; and

4) the availability of nonprescription pregnancy prophylactics; and

5) the qualifications of medical personnel onboard; (6) coordination with law enforcement and the Coast Guard; (7) the means of accessing a sexual assault forensic examination and medical care with a restricted report of sexual assault; (8) the availability of prescription pregnancy prophylactics; and

6) the number of open investigations under such section, completed investigations under such section, or outcomes of such open or completed investigations; and

7) recommendations to support efforts of the Coast Guard to improve investigations and oversight of sexual harassment and sexual assault in the maritime sector, including funding requirements and legislative change proposals necessary to ensure compliance with title LVI of the Coast Guard Authorization Act of 2022 and the amendments made by such title.

8) The report shall be submitted by the Commandant to the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives, and shall be made publicly available in a timely manner.

SEC. 5613. POLICY ON REQUESTS FOR PERMANENT CHANGES OF STATION OR UNIT TRANSFERS BY PERSONS WHO REPORT BEING THE VICTIM OF SEXUAL ASSAULT.

Not later than 30 days after the date of the enactment of this Act, the Commandant, in consultation with the Director of the Health, Safety, and Work Life Directorate, shall issue an interim update to Coast Guard policy on the handling of an employee of the Coast Guard who has reported being the victim of a sexual assault or any other offense covered

1) the safety and security of the alleged victim of sexual assault;

2) the ability to properly identify, document, and preserve any evidence relevant to the investigation of sexual assault;

3) the applicable criminal procedural laws relating to authenticity, relevance, preservation of evidence, chain of custody, and any other matter relating to evidentiary admissibility; and

4) Provide any appropriate recommendations for changes to existing laws, regulations, or employer policies.

SEC. 5612. REPORTS TO CONGRESS.

(a) IN GENERAL.—Chapter 101 of title 46, United States Code, is amended by adding at the end the following:

(b) CEREBRAL AMENDMENT.—The analysis for chapter IV of chapter 5 of title 14, United States Code, is amended by adding at the end the following:

(c) CEREBRAL AMENDMENT.—The analysis for chapter IV of chapter 5 of title 14, United States Code, is amended by adding at the end the following:
by section 920, 920c, or 930 of title 10, United States Code (article 120, 120c, or 130 of the Uniform Code of Military Justice) to request an immediate change of station or a unit transfer. The policy shall be updated not later than 1 year after the date of the enactment of this Act.

SEC. 5614. SEX OFFENSES AND PERSONNEL RECORDS.
Not later than 180 days after the date of the enactment of this Act, the Commandant shall—
(D) develop regulations or policy guidance required to fully implement section 1745 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 2401).

SEC. 5615. STUDY ON COAST GUARD OVERSIGHT AND INVESTIGATIONS.
(a) In General.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall commence a study to assess the oversight over Coast Guard activities, including investigations, personnel management, whistleblower protection, and other activities carried out by the Department of Homeland Security Office of Inspector General.
(b) Elements.—The study required by subsection (a) shall include the following:
(1) an analysis of the ability of the Department of Homeland Security Office of Inspector General to ensure timely, thorough, complete, and appropriate oversight over the Coast Guard, and oversight over both civilian and military activities.
(2) An assessment of—
(A) the best practices with respect to such oversight and investigation activities.
(B) the ability of the Department of Homeland Security Office of Inspector General and the Commandant to identify and achieve such best practices.
(3) An analysis of the methods, standards, and processes employed by the Department of Defense Inspector General and the Inspector General of the armed forces (as defined in section 101 of title 10, United States Code), other than the Coast Guard, to conduct oversight and investigation activities.
(4) An analysis of the methods, standards, and processes of the Department of Homeland Security Office of Inspector General with respect to oversight over the civilian and military activities of the Coast Guard, as compared to the methods, standards, and processes described in paragraph (3).
(5) An assessment of the extent to which the Coast Guard Investigative Service completes investigations or other disciplinary measures in response to complaints from the Department of Homeland Security Office of Inspector General.
(6) A description of the staffing, expertise, training, and other resources of the Department of Homeland Security Office of Inspector General, and an assessment as to whether such staffing, expertise, training, and other resources are sufficient for meaningful, timely, and effective oversight over the activities of the Coast Guard.
(c) Report.—Not later than 1 year after commencing the study required by subsection (a), the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the study, including recommendations with respect to oversight over Coast Guard activities.
(d) Other Reviews.—The study required by subsection (a) may rely upon recently completed or ongoing reviews by the Comptroller General or other entities, as applicable.

SEC. 5616. STUDY ON SPECIAL VICTIMS’ COUNSEL AND LAWYER PROGRAMS.
(a) In General.—Not later than 30 days after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall enter into an agreement with a federally funded research and development center for the conduct of a study—
(1) the Special Victims’ Counsel program of the Coast Guard;
(2) Coast Guard investigations of sexual assault offenses in which the subject of the investigation is no longer under jeopardy for the alleged misconduct for reasons including the death of the accused, a lapse in the statute of limitations for the alleged offense, and a fully adjudicated criminal trial of the alleged offense in which all appeals have been exhausted; and
(3) legal support and representation provided to members of the Coast Guard who are victims of sexual assault, including in instances in which the accused is a member of the Army, Navy, Air Force, Marine Corps, or Space Force.
(b) Elements.—The study required by subsection (a) shall assess the following:
(1) The Special Victims’ Counsel program of the Coast Guard, including training, effectiveness, capacity to handle the number of cases referred, and experience with cases involving allegations between members of another armed force (as defined in section 101 of title 10, United States Code).
(2) The experience of Special Victims’ Counsel programs for sexual assault allegations, in particular such allegations in which the accused is a member of another armed force (as defined in section 101 of title 10, United States Code), and the impact that the cross-service relationship had on—
(A) the competence and sufficiency of services provided to the alleged victim; and
(B) the interaction between—
(i) the investigating agency and the Special Victims’ Counsel; and
(ii) the prosecuting entity and the Special Victims’ Counsel.
(3) Training provided to, or made available for, Special Victims’ Counsel and paralegals with respect to Department of Defense procedures for assessing investigations and Special Victims’ Counsel representation of sexual assault victims.
(4) The ability of Special Victims’ Counsel to operate independently without undue influence from third parties, including the command of the accused, the command of the victim, the Judge Advocate General of the Coast Guard, or the Judge Advocate General of the Coast Guard.
(5) The skill level and experience of Special Victims’ Counsel, as compared to special counsel available to members of the Army, Navy, Air Force, Marine Corps, and Space Force.
(6) Policies regarding access to an alternate Special Victims’ Counsel, if requested by the member of the Coast Guard concerned, and potential improvements for such policies.
(c) Report.—Not later than 180 days after entering into an agreement under subsection (a), the federally funded research and development center shall submit to the Comptroller General of the United States, transportation, and transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes—
(1) the findings of the study required by that subsection;
(2) recommendations to improve the coordination, communication, and effectiveness of Special Victims’ Counsel of the Coast Guard so as to improve outcomes for members of the Coast Guard who have reported sexual assault; and
(3) any other recommendation the federally funded research and development center considers appropriate.

TITLE LVII—NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
Subtitle A—National Oceanic and Atmospheric Administration Commissioned Officert Corps

SEC. 5701. DEFINITIONS.
Section 212(b) of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3021(b)) is amended by striking “may” and inserting the following: “(B) Under Secretary.—The term ‘Under Secretary’ means the Under Secretary of Commerce for Oceans and Atmosphere.”.

SEC. 5702. REQUIREMENT FOR APPOINTMENTS.
Section 221(c) of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3021(c)) is amended by striking “may not be given” and inserting the following: “(1) may only be given to a citizen of the United States; and
(2) not be given.”

SEC. 5703. REPEAL OF REQUIREMENT TO PROMOTE ENSIGNS AFTER 3 YEARS OF SERVICE.
(a) In General.—Section 223 of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3023) is amended to read as follows: “SEC. 223. SEPARATION OF ENSIGNS FOUND NOT FULLY QUALIFIED.
If an officer in the permanent grade of ensign is at any time found not fully qualified, the officer’s commission shall be revoked and the officer shall be separated from the commissioned service.”.
(b) Clerical Amendment.—The table of contents in section 1 of the Act entitled “An Act to reauthorize the Hydrographic Services Improvement Act of 1996, and for other purposes” (Public Law 107–372) is amended by striking the item relating to section 223 and inserting the following: “Sec. 223. Separation of ensigns found not fully qualified.”.

SEC. 5704. AUTHORITY TO PROVIDE AWARDS AND DECORATIONS.
(a) In General.—Subtitle A of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3001 et seq.) is amended by adding at the end the following:
“SEC. 220. AWARDS AND DECORATIONS.
“The Under Secretary may provide ribbons, medals, badges, trophies, and similar devices to members of the commissioned officer corps of the Administration and to members of other uniformed services for service and achievement in support of the mission of the Administration.”.
(b) Clerical Amendment.—The table of contents in section 1 of the Act entitled “An Act to reauthorize the Hydrographic Services Improvement Act of 1996, and for other purposes” (Public Law 107–372) is amended by inserting after the item relating to section 219 the following: “Sec. 220. Awards and decorations.”.

SEC. 5705. RETIREMENT AND SEPARATION.
(a) In General.—Section 219 of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3021(a)) is amended by adding at the end the following:
“(B) Under Secretary.—The term ‘Under Secretary’ means the Under Secretary of Commerce for Oceans and Atmosphere.”.

SEC. 5706. REQUIREMENT FOR PERSONNEL MANAGEMENT IMPROVEMENT ACT.
SEC. 5706. IMPROVING PROFESSIONAL MARINER STAFFING.

(a) In general.—The Under Secretary may prescribe regulations relating to shore leave for professional mariners without regard to the requirements of section 6305 of title 5, United States Code.

(b) Requirements.—The regulations prescribed under subsection (a) shall—

(1) require that a professional mariner serving on an ocean-going vessel be granted a leave of absence of four days per pay period; and

(2) provide that a professional mariner serving in a temporary promotion position aboard a vessel may be paid the difference between the mariner’s temporary and permanent rates of pay for leave accrued while serving in the temporary promotion position.

(c) Professional Mariner Defined.—In this section, the term ‘‘professional mariner’’ means an individual employed on a vessel of the National Oceanic and Atmospheric Administration who has the necessary expertise to serve in the engineering, deck, steward, or survey department.

(b) Shore Leave for Professional Mariners.

Sec. 269B. Shore leave for professional mariners.

SEC. 5707. LEGAL ASSISTANCE.

Section 104(a)(3) of title 10, United States Code, is amended by inserting ‘‘or the commissioned officer corps of the National Oceanic and Atmospheric Administration after ‘‘Public Health Service’’.

SEC. 5708. ACQUISITION OF AIRCRAFT FOR EXTREME WEATHER RECONNAISSANCE.

(a) Increased Fleet Capacity.—

(1) In general.—The Under Secretary of Commerce for Oceans and Atmosphere shall acquire adequate aircraft platforms with the necessary observation and modification requirements—

(A) to meet agency-wide air reconnaissance and research mission requirements, particularly, to meet requirements to acquire new or additional weather reconnaissance, navigation, and environmental sensing capabilities, and to support research and development related to the monitoring and prediction of severe weather conditions; and

(B) to ensure data and information collected by the aircraft are made available to all users for research and operations purposes.

(b) Contracts.—In carrying out paragraph (1), the Under Secretary shall negotiate and enter into 1 or more contracts or other agreements, to the extent practicable and necessary, for additional or replacement commercial, or nongovernmental entities.

(c) Derivation of funds.—For each of fiscal years 2023 through 2026, amounts to support the implementation of paragraphs (1) and (2) shall be derived—

(A) from amounts appropriated to the Office of Marine and Aviation Operations of the National Oceanic and Atmospheric Administration; and

(B) if amounts described in subparagraph (A) are insufficient to meet the implementation of paragraphs (1) and (2), from amounts appropriated to that Office and available for purposes otherwise than atmospheric river reconnaissance.

(b) Acquisition of Aircraft to Replace the WP–3D Aircraft.—

(1) In general.—Not later than September 30, 2023, the Under Secretary shall enter into a contract for the acquisition of 6 aircraft to replace the WP–3D aircraft that provides for—

(A) the first newly acquired aircraft to be fully operational before the retirement of the last WP–3D aircraft operated by the National Oceanic and Atmospheric Administration; and

(B) the second newly acquired aircraft to be fully operational not later than 1 year after the first such aircraft is required to be fully operational under subparagraph (A).

(2) Authorization of Appropriations.—There is authorized to be appropriated to the Under Secretary $1,800,000,000, without fiscal year limitation, to acquire the aircraft under paragraph (1).

SEC. 5709. REPORT ON PROFESSIONAL MARINER STAFFING MODELS.

(a) In general.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the committees specified in subsection (c) a report on staffing issues relating to professional mariners within the Office of Marine and Aviation Operations of the National Oceanic and Atmospheric Administration.

(b) Elements.—The report required by subsection (a) shall include consideration of—

(1) the challenges the Office of Marine and Aviation Operations faces in recruiting and retaining qualified professional mariners;

(2) workforce planning efforts to address those challenges; and

(3) other models or approaches that exist, or are under consideration, to provide incentives for the retention of qualified professional mariners.

(c) Committees Specified.—The committees specified in this subsection are—

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

(2) the Committee on Transportation and Infrastructure of the House of Representatives.

(d) Professional Mariner Defined.—In this section, the term ‘‘professional mariner’’ means an individual employed on an ocean-going vessel of the National Oceanic and Atmospheric Administration who has the necessary expertise to serve in the engineering, deck, steward, or survey department.

Subtitle B—Other Matters

SEC. 5711. CONVEYANCE OF CERTAIN PROPERTY OF THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION IN JUNEAU, ALASKA.

(a) Definitions.—In this section—

(1) the term ‘‘City’’ means the City and Borough of Juneau, Alaska.

(b) City.—The term ‘‘City’’ means the City and Borough of Juneau, Alaska.

(c) Master plan.—The term ‘‘Master plan’’ means the Juneau Small Cruise Ship Infrastructure Master Plan released by the City and dated March 2021.

(d) Property.—The term ‘‘Property’’ means the parcel of real property consisting of approximately 2.4 acres, including tidelands, owned by the United States and under administrative custody and control of the National Oceanic and Atmospheric Administration and located at 250 Egan Drive, Juneau, Alaska, including any improvements thereon that are not authorized or required by another provision of law to be conveyed to a specific individual or entity.

Subsection (a) of the term ‘‘Secretary’’ means the Secretary of Commerce, acting through the Under Secretary of Commerce for Oceans and Atmosphere and the Administration for Oceans and Atmosphere.

(b) Convoyanc Authorized.—In general.—The Secretary may convey, at fair market value, all right, title, and interest of the United States in and to the Property, subject to subsection (c) and the requirements of this section.

(1) Termination of Authority.—The authority provided by paragraph (1) shall terminate on the date that is 3 years after the date of the enactment of this section.

(2) Right of First Refusal.—The City shall have the right of first refusal with respect to the purchase, at fair market value, of the Property.

(d) Survey.—The exact acreage and legal description of the Property shall be determined by a survey satisfactory to the Secretary.

(e) Condition; Quitclaim Deed.—If the Property is conveyed under this section, the Property shall be conveyed in an ‘‘as is, where is’’ condition; and

(f) Fair Market Value.—In general.—The fair market value of the Property shall be—

(1) determined by an appraisal that—

(A) is conducted by an independent appraiser selected by the Secretary; and

(B) meets the requirements of paragraph (2); and

(2) adjusted, at the Secretary’s discretion, based on the factors described in paragraph (3).

(2) Appraisal Requirements.—An appraisal conducted under paragraph (1) shall be conducted in accordance with nationally recognized appraisal standards, including—

(A) the Uniform Appraisal Standards for Federal Land Acquisitions; and

(B) the Uniform Standards of Professional Appraisal Practice.

(3) Factors.—The factors described in this paragraph are—

(A) matters of equity and fairness; and

(B) actions taken by the City regarding the Property, if the City exercises its right of first refusal under subsection (c), including—

(i) comprehensive waterfront planning, site development, and other redevelopment activities supported by the City in proximity to the Property in furtherance of the Master Plan;

(ii) in-kind contributions made to facilitate and support use of the Property by governmental agencies; and

(iii) any maintenance expenses, capital improvement, or emergency expenditures made necessary to ensure public safety and access to and from the Property; and

(C) such other factors as the Secretary considers appropriate.

Subsection (c) of the term ‘‘Secretary’’ means the Secretary of Commerce; and

Convoyanc Authorized.—If the City exercises its right of first refusal under subsection (c), all reasonable and necessary
SEC. 5802. REINSTATEMENT.  
(a) REINSTATEMENT.—The text of section 12(a) of the Act of June 21, 1940 (33 U.S.C. 522(a)), popularly known as the "Truman-Hobbs Act", is—  
(1) reinstated as it appeared on the day before the date of the enactment of section 8507(b) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283; 134 Stat. 4754); and  
(2) designated as the sole text of section 12 of the Act of June 21, 1940 (33 U.S.C. 522).  
(b) EFFECTIVE DATE.—The provision reinstated by subsection (a) shall be treated as if such section had never been taken out of the United States Code.  
(c) CONFORMING AMENDMENT.—The provision reinstated under subsection (a) is amended by striking "section 5 of the Mining Law of 1872", except to the extent provided in this section.  

SEC. 5803. TERMS AND VACANCIES.  
Section 46101(b) of title 46, United States Code, is amended—  
(1) in paragraph (2)—  
(A) by striking "one year" and inserting "2 years"; and  
(B) by striking "2 terms" and inserting "3 terms";  
(2) in paragraph (3)—  
(A) by striking "of the individual being succeeded" and inserting "to which such individual is appointed";  
(B) by striking "2 terms" and inserting "3 terms"; and  
(C) by striking "the predecessor of that" and inserting "such".  

TITLE LIX—RULE OF CONSTRUCTION  
SEC. 5901. RULE OF CONSTRUCTION.  
Nothing in this division may be construed—  
(1) to satisfy any requirement for government-to-government consultation with Tribal governments; or  
(2) to affect or modify any treaty or other federal law.  

SA 6444. Mr. REED (for Ms. CANTWELL (for herself and Mr. WICKER)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of the Army, Air Force, Navy, and Marine Corps, 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 title XXXV and insert the following:  

TITLE XXXV—MARITIME MATTERS  
Subtitle A—Short Title; Authorization of Appropriations for the Maritime Administration  
SEC. 2501. SHORT TITLE.  
This title may be cited as the "Maritime Administration Authorization Act for Fiscal Year 2023".  

SEC. 2502. AUTHORIZATION OF APPROPRIATIONS FOR THE MARITIME ADMINISTRATION.  
(a) MARITIME ADMINISTRATION.—There are authorized to be appropriated to the Department of Transportation for fiscal year 2023, for programs associated with maintaining the United States Merchant Marine, the following amounts:  
(1) For expenses necessary to support the United States Merchant Marine Academy, $122,848,000;  
(A) $87,848,000 shall be for Academic operations;  
(B) $22,000,000 shall be for facilities maintenance and repair and equipment; and  
(C) $3,000,000 shall be for training, staffing, retention, recruiting, and contract management.  

(b) State maritime academies, $80,700,000, of which—  
(A) $2,400,000 shall be for the Student Incentive Program;  
(B) $6,600,000 shall be for direct payments for State maritime academies; and  
(C) $6,800,000 shall be for training ship fuel assistance.  

(c) $30,000,000 shall be for offsetting the costs of training ship sharing; and  
(E) $30,500,000 shall be for maintenance and repair of State maritime academy training vessels.  

(3) For expenses necessary to support the National Security Multi-Mission Vessel Program, including funds for construction and necessary expenses to construct shoreside infrastructure to support such vessels, $75,000,000.  

(4) For expenses necessary to support Maritime Administration programs and grants, $101,250,000, of which—  
(A) $15,000,000 shall be for the Maritime Environmental and Technical Assistance program;  
(B) $14,819,000 shall be for the Marine Highway Program, including to make grants as authorized under section 5601 of title 46, United States Code;  
(B) $14,819,000 shall be for the Marine Highways Program, including to make grants as authorized under section 5601 of title 46, United States Code; and  
(C) $67,433,000 shall be for headquarters operations expenses.  

(5) For expenses necessary for the disposal of obsolete vessels in the National Defense Reserve Fleet of the Maritime Administration, $112,848,000.  

(6) For expenses necessary to maintain and preserve a fleet of merchant vessels documented under chapter 121 of title 46, United States Code, to serve the national security needs of the United States, as authorized under chapter 531 of title 46, United States Code, $318,000,000.  

(7) For expenses necessary for the loan guarantee program authorized under chapter 537 of title 46, United States Code, $35,000,000, of which—  
(A) $30,000,000 may be for the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 675(a)(5))) of loan guarantees under this title;  
(B) $3,000,000 may be used for administrative expenses relating to loan guarantee commitments under the program; and  
(C) $5,000,000 may be for assistance to small shipyards and for maritime training programs authorized under section 54101 of title 46, United States Code, $80,000,000.  

(9) For expenses necessary to implement the Port Infrastructure Development Program, as authorized under section 54101 of title 46, United States Code, $750,000,000, to remain available until expended, except that no such funds authorized under this title for this program may be used to provide a grant to purchase fully automated cargo handling equipment that is remotely operated or remotely monitored with or without the exercise of human intervention or control, if the Secretary of Transportation determines that such equipment would result in a net loss of jobs within a port or port terminal. If such a determination is made, the data and analysis used for such determination shall be reported to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives not later than 3 days after the date of the determination.
(b) **AVAILABILITY OF AMOUNTS.**—Amounts appropriated—

(1) pursuant to the authority provided in paragraphs (1)(A), (2)(A), and (4)(A) of subsection (a) shall remain available through September 30, 2023; and

(2) pursuant to the authority provided in paragraphs (1)(B), (1)(C), (2)(B), (2)(C), (2)(D), (2)(E), (3)(A), (3)(B), (3)(C), (3)(E), (4)(A), (4)(B), (5)(A), (5)(B), (5)(C), (5)(D), (6)(A), and (8) and (9) of subsection (a) shall remain available without fiscal year limitation.

(c) **TANKER SECURITY FLEET.**

(1) **SEC. 3511. STUDY TO INFORM A NATIONAL MARITIME STRATEGY.**

"$60,000,000" and inserting "$120,000,000".

(2) **INCREASE IN NUMBER OF VESSELS.**—Sec-

section (a) shall remain available through September 30, 2023; and

(3) pursuant to the authority provided in subsection (a) shall be made publicly available on a website of the Department of Commerce, the Department of Transportation, and the Department of Homeland Security, the National Oceanic and Atmospheric Administration, and the other relevant Federal agencies, in the identification and evaluation of—

(A) the loans and guarantees program carried out under chapter 537 of title 46, United States Code, and how the development of new offshore commercial industries, such as wind, could be supported through modifications of such program or other Federal programs, and thus also support the United States sealift in the future;

(B) the participation in the loans and guarantees program carried out under chapter 537 of title 46, United States Code, and how the program may be improved to facilitate shipbuilding and shipbuilding activities in the United States;

(C) the needed resources, human and financial, for such incentives; and

(d) **IMPLEMENTATION PLAN.**—Not later than 6 months after the date of receipt of the study conducted under section 3511, the Secretary of Transportation, in consultation with the Secretary of the Department in which the Coast Guard is operating and the Commander of the United States Transportation Command, shall—

(1) update the national maritime strategy required by section 501 of the Howard Coble Coast Guard and Maritime Transportation Act of 2014 (Public Law 113–281);

(2) submit a report to Congress containing the updated national maritime strategy; and

(3) make the updated national maritime strategy publicly available on the website of the Department of Transportation.

**SEC. 3512. NATIONAL MARITIME STRATEGY.**

(a) **SEC. 3512. NATIONAL MARITIME STRATEGY.**

(1) **IN GENERAL.**—Not later than 6 months after the date of receipt of the study con-

duction of section 3511, and every 5 years thereafter, the Secretary of Transportation, in consultation with the Secretary of the Department in which the Coast Guard is operating and the United States Transportation Command, shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a national maritime strategy.

(b) **CONTRIBUT.**—The strategy required under subsection (a) shall—

(1) identify—

(A) international policies and Federal regu-

lations that limit or otherwise affect the com-

petitiveness of United States-documented vessels with foreign vessels in domestic and international transportation markets; and

(B) include recommendations that could be supported through reductions in the number of members of the United States Armed Forces stationed or deployed outside of the United States; and

(2) include recommendations that could be supported through—

(A) make United States-documented ves-

sels more competitive in shipping routes be-

tween United States and foreign ports;

(B) increase the use of United States-docu-

mented vessels to carry cargo imported and exported from the United States;

(C) ensure compliance by Federal agencies with chapter 533 of title 46, United States Code;

(D) increase the use of short sea transpor-

tation routes, including routes designated under section 3511, and how the program may be improved to enhance intermodal freight movements;

(E) enhance United States shipbuilding capa-

city;

(F) invest in, and identify gaps in, infra-

structure needed to facilitate the movement of goods at ports and through the trans-

portation system, including innovative physical and information technologies;

(G) enhance workforce training and re-

cruitment for the maritime workforce, in-

cluding on innovative physical and information technologies;

(H) increase the resilience of ports and the marine transportation system;

(I) increase the carriage of government-im-

peled cargo on United States-documented ves-

sels pursuant to chapter 533 of title 46, United States Code, section 2631 of title 10, United States Code, or otherwise; and

(J) maximize the cost effectiveness of Fed-

eral funding for carriage of non-defense gov-

ernment impelled cargo for the purposes of maintaining a United States-documented fleet for national and economic security.

(c) **UPDATE.**—Not later than 6 months after the date of receipt of the study conducted under subsection (a), the Secretary of Transportation, in consultation with the Secretary of the Department in which the Coast Guard is operating and the Commander of the United States Transportation Command, shall—

(1) update the national maritime strategy required by section 501 of the Howard Coble Coast Guard and Maritime Transportation Act of 2014 (Public Law 113–281);

(2) submit a report to Congress containing the updated national maritime strategy; and

(3) make the updated national maritime strategy publicly available on the website of the Department of Transportation.

(d) **IMPLEMENTATION PLAN.**—Not later than 6 months after completion of the updated national maritime strategy under subsection (c), and after the completion of each strategy thereafter, the Secretary of Transportation, in consultation with the Secretary of the Department in which the Coast Guard is operating and the Secretary of Defense, shall publish on a publically available website an implementation plan for the most recent national maritime strategy.

**SEC. 3513. NEGATIVE DETERMINATION NOTICE.**

Section 501(b)(3) of title 46, United States Code, is amended—

(1) in subparagraph (B), by striking "and" after the semicolon;
SEC. 5351. MARINE HIGHWAYS.

(a) SHORT TITLE.—This section may be cited as the "Marine Highway Promotion Act".

(b) FINDINGS.—Congress finds the following:

(1) Our Nation's waterways are an integral part of the transportation network of the United States.

(2) Using the Nation's coastal, inland, and other waterways can support commercial transportation by moving cost-effective maritime transportation options where no alternative surface transportation exists, and alleviates surface transportation congestion and burdensome road and bridge repair costs.

(3) Marine highways are serviced by documented United States flag vessels and manned by United States citizens, providing added resources for national security and to aid in times of crisis.

(4) According to the United States Army Corps of Engineers, inland navigation is a key element of economics development and is essential in maintaining economic competitiveness and national security.

(c) UNITED STATES MARINE HIGHWAY PROGRAM.

(1) IN GENERAL.—Section 5601 of title 46, United States Code, is amended to read as follows:

"§ 5601. United States Marine Highway Program

"(a) PROGRAM.—

"(1) ESTABLISHMENT.—The Maritime Administrator shall establish a Marine Highway Program to be known as the 'United States Marine Highway Program'. Under such program, the Maritime Administrator shall—

(A) designate marine highway routes as extensions of the surface transportation system under subsection (b); and

(B) develop performance measures for the availability of appropriations, grants or enter into contracts or cooperative agreements under subsection (c).

"(2) PROGRAM ACTIVITIES.—In carrying out the Marine Highway Program established under paragraph (1), the Maritime Administrator may—

(A) coordinate with ports, State departments of transportation, localities, other public agencies, and the private sector on the development of landside facilities and infrastructure to support marine highway transportation;

(B) develop performance measures for such Marine Highway Program;

(C) collect and disseminate data for the designation and delineation of marine highway routes under subsection (b); and

(D) conduct research on solutions to impediments to marine highway services eligible for assistance under subsection (c)(1).

"(3) DESIGNATION OF MARINE HIGHWAY ROUTES.—

"(A) AUTHORITY.—The Maritime Administrator may designate or modify a marine highway route as an extension of the surface transportation system if—

(i) such a designation or modification is requested by—

(I) the government of a State or territory, or

(ii) a metropolitan planning organization;

(iii) a port authority;

(iv) a non-Federal navigation district; or

(v) a Tribal government; and

(B) the Maritime Administrator determines such marine highway route satisfies at least one covered function under subsection (d).

"(2) DETERMINATION.—Not later than 180 days after the date on which the Maritime Administrator receives a request for designation or modification of a marine highway route under paragraph (1), the Maritime Administrator shall make a determination of whether to make the requested designation or modification.

"(3) NOTIFICATION.—Not later than 14 days after the date on which the Maritime Administrator makes the determination whether to make the requested designation or modification, the Maritime Administrator shall send the requester a notification of the determination.

"(d) MAP.—

"(A) IN GENERAL.—Not later than 120 days after the date of enactment of the Maritime Administration Authorization Act for Fiscal Year 2020, the Maritime Administrator shall publish a map showing the location of marine highway routes that have been designated or modified according to this section.

"(B) COORDINATION.—The Administrator shall coordinate with the National Oceanic and Atmospheric Administration to incorporate the map into the Marine Cadastral.

"(e) ASSISTANCE FOR MARINE HIGHWAY SERVICES.—

"(1) IN GENERAL.—The Maritime Administrator may make grants to, or enter into contracts or cooperative agreements with, an eligible entity to implement a marine highway service or component of a marine highway service, if the Administrator determines the service—

(A) satisfies at least one covered function under subsection (d);

(B) uses vessels documented under chapter 112 of this title; and

(C) implements strategies developed under section 56613; or

(d) develops, expands, or promotes—

(i) marine highway transportation services; or

(ii) shipper utilization of marine highway transportation.

"(2) ELIGIBLE ENTITY.—In this subsection, the term 'eligible entity' means—

(A) a State, a political subdivision of a State, or a local government;

(B) an eligible entity, as defined in subsection (j), that provides marine highway transportation services; or

(C) a political subdivision of a State that administers United States metropolitan planning organization;

(D) a United States port authority;

(E) a Tribal government in the United States; or

(F) a United States private sector operator of marine highway services or private sector owner of facilities with an endorse or the central advocacy for a marine highway route, as described in subsection (b)(1)(A), including an Alaska Native Corporation.

"(e) APPLICATION.—

"(1) IN GENERAL.—To be eligible to receive a grant or enter into a contract or cooperative agreement under this section to implement a marine highway service, an eligible entity shall submit an application in such form and manner, at such time, and containing such information as the Maritime Administrator may require, including—

(A) a concise description of—

(I) the regions to be served by the marine highway service;

(II) the marine highway route that the service shall connect to, such as the existing or planned transportation infrastructure and intermodal facilities, key navigational factors such as available draft, channel width, bridge air draft, or lock clearance, and any foreseeable impacts on navigation or commerce, and a map of the proposed route;

(III) the marine highway service the applicant described in subsection (b)(1)(A), in submitting a pre-proposal.

(B) the estimated costs of passengers, if applicable, or cargo using the service, and predicted changes in such volume during the 5-year period following the date of the application;

(C) the need for the service;

(D) the definition of the success goal for the service, such as volumes of cargo or passengers moved, or contribution to environmental mitigation, safety, reduced vehicle miles traveled, or reduced maintenance and repair costs;

(E) the methodology for implementing the service, including a description of the proposed operational framework of the service, including the origin and any intermediate stops on the route, transit times, vessel types, and service frequency; and

(F) any existing programs or arrangements that can be used to supplement or leverage assistance under the program; and

(G) a demonstration, to the satisfaction of the Maritime Administrator, that the marine highway service is financially viable;

(H) the funds or other assistance provided under this subsection will be spent or used efficiently and effectively; and

(I) a market exists for the services that the proposed marine highway service, as evidenced by contracts or written statements of intent from potential customers.

"(2) TIMING OF GRANT NOTICE.—The Maritime Administrator shall post a Notice of Funding Opportunity regarding grants, contracts, or cooperative agreements under this subsection not more than 60 days after the date of enactment of the appropriations Act for the fiscal year concerned.

"(3) GRANT APPLICATION FEEDBACK.—Following the award of funding, the Maritime Administrator may provide feedback to applicants to help applicants improve future applications if the feedback is requested by that applicant.

"(4) TIMING OF GRANTS.—The Maritime Administrator shall award grants, contracts, or cooperative agreements under this subsection not later than 270 days after the date of enactment of the appropriations Act for the fiscal year concerned.

(5) NON-FEDERAL SHARE.—In general, the applicant shall provide not less than 20 percent of the costs from non-Federal sources, except as provided in paragraph (B).

(6) FEDERAL AND RELATED AREAS.—The Maritime Administrator may increase the Federal share of service costs above 80 percent..."
for a service located in a Tribal or rural area.

 ``(c) Tribal Government.—The Maritime Administrator may increase the Federal share of the cost of such service, up to 80 percent, for a service benefitting a Tribal Government.

 ``(d) Use of Unexpended Grant Funds.—Notwithstanding paragraph (4), amounts awarded under this subsection that are not expended by the recipient within 5 years after obligation of funds or that are returned under paragraph (10)(C) shall remain available to the Maritime Administrator to make grants and enter into contracts and cooperative agreements under this subsection.

 ``(e) Administrative Costs.—Not more than 10 percent of the total amount made available to carry out this subsection for any fiscal year may be used for the necessary administrative costs associated with grants, contracts, and cooperative agreements made under this subsection.

 ``(f) Procedural Safeguards.—The Maritime Administrator, in consultation with the Office of the Inspector General, shall issue guidelines to establish appropriate accounting, reporting, and review procedures to ensure that—

 ``(A) amounts made available to carry out this subsection are used for the purposes for which they were made available;

 ``(B) recipients of funds under this subsection (including grants, contracts, or cooperative agreements) have properly accounted for all expenditures of such funds; and

 ``(C) any such funds that are not obligated or expended for the purposes for which they were made available are returned to the Administrator.

 ``(g) Conditions on Provision of Funds.—The Maritime Administrator may not award funds to an applicant under this subsection unless the Maritime Administrator determines that—

 ``(A) sufficient funding is available to meet the non-Federal share requirement of paragraph (7);

 ``(B) the marine highway service for which such funds are provided will be completed without unreasonable delay; and

 ``(C) the recipient of such funds has authority to implement the proposed marine highway service.

 ``(h) Covered Functions.—A covered function under this subsection means—

 ``(1) the provision of marine highway transportation;

 ``(2) the provision of a coordinated and capable alternative to landside transportation;

 ``(3) the mitigation or relief of landside congestion;

 ``(4) prohibited uses.—Funds awarded under this section may not be used to—

 ``(A) raise sunken vessels, construct buildings or other physical facilities, or acquire land unless such activities are necessary for the establishment or operation of a marine highway service implemented using grant funds provided, or pursuant to a contract or cooperative agreement entered into under subsection (c); or

 ``(B) improve port or land-based infrastructure outside the United States.

 ``(i) Geographic Distribution.—In making grants, contracts, and cooperative agreements under this section the Maritime Administrator shall give due consideration to ensuring an equitable geographic distribution of funds.

 ``(j) Audits and Examinations.—All recipients (including recipients of grants, contracts, and cooperative agreements) under this section shall maintain such records as the Maritime Administrator may require to properly account for and make such records available for review and audit by the Maritime Administrator.

 ``(k) Final Rule.—Not later than 1 year after the date of enactment of this title, the Secretary of Transportation shall promulgate a final rule to carry out the amendments made by this subsection.

 ``(l) Interim Rules.—The Secretary of Transportation may prescribe temporary interim rules to carry out the amendments made by this subsection. For this purpose, the Maritime Administrator, in prescribing rules under this subparagraph, is excepted from the notice and comment requirements of section 553 of title 5, United States Code, prior to the effective date of the interim rules. All interim rules promulgated under this subparagraph shall request comment and remain in effect until such time as the interim rules are superseded by a final rule, following notice and comment.

 ``(m) Savings Clause.—The requirements under section 55601 of title 46, United States Code, as amended by this subsection, shall take effect only after the interim rule described in subparagraph (B) is promulgated by the Secretary.

 ``(n) Definition.—Sections 55603, 55604, and 55605 of title 46, United States Code, amended by sections 201 through 204 of this Act, shall take effect only after the interim rule necessary to carry out the amendments prescribed under the authority of this subparagraph, is promulgated by the Secretary.

 ``(o) Provisions of title 46, United States Code, prior to the effective date of this Act, prescribing rules under this subparagraph, are hereby repealed.

 ``(p) Audit.—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall transmit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that examines United States Government efforts to promote the growth and development of marine highway transportation to the United States, including connections between the United States and a port in Canada or Mexico, that is designated under section 701 of the Federal Highway Act of 1973 (49 U.S.C. 501).

 ``(q) Definitions.—Sections 55603, 55604, and 55605 of title 46, United States Code, as amended by this Act, are amended as follows:

 ``(1) by redesignating paragraphs (5) and (6) as paragraphs (6) and (7), respectively; and

 ``(2) by inserting the following:
modernization of the United States maritime industry, and the vessels of the United States, as defined in section 116 of title 46, United States Code, including the overall effi-
cacy and efficiency of United States Governmental sub-
cial support and policies, including the Cap-
tical Construction Fund, Construction Re-
serve Fund, and other eligible loan, grant, or oth-
other commitments.

SEC. 3523. GAO REVIEW OF FEDERAL EFFORTS TO ENHANCE PORT INFRASTRUCTURE RESILIENCY AND DISASTER PREPAREDNESS.

Not later than 18 months after the date of enactment of this section, the Comptroller General of the United States shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representa-
tives that examines Federal efforts to assist ports in enhancing the resiliency of their key intermodal connectors to weather-re-
dated disasters. The report shall include con-
ideration of the following:

(1) Actions being undertaken at various ports to better identify critical land-side connectors that may be vulnerable to disrup-
tion in the event of a natural disaster, in-
cluding how to communicate such informa-
tion to ports when communication systems may be compromised, and the level of Federal involvement in such efforts.

(2) The extent to which the Department of Transportation and other Federal agencies are planning for and funding resiliency-
related projects.

(3) The extent to which Federal agencies have a coordinated approach to helping ports and the multiple State, local, Tribal, and private stakeholders involved, to improve re-
iliency prior to weather-related disasters.

SEC. 3524. STUDY ON FOREIGN INVESTMENT IN SHIPPING.

(a) Assessment—Subject to appropriation, the Under Secretary of Commerce for International Trade (referred to in this sec-
tion as the "Under Secretary") in coordina-
tion with Maritime Administration, the Fed-
eral Maritime Commission, and other rele-
vant agencies shall conduct an assessment of the risk associated with the investment in shipping by foreign owned companies, for in-
cluding each of the following:

(A) The shipping industry of each country as a whole;

(B) The shipping industry as a percent of gross domestic product of each country; and

(C) Each ship on average, by ship type for cargo, tanker, and bulk;

(2) the amount, in United States dollars, of such support provided by a foreign state de-
scribed in subsection (a) to the shipping in-
dustry of another foreign state, including fa-
orable financial arrangements for ship con-
struction;

(3) a description of the shipping industry activities of state-owned enterprises of a for-
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(4) a description of the type of support pro-
vided by a foreign state described in sub-
section (a), including tax relief, direct pay-
ment, indirect support of state-controlled fi-
nancial entities, or other such support, as
determined by the Under Secretary; and

(5) a description of the how the subsidies pro-
vided by a foreign state described in sub-
section (a) may be disadvantaging the com-
petitiveness of vessels documented under the laws of the United States that are engaged in foreign commerce and the national security of the United States.

(b) Definition—In this section:

(1) Foreign commerce—The term "foreign commerce" means—

(A) commerce or trade between the United States, its territories or possessions, or the District of Columbia, and a foreign country;

(B) commerce or trade between foreign countries; or

(C) commerce or trade within a foreign country.

(2) Foreign state—The term "foreign state" has the meaning given the term in section 1603(a) of title 28, United States Code.

(3) Shipping industry—The term "ship-
ing industry" means the construction, own-
ership, chartering, operation, and finance of vessels engaged in foreign commerce.

SEC. 3525. REPORT REGARDING ALTERNATE MARITIME FUEL BUNKERING FACILITIES AT PORTS.

(a) In General—Not later than 1 year after the date of enactment of this title, the Maritime Administrator shall report on the re-
nessary port-related infrastructure needed to support bunkering facilities for liquefied natural gas, hydrogen, ammonia, or other new marine fuels under development. The Maritime Administrator shall publish the re-
port on a publicly available website.

(b) Contents—The report described in sub-
section (a) shall include—

(1) information about the existing United States infrastructure, in particular the stor-
age facilities, bunkering vessels, and trans-
fer systems to support bunkering facilities for liquefied natural gas, hydrogen, ammo-
nia, or other new marine fuels under develop-
ment;

(2) a review of the needed upgrades to United States infrastructure, including stor-
age facilities, bunkering vessels, and trans-
fer systems, for liquefied hydrogen, ammone,
or other new marine fuels under development;

(3) an assessment of the estimated Govern-
ment investment in this infrastructure and the duration of that investment; and

(4) an assessment of the Governmental sup-
port to such infrastructure.

SEC. 3526. STUDY OF CYBERSECURITY AND NATIONAL SECURITY THREATS POSED BY FOREIGN MANUFACTURED CRANES AT UNITED STATES PORTS.

The Administrator of the Maritime Admin-
istration shall—

(1) conduct a study, in consultation with the Secretary of Homeland Security, the Secretary of Defense, and the Director of the Cyberspace and Infrastructure Security Agency, to assess whether there are cyberse-
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(3) an assessment of the extent to which United States ports are dependent on foreign-manufactured cranes.

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States citizen mariners sufficient to meet the operational requirements of low and zero emission vessels. Implementation of the strategy shall aim to increase the supply of trained United States citizen mariners sufficient to meet the needs of the maritime industry and ensure continued investment in training for mariners serving on conventional and zero emission vessels, the Secretary of Transportation shall—

(a) submit a report on the strategy developed under subsection (a) and plans for its implementation to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives; and

(b) make such report publicly available.

SEC. 3534. IMPROVING PROTECTIONS FOR MIDSHIPMEN ACT.

(a) SHORT TITLE.—This section may be cited as the ‘‘Improving Protections for Midshipmen Act’’.

(b) SUSPENSION OR REVOCATION OF MERCHANT MARiner CREDENTIALS FOR PERPETRATORS OF SEXUAL HARASSMENT OR SEXUAL ASSAULT.—

(1) IN GENERAL.—7 Chapter 7704 of title 46, United States Code, is amended by inserting after section 7704 the following:

‘‘§ 7704a. Sexual harassment or sexual assault as grounds for suspension or revocation

(a) SEXUAL HARASSMENT.—If it is shown at a hearing under this chapter that a holder of a license, certificate of registry, or merchant mariner’s document issued under this part, within 20 years before the beginning of the suspension and revocation proceedings, is the subject of a substantiated claim of sexual harassment, then the license, certificate of registry, or merchant mariner’s document shall be suspended or revoked.

(b) SEXUAL ASSAULT.—If it is shown at a hearing under this chapter that a holder of a license, certificate of registry, or merchant mariner’s document issued under this part, within 20 years before the beginning of the suspension and revocation proceedings, is the subject of a substantiated claim of sexual assault or sexual harassment incidents per fiscal year, shall be composed of not fewer than 12 midshipmen of the Merchant Marine Academy who are enrolled at the Merchant Marine Academy at the time of the appointment, including not fewer than 3 cadets from each class.

(c) APPOINTMENT: TERM.—Midshipmen shall serve on the Advisory Board pursuant to a term to be determined by the Maritime Administrator. Appointments shall be made not later than 60 days after the date of the swearing in of a new class of midshipmen at the Academy. The term of membership of a midshipmen on the Advisory Board shall be 1 academic year.
“(d) REAPPOINTMENT.—The Maritime Administrator may reappoint not more than 6 cadets from the previous term to serve on the Advisory Board for an additional academic term. The Maritime Administrator determines such reappointment to be in the best interests of the Merchant Marine Academy.

“(e) MEETINGS.—The Advisory Board shall meet with the Secretary of Transportation not less than once each academic year to discuss the activities of the Advisory Board. The Advisory Board shall meet in person with the Maritime Administrator not less than 2 times each academic year to discuss the activities of the Advisory Board.

“(f) WORKING GROUPS.—The Advisory Board shall—

“(1) identify health and wellbeing, diversity, and sexual assault and harassment challenges and other topics considered important by the Advisory Board facing midshipmen at the Merchant Marine Academy, off campus, and while aboard ships during Sea Year or other training opportunities;

“(2) discuss and propose possible solutions, including improvements to culture and leadership development at the Merchant Marine Academy; and

“(3) after regularly reviewing the efficacy of the program in section 51325(b), as appropriate, and provide recommendations to the Maritime Administrator for improvement.

“(g) DUTIES; AUTHORIZED ACTIVITIES.—

“(1) DUTIES.—The Advisory Board shall—

“(A) identify and compile an appropriate list of governmental experts appointed to the Council, including professionals in the area of sexual assault, and governmental and non-governmental experts and professionals in the sexual assault field.

“(B) establish a tracking system for suicidal midshipmen or alumni who were not victims of sexual assault to identify health and wellbeing, diversity, and sexual assault and harassment experiences of midshipmen in the system described under section 51325 of this title; and

“(C) require an annual survey of midshipmen of the United States Merchant Marine Academy (including midshipmen or alumni who were victims of sexual assault, to the maximum extent practicable, and midshipmen or alumni who were not victims of sexual assault) and governmental and non-governmental experts and professionals in the sexual assault field.

“(2) AUTHORIZED ACTIVITIES.—To carry out this subsection, the Council may—

“(A) conduct case reviews, as appropriate and only with the consent of the victim of sexual assault or harassment;

“(B) interview current and former midshipmen of the United States Merchant Marine Academy (to the extent that such midshipmen provide the Department of Transportation to protect personally identifiable information);

“(C) conduct case reviews, as appropriate and only with the consent of the victim of sexual assault or harassment;

“(D) require an annual survey of faculty and staff assessing the adequacy of mental health resources for midshipmen of the Academy, both on campus and during Sea Year;

“(E) establish a tracking system for suicidal midshipmen or alumni who were not victims of sexual assault, which excludes personally identifiable information;

“(F) provide assistance to midshipmen to obtain assistance from a professional care provider virtually; and

“(G) require an annual survey of faculty and staff assessing the adequacy of mental health resources for midshipmen of the Academy, both on campus and during Sea Year.

“(2) REPORT TO CONGRESS.—Not later than 30 days after the date of enactment of this section, the Maritime Administrator shall provide Congress with a report on the resources necessary to properly implement this subsection.

“(b) SPECIAL VICTIMS ADVISOR.—Section 51319 of title 46, United States Code, is amended—

“(1) by redesigning subsection (c) as subsection (d); and

“(2) by inserting after subsection (b) the following:

“(c) SPECIAL VICTIMS ADVISOR.—

“(1) IN GENERAL.—The Secretary shall designate an attorney (to be known as the ‘Special Victims Advisor’) for the purpose of providing legal assistance to any cadet of the Academy who is the victim of an alleged sex-related offense regarding administrative and criminal proceedings related to such offense, regardless of whether the report of that offense is restricted or unrestricted.

“(2) SPECIAL VICTIMS ADVISOR.—The Secretary shall ensure that the attorney designated under this subsection has knowledge of the Uniform Code of Military Justice, as well as criminal and civil law.

“(3) PRIVILEGED COMMUNICATIONS.—Any communications between the Special Victims Advisor and the Special Victim Advisor, when acting in their capacity as such, shall have the same protection that applies to legal communications through the attorney-client relationship.

“(d) STUDENT SUPPORT PLAN.—Not later than January 1, 2023, the Maritime Administrator shall issue a Student Support Plan for the United States Merchant Marine Academy in consultation with representatives of the health and mental health professionals in the Federal Government or experienced with the maritime industry or related industries. Such plan shall—

“(1) identify the mental health resources available to midshipmen, both on-campus and during Sea Year;

“(2) establish a tracking system for suicidal midshipmen or alumni who were not victims of sexual assault, which excludes personally identifiable information;

“(3) provide assistance to midshipmen to obtain assistance from a professional care provider virtually; and

“(4) require an annual survey of faculty and staff assessing the adequacy of mental health resources for midshipmen of the Academy, both on campus and during Sea Year.

“(e) MEETINGS.—The Maritime Administrator shall—

“(1) conduct case reviews, as appropriate and only with the consent of the victim of sexual assault or harassment;

“(2) interview current and former midshipmen of the United States Merchant Marine Academy (to the extent that such midshipmen provide the Department of Transportation to protect personally identifiable information);

“(3) any other information necessary to conduct such case review.

“(f) PERSONALLY IDENTIFIABLE INFORMATION.—In carrying out this subsection, the Council shall comply with the obligations of the Department of Transportation to protect personally identifiable information.

“(g) REPORTS.—On an annual basis for each of the 5 years after the date of enactment of this section, and at the discretion of the Council thereafter, the Council shall submit, to the President and the Committee on Commerce, Science, and Transportation of the House of Representatives, a report on the Council’s findings based on the reviews conducted pursuant to subsection (c) and related correspondence.

“(h) EMPLOYER STATUS.—Members of the Council shall not be considered employees of the United States Government for any purpose under section 51319 of this title.


“§ 51328. Student support

“The Maritime Administrator shall—

“(1) require a biannual survey of midshipmen, faculty, and staff of the Academy assessing the inclusiveness of the environment of the Academy; and

“(2) require an annual survey of faculty and staff of the Academy assessing the inclusiveness of the environment of the Sea Year program.

“(c) REPORT TO CONGRESS.—Not later than 30 days after the date of enactment of this section, and at the discretion of the Council, the Maritime Administrator shall provide Congress with a briefing on the resources necessary to properly implement section 51328 of title 46, United States Code, as added by this section.

“(d) CONFORMING AMENDMENTS.—The chapter which is added by this section, and at the discretion of the Council, the Maritime Administrator shall provide a briefing on the resources necessary to properly implement section 51328 of title 46, United States Code, as added by this section.

“(e) UNFILLED VACANCIES.—The Administrator of the Maritime Administrator shall—

“(1) CATCH A SERIAL OFFENDER ASSESSMENT.—

“(a) ASSESSMENT.—Not later than one year after the date of enactment of this section, the Commandant of the Coast Guard, in coordination with the Maritime Administrator, shall conduct an assessment of the feasibility and process necessary, and appropriate responsible entities to establish a program for the United States Merchant Marine Academy and United States Merchant Marine Academy and United States Merchant Marine Academy and United States Merchant Marine Academy. The Secretary shall issue a report on the information management system required under subsection (a) of section 51325 of title 46, United States Code, and the exit interviews under subsection (b) of such section.
(2) Legislative change proposals.—If, as a result of the assessment required by paragraph (1), the Commandant or the Administrator determines that additional authority is needed, the purpose of the program described in paragraph (1), the Commandant or the Administrator, as applicable, shall provide appropriate legislative change proposals to Congress.

(j) Shipboard Training.—Section 51322(a) of title 46, United States Code, is amended by adding at the end the following:

"(b) Development and consultation with experts.—In developing the sexual assault risk-reduction and response training under subparagraph (A), the Maritime Administrator shall consult with and incorporate, as appropriate, the recommendations and views of experts in the sexual assault field.''

SEC. 3535. BOARD OF VISITORS.

Section 51312 of title 46, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (2)—

(i) by redesignating subparagraph (C) as subparagraph (D); and

(ii) in subparagraph (D), as redesignated by clause (i), by striking "flag-rank who" and inserting "flag-rank.

(B) in section (2), by striking "and 2 additional meetings, which may be held in person or virtually after "Academy"; and

(C) in section (3), by adding at the end the following:

"(C) Meetings.—The term 'Meetings' means the Secretary of Transportation.

(2) in subsection (c), by adding after the semicolon; and

(D) in subsection (d), as redesignated by paragraph (2), by adding at the end the following:

"(D) Meeting.—The term 'Meeting' means the Secretary of Transportation.''

(2) Grant Program.—

(1) Definitions.—In this subsection:

(A) Administrator.—The term 'Administrator' means the Administrator of the Maritime Administration.

(B) Eligible Institution.—The term 'Eligible Institution' means an institution that has a demonstrated record of success in training and has—

(i) a postsecondary educational institution (as defined in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2902)) that offers a 2-year program of study or a 1-year program of training;

(ii) a postsecondary vocational institution (as defined under section 102(c) of the Higher Education Act of 1965 (20 U.S.C. 10202));

(iii) a public or private nonprofit entity that offers 1 or more other structured experiential learning training programs for American workers in the United States maritime industry, including a program that is offered by a labor organization or conducted in partnership with a nonprofit organization or 1 or more employers in the maritime industry; or

(iv) any previous recipient of a grant under this subsection or any other recipient of a grant under title 20, United States Code, that desires to receive a grant under this subsection.

(2) Grant Authorization.—

(A) In General.—Not later than 1 year after the date of enactment of the Maritime Technical Advancement Act of 2022, the Administrator shall—

(i) promulgate guidelines for the submission of grant proposals under this section; and

(ii) publish and maintain such guidelines on the website of the Maritime Administration.

(B) Limitations.—The Administrator may not award a grant under this subsection in an amount that is more than $12,000,000.

(3) Required Information.—

(A) In General.—An eligible institution that desires to receive a grant under this subsection shall submit to the Administrator a grant proposal that includes a detailed description of—

(i) the specific project for which the grant proposal is submitted, including the manner in which the grant will be used to develop, offer, or improve an educational or career training program that is suited to maritime industry workers;

(ii) the extent to which the project for which the grant proposal is submitted will meet the educational or career training needs of maritime workers in the community served by the eligible institution, particularly any individuals with a barrier to employment;

(iii) the extent to which the project for which the grant proposal is submitted fits within any overall strategic plan developed by an eligible community; and

(iv) any previous experience of the eligible institution in providing maritime educational or career training programs.

In order to be considered by the Administrator, a grant proposal submitted by an eligible institution under this subsection shall—

(I) demonstrate that the eligible institution—

(a) has a demonstrated record of success in training individuals with a barrier to employment;

(b) any future employment opportunities within the community and the educational and career training skills required for workers to meet the future maritime employment demand; and

(c) reaches out to other similarly situated institutions in an effort to benefit from any best practices that may be shared with respect to providing maritime educational or career training programs to workers eligible for training; and

(ii) include a detailed description of—

(a) the extent and outcome of the outreach conducted under clause (i); and

(b) the extent to which the grant proposal for which the grant proposal is submitted will contribute to meeting any shortcomings identified under clause (i)(a) or any maritime educational or career training needs identified under clause (i)(b); and

(B) Coastal, offshore, and inland water transportation system of the United States, means all segments of the maritime-related industry, including—

(i) waterborne transportation services;

(ii) coastal, offshore, and inland waters, as well as non-commercial maritime activities, such as pleasure boating and marine sciences (including all scientific research vessels), and all of the industries that support or depend upon such uses, including—

(A) vessel construction and repair;

(B) ship logistics supply;

(C) ship design;

(D) ship building;

(E) marine insurance;

(F) vessel chartering;

(G) marine-oriented supply chain operations;

(H) offshore wind construction, operation, and repair; and

(I) maritime-oriented research and development.

(2) IN GENERAL.—Not later than 1 year after the date of enactment of the Maritime Technical Advancement Act of 2022, the Administrator shall—

(A) establish and support maritime career training grants to eligible institutions for the purpose of developing, offering, or improving educational or career training programs for American workers related to the maritime workforce.

(B) Guidelines.—Not later than 1 year after the date of enactment of the Maritime Technical Advancement Act of 2022, the Administrator shall—

(i) promulgate guidelines for the submission of grant proposals under this subsection; and

(ii) publish and maintain such guidelines on the website of the Maritime Administration.

(3) Required Information.—The Administrator may not award a grant under this subsection in an amount that is more than $12,000,000.

(3) Required Information.—The Administrator may not award a grant under this subsection in an amount that is more than $12,000,000.
“(III) the extent to which employers, including small- and medium-sized firms within the community, have expressed an interest in employing workers who would benefit from the grant and for which the grant proposal is submitted.

“(5) CRITERIA FOR AWARD OF GRANTS.—Subject to the appropriation of funds, the Administrator shall award a grant under this subsection based on—

“(A) a determination of the merits of the grant proposal submitted by the eligible institution; or

“(B) the availability and capacity of existing maritime educational or career training programs to be made available to workers;

“(C) an evaluation of prior demand for training programs by workers in the community served by the eligible institution, as well as the availability and capacity of existing maritime training programs to meet future demand for training programs;

“(D) any prior designation of an institution as a Center of Excellence for Domestic Maritime Workforce Training and Education; and

“(E) an evaluation of the previous experience of eligible institutions in providing maritime educational or career training programs.

“(6) COMPETITIVE AWARDS.—

“(A) IN GENERAL.—The Administrator shall award grants under this subsection to eligible institutions on a competitive basis in accordance with guidelines and requirements established by the Administrator under paragraph (2)(B).

“(B) TIMING OF GRANT NOTICE.—The Administrator shall post a Notice of Funding Opportunity regarding grants awarded under this subsection not more than 90 days after the date of enactment of the appropriations Act for the fiscal year concerned.

“(C) TIMING OF GRANTS.—The Administrator shall award grants under this subsection not later than 270 days after the date of enactment of the appropriations Act for the fiscal year concerned.

“(D) APPLICATION OF REQUIREMENTS.—The requirements under subparagraphs (B) and (C) shall apply only until the guidelines required under paragraph (2)(B) have been promulgated.

“(E) ESTIMATE OF UNEXPENDED GRANT FUNDS.—Notwithstanding subparagraph (C), amounts awarded as a grant under this subsection that are not expended by the grantee shall remain available to the Administrator for use for grants under this subsection.

“(F) ADMINISTRATIVE COSTS.—Not more than 3 percent of amounts made available to carry out this subsection may be used for the necessary costs of grant administration.

“(G) ELIGIBLE USES OF GRANT FUNDS.—An eligible institution receiving a grant under this subsection—

“(A) shall carry out activities that are identified as priorities for the purpose of developing, offering, or improving educational or career training programs for the United States maritime industry workforce;

“(B) shall provide training to upgrade the skills of the United States maritime industry workforce, including training to acquire covered requirements as well as technical skills training for jobs in the United States maritime industry and;

“(C) may use the grant funds to—

“(i) admit additional students to maritime training programs;

“(ii) develop, establish, and annually update the necessary capacity, content, and mechanisms to rapidly upgrade skills and perform assessments of merchant mariners during time of war or a national emergency, and to increase credentials for domestic or defense needs where training can decrease the gap in the numbers of qualified mariners for safety and efficiency;

“(iii) provide services to upgrade the skills of United States offshore wind marine service workers who transport, install, operate, construct, maintain, and decommission offshore wind components and turbines, including training, curriculum and career pathway development, on-the-job training, safety and high training programs;

“(iv) expand existing or create new maritime training programs, including through partnerships and memoranda of understanding with—

“(I) 4-year institutions of higher education;

“(II) labor organizations;

“(III) registered apprenticeship programs with the United States maritime industry; or

“(IV) an entity described in subclause (I) through (III) that has a memorandum of understanding with 1 or more employers in the maritime industry;

“(v) create new maritime pathways or expand existing maritime pathways:

“(VI) expand existing or create new training programs for transitioning military veterans to careers in the United States maritime industry;

“(VII) expand existing or create new training programs that address the needs of individuals with a disability to employment, as determined by the Secretary in consultation with the Secretary of Labor, in the United States maritime industry;

“(VIII) purchase, construct, develop, expand, or improve training facilities, buildings, and equipment to deliver maritime training programs;

“(IX) recruit and train additional faculty to expand the maritime training programs offered by the institution;

“(X) provide financial assistance through scholarships or tuition waivers, not to exceed the applicable tuition expenses associated with the covered programs;

“(XI) promote the use of distance learning that enables students to take courses through the use of teleconferencing, the Internet, and other media technology;

“(XII) assist in the development, on-the-job training, safety and health training, curriculum and career pathway development, and enterprise communities;

“(XIII) implement partnerships with national and regional organizations with special expertise in developing, organizing, and administering maritime workforce recruitment and training services;

“(XIV) carry out customized training in conjunction with—

“(I) an existing registered apprenticeship program or a pre-apprenticeship program that articulates to a registered apprenticeship program;

“(II) a paid internship; or

“(III) a joint labor-management partnership;

“(XV) design, develop, and test an array of approaches to providing recruitment, training, or retention services, to enhance diversity, equity and inclusion in the United States maritime industry workforce;

“(XVI) in conjunction with employers, organized labor, other groups (such as community coalitions), and Federal, State, or local agencies, design, develop, and test various training approaches in order to determine effective practices; or

“(XVII) assist in the development and replication of strategies for the United States maritime industry as a whole.”

“(8) PUBLIC REPORT.—Not later than December 15 in each of the calendar years 2023 through 2025, the Administrator shall make available on a publicly available website a report that will provide a briefing to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives—

“(A) describing each grant awarded under this subsection during the preceding fiscal year;

“(B) assessing the impact of each award of a grant under this subsection in a fiscal year preceding the fiscal year referred to in subparagraph (A) on workers receiving training; and

“(C) the performance of the grant awarded with respect to the indicators of performance under section 116(b)(3)(A)(i) of the Workforce Innovation and Opportunity Act (29 U.S.C. 314(h)(2)(A)(I)).

“(9) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $50,000,000 for each of the fiscal years 2023 through 2027.”.

SEC. 3537. STUDY ON CAPITAL IMPROVEMENT PROGRAM AT THE USMMA.

(a) FINDINGS.—Congress finds the following:

(1) The United States Merchant Marine Academy campus is nearly 80 years old and many of the buildings have fallen into a serious state of disrepair.

(2) Except for renovations to student areas in the early 2000s, all of the buildings on campus have exceeded their useful life and need to be replaced or undergo major renovations.

(3) According to the Maritime Administration, since 2011, $234,000,000 has been invested in capital improvements on the campus, but partly due to poor planning and cost overruns, maintenance and building replacement backlogs continue.

(b) STUDY.—The Comptroller General shall conduct a study of the United States Merchant Marine Academy Capital Improvement Program. The study shall include an evaluation of—

(1) the actions the United States Merchant Marine Academy has taken to bring the buildings, infrastructure, and other facilities on campus up to standards and the further actions that are required to do so;

(2) how the Academy identifies and prioritizes capital construction needs, cost estimates, and the cost of delivery strategies for the United States Merchant Marine Academy campus.

(3) According to the Maritime Administration, since 2011, $234,000,000 has been invested in capital improvements on the campus, but partly due to poor planning and cost overruns, maintenance and building replacement backlogs continue.

(4) (A) Public Report.—Not later than 18 months after the date of enactment of this section, the Comptroller General shall prepare and submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report containing the results of the study under this section.

SEC. 3538. IMPLEMENTATION OF RECOMMENDATIONS FROM THE NATIONAL ACADEMY OF PUBLIC ADMINISTRATION.

(a) INSPECTION GENERAL.—The Inspector General of the Department of Transportation shall—
made by the Inspector General’s audit described in subparagraph (A) and in prior audits of the Maritime Administration’s implementation of National Academy of Public Administration’s recommendations and periodically initiate subsequent audits of the Maritime Administration’s continued actions to address the prioritization and implementation of the recommendations the General determines may be necessary; and

(C) release publicly and submit to the Administrator of the Maritime Administration and to the appropriate committees of Congress a report containing the results of the audit once the audit is completed.

(3) REPORT OF PROGRESS.—Not later than 180 days after the date of publication of the Inspector General’s report described in paragraph (2)(C), and annually thereafter, the Administrator of the Maritime Administration shall prepare and submit a report to the Inspector General of the Department of Transportation and the appropriate committees of Congress describing—

(A) the Maritime Administration’s planned actions and estimated timelines for taking action to implement any open or unresolved recommendations from the Inspector General’s reports described in paragraph (2) and in subsection (a); and

(B) any target action dates associated with open and unresolved recommendations from the Inspector General’s reports described in paragraph (2) and in subsection (a) which the Maritime Administration failed to meet or for which it requested an extension of time, and the reasons for which an extension was necessary.

(d) AGREEMENT FOR PLAN ON CAPITAL IMPROVEMENTS.—Not later than 90 days after the date of enactment of this title, the Maritime Administration shall enter into an agreement with the National Academy of Public Administration to create a plan to execute capital improvements at the United States Merchant Marine Academy.

(e) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, the Appropriations Subcommittees on Transportation, Housing, and Related Agencies of the Senate and the House of Representatives, and the Committee on Armed Services of the House of Representatives.

SEC. 3539. SERVICE ACADEMY FACULTY PARITY.

Section 105 of title 17, United States Code, is amended—

(1) in the heading of subsection (b), by striking “CERTAIN OF WORKS” and inserting “CERTAIN WORKS”;

(2) in the first subsection (c), by striking “The Secretary of Defense may” and inserting “The Secretary of Defense (or, with respect to the United States Merchant Marine Academy, the Secretary of Transportation, or, with respect to the United States Coast Guard Academy, the Secretary of Homeland Security) may”;

(3) by redesignating the second subsection (c) as subsection (d); and

(4) in subsection (d)(2), as redesignated by paragraph (3), by adding at the end the following:

“(M) United States Merchant Marine Academy.”.

SEC. 3540. UPDATED REQUIREMENTS FOR FISHERIES MANAGEMENT AGREEMENTS.

Section 10601(b) of title 46, United States Code, is amended—

(1) in paragraph (2), by striking “and” after the semicolon

(2) by redesigning paragraph (3) as paragraph (4); and

(3) by inserting after paragraph (2) the following:

“(3) if the vessel is a catcher processor or fish processing vessel with more than 25 crewmembers, require that the crewmember be served not less than 3 meals a day that total not less than 3,100 calories, including adequate water and minerals in accordance with the United States Recommended Daily Allowances; and”.

Subtitle E—Technology Innovation and Resilience

SEC. 3541. MARITIME ENVIRONMENTAL AND TECHNICAL ASSISTANCE PROGRAM.

Section 50307 of title 46, United States Code, is amended—

(b) by redesigning the subsection (a) numerator and all that follows through “Transportation” and inserting the following:

“(a) EMERGING MARINE TECHNOLOGIES AND PRACTICES;

“(1) IN GENERAL.—The Secretary of Transportation;

“(2) in subsection (b)—

(A) in paragraph (1)—

(i) by redesigning subparagraphs (A) through (D) as clauses (1) through (4), respectively and adjusting the margins accordingly; and

(ii) in clause (iv), as redesignated by clause (i), by striking “propeller cavitation” and inserting “propeller cavitation or hydrodynamic flow”;

(B) by redesigning paragraphs (1) and (2) as subparagraphs (A) and (B), respectively and adjusting the margins accordingly;

(C) in paragraph (2), as redesignated under paragraph (4) of this section—

(1) by striking “this section” and inserting “this subsection”;

(2) by striking “or improve” and inserting “improve, or support efforts related to”;

(D) in paragraph (3), as redesignated by paragraph (4) of this section, by striking “under subsection (b)(2) may include” and inserting “with other Federal agencies or with State, local, or Tribal governments, as appropriate, under paragraph (2)(B) may include”;

(E) in paragraph (4), as redesignated by paragraph (4) of this section—

(i) by striking “academic, public, private, and nongovernmental entities and facilities” and inserting “eligible entities”;

(ii) by striking “and” after the semicolon

(3) by redesigning paragraph (5) as paragraph (4).

(4) by redesigning subsections (b) through (d) as paragraphs (2) through (4), respectively and adjusting the margins accordingly; and

(5) by redesigning subsection (e) as subsection (b).

(6) by striking subsection (f);

(7) in subsection (a)—

(A) in paragraph (1), as designated under paragraph (1) of this section—

(i) by inserting “or support” after “engage in”;

(ii) by striking “the use of public” and all that follows through “transportation” and inserting “eligible entities.”;

(B) in paragraph (2), as redesignated under paragraph (4) of this section—

(i) by striking “this section” and inserting “this subsection”;

(ii) by striking “or improve” and inserting “improve, or support efforts related to”;

(C) in paragraph (3), as redesignated by paragraph (4) of this section, by striking “under subsection (b)(2) may include” and inserting “with other Federal agencies or with State, local, or Tribal governments, as appropriate, under paragraph (2)(B) may include”;

(D) in paragraph (4), as redesignated by paragraph (4) of this section—

(1) by striking “academic, public, private, and nongovernmental entities and facilities” and inserting “eligible entities”;

(2) by adding at the end the following:

“(E) GRANTS.—Subject to the availability of appropriations, the Maritime Administrator, may establish and carry out a competitive grant program to award grants to eligible entities for projects that contribute to the efficient and environmentally beneficial use of maritime facilities in the United States consistent with the goals of this subsection to study, evaluate, test, demonstrate, or apply technologies and practices to improve, or support efforts related to, maritime infrastructure and the sustainability of maritime transportation and operations.”.

(8) in subsection (b), as redesignated by paragraph (5) of this section, by striking
``subsection (b)(1)'' and inserting ``this section''; and
(b) by adding at the end the following:
``(c) VESSELS.—Activities carried out under a grant or cooperative agreement made under this section may be conducted on public vessels under the control of the Maritime Administration, upon approval of the Maritime Administration.
``(d) ELIGIBLE ENTITY DEFINED.—In this section, the term ‘eligible entity’ means—
``(1) a private entity, including a nonprofit organization;
``(2) a State, regional, or local government or entity, including special districts;
``(3) an Indian Tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 3394)) or a consortium of Indian Tribes;
``(4) an institution of higher education as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002); or
``(5) a partnership or collaboration of entities described in paragraphs (1) through (3).
``(e) CENTER FOR MARITIME INNOVATION.—
``(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Maritime Administration Authorization Act for Fiscal Year 2023, the Secretary of Transportation shall, in consultation with the appropriate legislative bodies, establish a United States Center for Maritime Innovation (referred to in this subsection as the ‘‘Center’’). The Secretary shall support the study, research, development, assessment, and deployment of emerging marine technologies and practices related to the maritime transportation system.
``(2) SELECTION.—The Center shall be—
``(A) selected through a competitive process of eligible entities;
``(B) based in the United States with technical expertise in emerging marine technologies and practices related to the maritime transportation system; and
``(C) in proximity to eligible entities with expertise in United States emerging marine technologies and practices, including the use of alternative fuels and the development of both vessel and shoreside infrastructure.
``(3) COORDINATION.—The Secretary of Transportation shall coordinate with other agencies, the National Oceanic and Atmospheric Administration, in consultation with the Under Secretary of Commerce for Oceans and Atmosphere and the Secretary of the Department of Defense, and the Coast Guard, when establishing the Center.
``(4) FUNCTIONS.—The Center shall—
``(A) select eligible entities regarding the development and use of clean energy and necessary infrastructure to support the deployment of clean energy on vessels of the United States;
``(B) monitor and assess, on an ongoing basis, the current state of knowledge regarding emerging marine technologies in the United States;
``(C) identify any significant gaps in emerging marine technologies research specific to the United States maritime industry, and seek to fill those gaps;
``(D) conduct research, development, testing, and evaluation for equipment, technologies, and techniques to address the components of subsection (a)(2);
``(E) provide—
``(i) guidance on best available technologies;
``(ii) technical analysis;
``(iii) assistance with understanding complex regulatory requirements; and
``(iv) documentation of best practices in the maritime industry, through training and informational webinars on solutions for the maritime industry; and
``(F) work with academic and private sector response training centers and Domestic Maritime Workforce Training and Education Centers of Excellence to develop maritime strategic priorities applicable to various segments of the United States maritime industry, including the inland, deep water, and coastal fleet.
``SEC. 3542. STUDY ON STORMWATER IMPACTS ON SALMON.
``(a) IN GENERAL.—Not later than 90 days after the date of enactment of this section, the Administrator of the National Oceanic and Atmospheric Administration, in concert with the Secretary of Transportation and the Administrator of the Environmental Protection Agency, and in consultation with the Director of the United States Fish and Wildlife Service, shall commence a study that—
``(1) examines the existing science on tire-related chemicals in stormwater runoff at ports and the impacts of such chemicals on Pacific salmon and steelhead;
``(2) examines the challenges of studying tire-related chemicals in stormwater runoff at ports and the impacts of such chemicals on Pacific salmon and steelhead;
``(3) provides recommendations for improving monitoring of stormwater and research related to run-off for tire-related chemicals and the impacts of such chemicals on Pacific salmon and steelhead at ports; and
``(4) provides recommendations based on the best available science on relevant management approaches for ports under their respective jurisdictions.
``(b) SUBMISSION OF STUDY.—Not later than 18 months after commencing the study under subsection (a), the Administrator of the National Oceanic and Atmospheric Administration, in concert with the Under Secretary of Commerce for Oceans and Atmosphere and the Secretary of the Department of the Interior, and the Commissioner on Transportation and Infrastructure of the House of Representatives, including detailing any findings from the study, and
``(2) make such study publicly available.
``SEC. 3543. STUDY TO EVALUATE EFFECTIVE VESSEL-
``ABORATION PRACTICES.—
``(a) IN GENERAL.—Not later than 1 year after the date of enactment of this title, the Administrator of the Maritime Administration, in consultation with the Secretary of Commerce for Oceans and Atmosphere and the Secretary of the Department in which the Coast Guard is operating, shall submit to the committees identified under subsection (b), and make publicly available on the website of the Department of Transportation, a report that includes, at a minimum—
``(1) a review of technology-based controls and best management practices for reducing vessel-generated underwater noise; and
``(2) for each technology-based control and best management practice identified, an evaluation of—
``(A) the applicability of each measure to various vessel types;
``(B) the technical feasibility and economic achievability of each measure; and
``(C) the co-benefits and trade-offs of each measure.
``(b) COMMITTEES.—The report under subsection (a) shall be submitted to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.
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information that the detention of a United States national abroad is unlawful or wrongful, and regardless of whether the detention is by a foreign government or a nongovernmental actor, the Secretary shall—

(A) expeditiously transfer responsibility for such case from the Bureau of Consular Affairs of the Department of State to the Special Presidential Envoy for Hostage Affairs; and

(B) not later than 14 days after such determination, notify the Committee on Foreign Relations of the Senate, the Select Committee on Intelligence in the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Permanent Select Committee on Intelligence of the House of Representatives of such determination and provide such committees with a summary of the facts that led to such determination.

(2) FORM.—The notification described in paragraph (1)(B) may be classified, if necessary.

SEC. 5103. FAMILY ENGAGEMENT COORDINATOR. Section 383 of the Robert Levinson Hostage Recovery and Hostage-Taking Accountability Act (22 U.S.C. 1714a) is amended by adding the following:

(d) FAMILY ENGAGEMENT COORDINATOR.—There shall be, in the Office of the Special Presidential Envoy for Hostage Affairs, a Family Engagement Coordinator, who shall ensure—

(1) for a United States national unlawfully or wrongfully detained abroad, that—

(A) by executive or executive branch officials with any family member of such United States national occurs in a coordinated fashion;

(B) such family member receives consistent and accurate information from the United States Government; and

(C) appropriate coordination with the Family Engagement Coordinator described in section 390(c)(2); and

(2) for a United States national held hostage abroad, that any engagement with a family member is coordinated with, consistent with, and not duplicative of the efforts of the Family Engagement Coordinator described in section 390(c)(2).

SEC. 5104. REWARDS FOR JUSTICE. Section 36(b) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2761(b)) is amended—

(1) in paragraph (4), by striking “or (10):” and inserting “(10), (14):”;

(2) in paragraph (12), by striking “or” at the end;

(3) in Paragraph (13), by striking the period at the end and inserting “;”;

and

(4) by adding at the end the following:

(14) the prevention, frustration, or resolution of the hostage taking of a United States person, the identification, location, arrest, or conviction of a person responsible for the hostage taking of a United States person, or the located or identification of a United States person who has been hostage, in any country.”.

SEC. 5105. ENSURING GEOGRAPHIC DIVERSITY AND ACCESSIBILITY OF PASSPORT AGENCIES. (a) SENSE OF CONGRESS.—It is the sense of Congress that Department initiatives to expand passport services and accessibility, including through online modernization projects, should include the construction of new passport agencies in the following:

(1) the geographic areas in the United States that are farther than 6 hours’ driving distance from the nearest passport agency;

(2) the geographic areas that provide passport services in the areas described in paragraph (1); and

(b) plan to ensure that in-person services at physical passport agencies are accessible to all eligible Americans, including Americans living in large population centers, in urban areas, and in rural areas with a high per capita demand for passport services.

(c) CONSIDERATIONS.—The Secretary shall consider the metrics identified in paragraphs (2) and (3) when determining locations for the establishment of new physical passport agencies.

(d) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to the Committee on Foreign Relations of the Senate, the Committee on Appropriations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Appropriations of the House of Representatives that contains the findings of the review conducted pursuant to subsection (b).

SEC. 5106. CULTURAL ANTIQUITIES TASK FORCE. The Secretary is authorized to use up to $1,000,000 for grants to carry out the activities of the Cultural Antiquities Task Force.

SEC. 5107. BRIEFING ON “CHINA HOUSE”. Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall brief the appropriate congressional committees regarding the organization of the Department of State’s “China House” team.

SEC. 5108. OFFICE OF SANCTIONS COORDINATION. (a) EXTENSION OF AUTHORITIES.—Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 261a) is amended, in paragraph (4)(B) of subsection (1), as redesignated by section 5502(a)(2) of this Act, by striking “the date that is two years after the date of the enactment of this subsection” and inserting “December 31, 2024”.

(b) BRIEFING.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Treasury, or designee, shall brief the appropriate congressional committees with respect to the steps that the Office of Sanctions Coordination has taken to coordinate its activities with the Department of the Treasury and humanitarian aid programs, in an effort to help ensure appropriate flows of humanitarian assistance and goods to countries subject to United States sanctions.

SEC. 5201. DEPARTMENT OF STATE PAID STUDENT INTERNSHIP PROGRAM. (a) IN GENERAL.—The Secretary shall establish the Department of State Student Internship Program to offer internship opportunities to the Department to eligible students to raise awareness of the essential role of diplomacy in the conduct of United States foreign policy and the realization of United States foreign policy objectives.

(b) ELIGIBILITY.—An applicant is eligible to participate in the Program if the applicant—

(1) is enrolled at least half-time at—

(A) an institution of higher education as such term is defined in section 102(a) of the Higher Education Act of 1965 (20 U.S.C. 1002(a)); or

(B) an institution of higher education based outside the United States, as determined by the Secretary of State; and

(2) is a citizen of the United States and hold an appropriate security clearance.

(c) SELECTION.—The Secretary shall establish selection criteria for students to be admitted into the Program that includes a demonstrated interest in a career in foreign affairs.

(d) OUTREACH.—The Secretary shall—

(1) widely advertise the Program, including—

(A) on the Internet; and

(B) through the Department’s Diplomatic in Residence program; and

(c) through other outreach and recruiting initiatives targeting undergraduate and graduate students; and

(2) conduct targeted outreach to encourage participation in the Program from—

(A) ABROAD.—The Secretary shall provide housing assistance to any student participating in the Program whose permanent address is outside of the United States;

(B) DOMESTIC.—The Secretary may provide housing assistance to a student participating in the Program whose permanent address is within the United States if the location of the internship in which such student is participating is outside of the United States;

(C) THROUGH THE DEPARTMENT’S DIPLOMATIC IN RESIDENCE PROGRAM.—The Secretary shall provide housing assistance to any student participating in the Program whose permanent address is within the United States if the location of the internship in which such student is participating is more than 50 miles away from such student’s permanent address.

(2) TRAVEL ASSISTANCE.—The Secretary shall provide travel assistance to students participating in the Program whose permanent address is within the United States if the location of the internship in which such student is participating is more than 50 miles away from such student’s permanent address.

(3) IN GENERAL.—Except as provided in paragraphs (2) and (3), beginning not later than 3 years after the date of the enactment of this Act—

(A) the Secretary shall convert unpaid internships in the Department to internships that offer compensation; and

(B) upon selection as a candidate for entry into an internship program in the Department, a participant in such internship program may refuse compensation, including if doing so allows such participant to receive college or university curricular credit.

(2) EXCEPTION.—The transition required under paragraph (1) shall not apply to unpaid internship programs in the Department that are part of the Virtual Student Federal Service internship program.

(3) WAIVER.—The Secretary may waive the requirement under paragraph (1)(A) with respect to a particular unpaid internship program if the Secretary, not later than 30 days after making a determination that the creation of such internship program to a compensated internship program would not be consistent with effective management goals, submits a report explaining such determination to—

(A) the appropriate congressional committees; and

(B) the Committee on Appropriations of the Senate; and

(C) the Committee on Appropriations of the House of Representatives.
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(B) REPORT.—The report required under subparagraph (A) shall—
(i) describe the reasons why converting an unpaid internship program of the Department to an internship program that offers compensation would not be consistent with effective management goals; and
(ii) provide justification for maintaining such unpaid status indefinitely; or
(II) identify any additional authorities or resources that would be necessary to convert such unpaid internship program to offer compensation.

(b) REPORTS.—Not later than 18 months after the date of the enactment of this Act, the Secretary of State shall submit a report to the Committee on Foreign Relations of the Senate, and the Committee on Appropriations of the Senate, regarding any unpaid internship program that the Secretary determines the,

(2) remove any compensated intern employed pursuant to paragraph (1), without retaining such unpaid status indefinitely; or
(A) the A–100 entry-level course to as long as 12 weeks, which better matches the length of time to complete such course, if<br/>(3) increase the duration and expand the content of training provided by the Diplomatic Security Service to include standards for training programs and create comparable courses for new As<br/>(c) SEXUAL ASSAULT PREVENTION AND RESPONSE PROGRAM.—
(1) PLACEMENT.—The Secretary shall ensure that the Diplomatic Security Service’s Victim Resource Advocacy Program—
(A) is appropriately staffed by advocates who are physically present at—
(i) the headquarters of the Department; and
(ii) major domestic and international facilities and embassies, as determined by the Secretary;
(B) considers the logistics that are necessary to allow for the expedient travel of victims from Department facilities that do not have advocates; and
(C) uses its best efforts to provide emergency food, shelter, clothing, and transportation for victims involved in matters being investigated by the Diplomatic Security Service.

SEC. 5203. INCREASING THE MAXIMUM AUTHORIZED FOR SCIENCE AND TECHNOLOGY FELLOWSHIP GRANTS AND COOPERATIVE AGREEMENTS.
Section 504(e)(3) of the Foreign Relations Authorization Act, Fiscal Year 1979 (22 U.S.C. 2656d(e)(3)) is amended by striking “$500,000” and inserting “$2,000,000.”

SEC. 5204. ADDITIONAL PERSONNEL TO ADDRESS BACKLOGS IN HIRING AND INVESTIGATIONS.
(a) IN GENERAL.—The Secretary shall seek to increase the number of personnel within the Bureau of Global Talent Management and the Office of Civil Rights to address backlogs in hiring and investigations into complaints conducted by the Office of Civil Rights.

(b) EMPLOYMENT TARGETS.—The Secretary shall seek to employ—
(1) not fewer than 15 additional personnel in the Bureau of Global Talent Management and the Office of Civil Rights (compared to the number of personnel so employed as of the day before the date of the enactment of this Act) by the date that is 180 days after such date of enactment; and
(2) not fewer than 15 additional personnel in such Bureau and Office (compared to the number of personnel so employed as of the day before the date of the enactment of this Act) by the date that is 1 year after such date of enactment.

SEC. 5205. FOREIGN AFFAIRS TRAINING.
(a) SENSE OF CONGRESS.—It is the sense of Congress that—
(1) the Department is a crucial national security agency, whose employees, both Foreign Service and Civil Service, require the best possible training and professional development at every stage of their careers to prepare them to promote and defend United States national interests and the health and safety of United States citizens abroad;
(2) the Department faces increasingly complex threats to its personnel from a wide variety of evolving challenges, many of which are science- and technology-driven, and which demand continual, high-quality training and professional development of its personnel;
(3) the new and evolving challenges of national security in the 21st century necessitate the expansion of standardized training and professional development opportunities linked to equitable, accountable, and transparent promotion and leadership practices for Foreign Service and other national security agency personnel; and
(4) consistent with gift acceptance authority of the Department and other applicable laws, the Department, in its discretion, may create programs to provide Foreign Service officers with the knowledge, skills, and expertise necessary to effectively advance United States interests across the world, the Secretary shall—
(1) increase relevant offerings provided by the Department—
(A) of interactive virtual instruction to make training and professional development more accessible and useful to personnel deployed throughout the world; and
(B) at partner organizations, including universities, industry entities, and nongovernmental organizations, throughout the United States to provide useful outside perspectives to Department personnel by providing such personnel—
(i) a more comprehensive outlook on different sectors of United States society; and
(ii) practical experience dealing with commercial corporations, universities, labor unions, and other institutions critical to United States diplomatic interests;
(2) offer courses using computer-based or computer-assisted simulations, allowing civilian officers to lead decision making in a range of management, operational, and training exercises designed by the Department, and reciprocally, officers of other Federal departments to participate in similar exercises held by the Department or other government organizations and the private sector;
(3) increase the duration and expand the focus of certain training and professional development courses, including by extending—
(A) the A–100 entry-level course to as long as 12 weeks, which better matches the length of entry-level training and professional development provided to officers in other national security departments and agencies; and
(B) the Chief of Mission course to as long as 6 weeks for first time Chiefs of Mission and creating comparable courses for new Assistant Secretaries and Deputy Assistant Secretaries to more accurately reflect the significant responsibilities accompanying such roles; and
(4) ensure that Foreign Service officers who are assigned to a country experiencing significant population displacement due to the impacts of climatic and non-climatic shocks and stresses, including rising sea levels and lack of access to affordable and reliable energy and electricity, receive specific instruction on United States policy with respect to resiliency and adaptation to such...
Board of Visitors of the Foreign Service Institute.

(1) Establishment.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall establish a Board of Visitors of the Foreign Service Institute (referred to in this subsection as the “Board”).

(2) Duties.—The Board shall provide the Secretary with independent advice and recommendations regarding organizational management, strategic planning, resource management, curriculum development, and professional development into the work of the Bureau for Global Talent Management.

(3) Membership.—

(A) Establishing the board shall be—

(i) nonpartisan; and

(ii) composed of 12 members, of whom—

(I) 2 members shall be appointed by the Chairperson of the Committee on Foreign Relations of the Senate;

(ii) 2 members shall be appointed by the Chairperson of the Committee on Foreign Affairs of the House of Representatives;

(Iv) 4 members shall be appointed by the Secretary.

(B) Qualifications.—Members of the Board shall be appointed from among individuals—

(i) not officers or employees of the Federal Government; and

(ii) are eminent authorities in the fields of diplomacy, national security, education, management, leadership, economics, trade, technology, or advanced international relations education.

(C) Outside Expertise.—

(i) In general.—Not fewer than 6 members of the Board shall have a minimum of 10 years of relevant expertise outside the field of diplomacy.

(ii) Prior senior service at the department.—Not more than 6 members of the Board may be persons who previously served in the Senior Foreign Service or in the Senior Executive Service at the Department.

(4) Terms.—Each member of the Board shall be appointed for a term of 3 years, except that the term of the initial appointees shall be for a term of 1 year.

(5) Reappointment; replacement.—A member of the Board may be reappointed or replaced at the discretion of the official who made the original appointment.

(6) Chairperson; co-chairperson.—

(A) Appointment.—The Chairperson and Vice Chairperson of the Board shall be appointed by the Secretary of State based upon a recommendation from the members of the Board.

(B) Service.—The Chairperson and Vice Chairperson shall serve at the discretion of the Secretary.

(7) Meetings.—The Board shall meet—

(A) at the call of the Director of the Foreign Service Institute and the Chairperson; and

(B) not fewer than 2 times per year.

(8) Compensation.—Each member of the Board shall serve without compensation, except that a member of the Board shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of the Government under chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of service for the Board. Notwithstanding section 1342 of title 5, United States Code, the Secretary may accept the voluntary and uncompensated service of members of the Board.

(9) Applicability of federal advisory committee act.—The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Board to the extent provided in the Federal Advisory Committee Act.

(10) Mailing list.—The Secretary shall provide the mailing list of members of the Board to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(iii) OUTSIDE EXPERTISE.—

(A) The Board of Visitors of the Foreign Service Institute shall—

(i) establish new leadership, management, and professional development opportunities throughout the United States; and

(ii) coordinate the development of an evaluation system to ascertain how well participation in training for achievement of qualification has been achieved and to maintain a record of the training.

(B) An examination of the likely advantages and disadvantages of establishing residency requirements for educational and professional development, including establishing educational and professional development standards for training and attainment to be used as a part of tenure and promotion guidelines.

(C) O ther Agency Responsibilities and Opportunities for Congressional Staff.—

(1) Other agencies.—National security agencies other than the Department should be afforded the ability to increase the enrollment of their personnel in courses at the Foreign Service Institute and other training and professional development facilities of the Department to promote a whole-of-government approach to mitigating national security challenges.

(2) Congressional staff.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate committees of Congress that describes—

(A) the training and professional development opportunities at the Foreign Service Institute and other Department facilities available to congressional staff;

(B) the budget impacts of offering such opportunities to congressional staff; and

(C) potential course offerings.

(3) Establis hment of provost of the foreign service institute.—

(1) Establishment.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall establish the position of provost of the Foreign Service Institute.

(2) Appointment; reporting.—The provost shall—

(A) be appointed by the Secretary; and

(B) report to the Director of the Foreign Service Institute.

(3) Qualifications.—The provost shall—

(A) be an eminent authority in the field of diplomacy, national security, education, management, leadership, economics, history, trade, technology, and security affairs and international affairs;

(B) have significant experience outside the Department, whether in other national security agencies or in the private sector, and preferably in positions of authority in educational institutions or the field of professional development and mid-career training with oversight for the evaluation of academic programs.

(4) Duties.—The provost shall—

(A) oversee, review, evaluate, and coordinate the academic curriculum for all courses taught by the Foreign Service Institute;

(B) coordinate the development of an evaluation system to ascertain how well participation in training for achievement of qualification has been achieved and to maintain a record of the training.

(C) ensure that performance assessments can be included in the personnel records maintained by the Bureau of Global Talent Management and utilized in Foreign Service Service, Boards, which may include—

(i) the implementation of a letter or numerical grading system; and

(ii) assessments done after the course has concluded;

(D) report not less frequently than quarterly to the Board of Visitors regarding the development of curriculum and the performance of Foreign Service officers.

(5) Term.—The provost shall serve for a term of not fewer than 5 years and may be reappointed for 1 additional 5-year term.

(6) Compensation.—The provost shall receive a salary commensurate with the rank and experience of a member of the Senior Foreign Service or the Senior Executive Service, as determined by the Secretary.

(7) Other Agency Responsibilities and Opportunities for Congressional Staff.—

(1) Other agencies.—National security agencies other than the Department should be afforded the ability to increase the enrollment of their personnel in courses at the Foreign Service Institute and other training and professional development facilities of the Department to promote a whole-of-government approach to mitigating national security challenges.

(2) Congressional staff.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate committees of Congress that describes—

(A) the training and professional development opportunities at the Foreign Service Institute and other Department facilities available to congressional staff;

(B) the budget impacts of offering such opportunities to congressional staff; and

(C) potential course offerings.
residential training for other long-term training opportunities.

(D) An examination of the likely advantages and disadvantages of establishing a press freedom training program for the Foreign Affairs Training Center that enables Foreign Service officers to better understand issues of press freedom and the tools that are available to help protect journalists and promote freedom of the press norms, which may include—

(i) historic and current issues facing press freedom, including countries of specific concern;

(ii) the Department’s role in promoting press freedom as an American value, a human rights issue, and a national security imperative;

(iii) ways to incorporate press freedom into aspects of diplomacy; and

(iv) existing tools to assist journalists in distress and methods for engaging foreign governments and institutions on behalf of individuals engaged in journalistic activity who are at risk of harm.

(E) The expansion of external courses offered by the Foreign Service Institute at academic institutions or professional associations on specific topics, including in-person and virtual courses on monitoring and evaluation, audience analysis, and the use of emerging tools in diplomacy.

(3) Utilization of existing resources.—In examining the advantages and disadvantages of establishing a residential training program pursuant to paragraph (2)(C), the Secretary shall—

(A) collaborate with other national security departments and agencies that employ residential training for their orientation courses; and

(B) consider using the Department’s Foreign Affairs Security Training Center in Blackstone, Virginia.

(i) Report and briefing requirements.—

(1) Report.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate committees of Congress that includes—

(A) a strategy for broadening and deepening professional development and training at the Department, including assessing current and future needs for 21st century diplomacy;

(B) the process used and resources needed to implement the strategy referred to in subparagraph (A) throughout the Department; and

(C) the results and impact of the strategy on the workforce of the Department, particularly the relationship between professional development and training and promotions for Department personnel, and the measurement and evaluation methods used to evaluate such results.

(2) Briefing.—Not later than 1 year after the date on which the Secretary submits the report required under paragraph (1), and annually thereafter for 2 years, the Secretary shall submit an appropriate committee or committees of Congress a briefing on the information required to be included in the report.

(ii) Foreign language maintenance incentive program.—

(1) Authorization.—The Secretary is authorized to establish and implement an incentive program with a similar structure as the Foreign Language Proficiency Bonus offered by the Department of Defense, to encourage members of the Foreign Service who possess proficiency in any of the languages that qualify for additional incentive pay, as determined by the Secretary, to maintain critical foreign language skills.

(2) After not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit a report to the appropriate committees of Congress that includes a detailed plan for implementing the program authorized under paragraph (1), including anticipated resource requirements to carry out such program.

(k) Department of State Workforce Management.—

(1) Sense of Congress.—It is the sense of Congress that informed, data-driven, and long-term workforce management, including with respect to the Foreign Service, the Civil Service, the Foreign Commercial Service, and contractors, is needed to align diplomatic priorities with the appropriate personnel and resources.

(2) Annual workforce report.—

(A) in general.—In order to understand the Department’s long-term trends with respect to its workforce, the Secretary, in consultation with relevant bureaus and offices, including the Bureau of Global Talent Management and the Center for Analytics, shall submit a report to the appropriate committees of Congress that details the Department’s workforce, disaggregated by Foreign Service, Civil Service, locally employed staff, and contractors, including, with respect to such personnel:

(i) the number of personnel who were hired;

(ii) the number of personnel whose employment or contract was terminated or who voluntarily left the Department;

(iii) the number of personnel who were promoted, including the grade to which they were promoted; and

(iv) the demographic breakdown of personnel; and

(B) the distribution of the Department’s workforce based on domestic and overseas assignments, including a breakdown of the number of personnel in geographic and functional bureaus or personnel in overseas missions by region; and

(ii) personal service contracts and other contracts with individuals:

(I) the number of individuals under active contracts; and

(II) the distribution of these individual contractors, including a breakdown of the number of personnel in geographic and functional bureaus, and the number of individual contractors supporting overseas missions, disaggregated by region.

(B) Initial report.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit the report described in subparagraph (A) for each of the fiscal years 2016 through 2022.

(C) Recurring report.—Not later than December 31, 2022, and annually thereafter for 5 years, the Secretary shall submit a report described in subparagraph (A) for the most recently concluded fiscal year.

(D) Use of report data.—The data in each of the reports required under this paragraph shall be used by Congress, in coordination with the Secretary, to inform recommendations on the appropriate size and composition of the Department.

(i) Sense of Congress on the importance of filling the position of Undersecretary for Public Diplomacy and Public Affairs.—It is the sense of Congress that since a vacancy in the position of Undersecretary for Public Diplomacy and Public Affairs is detrimental to the ability of the Department to effectively and efficiently carry out its responsibilities, the Senate Committee on Foreign Relations, the Senate Committee on Appropriations, and the Select Committee on Intelligence of the Senate, the House Committee on Appropriations, and the House Committee on Intelligence of the House of Representatives that—

(1) the status of the efforts of the Department to streamline the security clearance approval process;

(2) any remaining obstacles preventing the Secretary from being able to complete the streamlining process; and

(3) the results of a survey of public diplomacy practitioners to determine their opinion of the efficacy of such merger and any adjustments that still need to be made.

(E) Department of State workforce management report.—Not later than 120 days after the date of the enactment of this Act, the Secretary, in coordination with the Director of National Intelligence, shall submit a report to the appropriate committees of Congress that includes—

(1) an evaluation of the May 2019 merger of the Bureau of Public Affairs and the Bureau of International Information Programs into the Bureau of Global Public Affairs with respect to—

(A) the efficacy of the current configuration of the bureaus reporting to the Under Secretary for Public Diplomacy and Public Affairs in achieving the mission of the Department;

(B) the metrics before and after such merger, including personnel data, disaggregated by position and location, content production, opinion polling, program evaluations, and media appearances;

(C) the results of a survey of public diplomacy practitioners to determine their opinion of the efficacy of such merger and any adjustments that still need to be made; and

(D) a plan for evaluating and monitoring, not less frequently than once every 2 years, the programs, activities, messaging, professional development efforts, and metrics of the Bureau of Global Public Affairs, and submitting a summary of each such evaluation to the appropriate committees of Congress; and

(2) a review of recent outside recommendations for modernizing diplomacy at the Department with respect to public diplomacy efforts, including—

(A) efforts in each of the bureaus reporting to the Under Secretary for Public Diplomacy and Public Affairs to address issues of diversity and inclusion in their work, structure, data collection, programming, and personnel, including any collaboration with the Chief of Diversity and Inclusion;

(B) proposals to collaborate with think tanks and academic institutions working on public diplomacy issues to implement recent outside recommendations; and

(C) additional authorizations and appropriations necessary to implement such recommendations.


(a) Recommendations.—Not later than 370 days after the date of the enactment of this Act, the Secretary, in coordination with the Director of National Intelligence, shall submit recommendations to appropriate congressional committees for streamlining the security clearance approval process within the Bureau of Diplomatic Security so that the security clearance approval process for Civil Service and Foreign Service applicants is completed within 6 months, on average, and within 1 year, in the vast majority of cases.

(b) Report.—Not later than 90 days after the recommendations are submitted pursuant to subsection (a), the Secretary shall submit a report to the Committee on Foreign Relations, the Select Committee on Intelligence of the Senate, the Select Committee on Intelligence of the House of Representatives, and the Permanent Select Committee on Intelligence of the House of Representatives that—

(1) describes the status of the efforts of the Department to streamline the security clearance approval process; and

(2) identifies any remaining obstacles preventing security clearances from being completed within the time frames set forth in paragraphs (a) and (b) or other actions by other Federal departments and agencies.
SEC. 5207. ADDENDUM FOR STUDY ON FOREIGN SERVICE ALLOWANCES.

(a) IN GENERAL.—Not later than 180 days after the enactment of this Act, the Secretary shall submit to the appropriate congressional committees an addendum to the report required under section 5302 of the State Department Authorization Act of 2021 (division E of Public Law 117–81), which shall be entitled the ‘Report on Bid- ding for Domestic and Overseas Posts and Filling Unfilled Positions’. The addendum shall be prepared using input from the same federally funded research and development center that prepared the analysis conducted for the report.

(b) ELEMENTS.—The addendum required under subsection (a) shall include—

(1) the total number of domestic and overseas positions open during the most recent summer bidding cycle;

(2) the total number of bids each position received;

(3) the number of unfilled positions at the conclusion of the most recent summer bidding cycle, disaggregated by bureau; and

(4) detailed recommendations and a timetable for—

(A) increasing the number of qualified bidders for underbid positions; and

(B) minimizing the number of unfilled positions during the bidding season.

SEC. 5208. CURTAILMENTS, REMOVALS FROM POST, AND WAIVERS OF PRIVILEGES AND IMMUNITIES.

(a) CURTAILMENTS REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary shall submit a report to the appropriate congressional committees regarding curtailments in the Foreign Service.

(2) CONTENTS.—The report required under subsection (a) shall include—

(1) the feasibility of a worldwide availabil-

ity requirement for all members of the Foreign Service;

(2) considerations if such a requirement were to be implemented, including the poten-

tial effect on recruitment and retention; and

(3) recommendations for exclusions and limits,

implying for medical reasons, disability, and other cir-

cumstances.

(b) PROFESSIONAL DEVELOPMENT.

(a) REQUIREMENTS.—The Secretary shall strongly encourage that Foreign Service of-

ficers participate in professional development described in subsection (c).

(b) REQUIREMENTS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit recommendations on requiring that Foreign Service officers complete professional development described in subsection (c) for entry into the Senior Foreign Service.

(c) PROFESSIONAL DEVELOPMENT DE-

scribed.—Professional development de-

scribed in this subsection is not less than 6 months of training or experience outside of the Department, including time spent—

(1) as a member of an intergovernmental,

agency, including Congress or a State, Trib-

al, or local government;

(2) in Department-sponsored and -funded university training that results in an advanced degree, excluding time spent at a uni-

versity that is fully funded or operated by the Federal Government.

(d) PROMOTION PRECEPTS.—The Secretary shall instruct promotion boards to consider positively long-term training and out-of-

agency detail assignments.

SEC. 5211. MAKING ADVISEMENTS AT DIP-

LOMATIC AND CONSULAR POSTS.

(a) IN GENERAL.—Beginning not later than 1 year after the date of the enactment of this Act, the Secretary shall conduct, at each diplomatic and consular post, a vol-

untary survey, which shall be offered to all staff assigned to that post who are citizens of the United States (excluding the Chief of Mission) to assess the management and leadership of that post by the Chief of Mission, the Deputy Chief of Mission, and the Charge d’Affaires.

(b) ANONYMITY.—All responses to the sur-

vey shall be—

(1) fully anonymized; and

(2) not made available to the Director General of the Foreign Service.

(c) SURVEY.—The survey shall seek to as-

sess—

(1) the general morale at post;

(2) the presence of any hostile work envi-

ronment;

(3) the presence of any harassment, discrim-

ination, retaliation, or other mistreat-

ment; and

(4) effective leadership and collegial work envi-

ronment.

(d) DIRECTOR GENERAL RECOMMENDA-

TIONS.—Upon compilation and review of the surveys, the Director General of the Foreign Service shall make recommendations to the President, based on the findings of the surveys.

SEC. 5209. REPORT ON WORLDWIDE AVAIL-

ABILITY.

(a) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees on the feasibility of requiring that each member of the Foreign Service entering into the Foreign Service and thereafter, be worldwide available, as determined by the Secretary.

(b) CONTENTS.—The report required under subsection (a) shall include—

(1) the feasibility of a worldwide availabil-

ity requirement for all members of the Foreign Service;

(2) considerations if such a requirement were to be implemented, including the poten-

tial effect on recruitment and retention; and

(3) recommendations for exclusions and limits,

implying for medical reasons, disability, and other cir-

cumstances.

SEC. 5210. PROFESSIONAL DEVELOPMENT.

(a) REQUIREMENTS.—The Secretary shall strongly encourage that Foreign Service of-

ficers participate in professional development described in subsection (c).

(b) REQUIREMENTS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit recommendations on requiring that Foreign Service officers complete professional development described in subsection (c) for entry into the Senior Foreign Service.

(c) PROFESSIONAL DEVELOPMENT DE-

scribed.—Professional development de-

scribed in this subsection is not less than 6 months of training or experience outside of the Department, including time spent—

(1) as a member of an intergovernmental,

agency, including Congress or a State, Trib-

al, or local government;

(2) in Department-sponsored and -funded university training that results in an advanced degree, excluding time spent at a uni-

versity that is fully funded or operated by the Federal Government.

(d) PROMOTION PRECEPTS.—The Secretary shall instruct promotion boards to consider positively long-term training and out-of-

agency detail assignments.

SEC. 5211. MAKING ADVISEMENTS AT DIP-

LOMATIC AND CONSULAR POSTS.

(a) IN GENERAL.—Beginning not later than 1 year after the date of the enactment of this Act, the Secretary shall conduct, at each diplomatic and consular post, a vol-

untary survey, which shall be offered to all staff assigned to that post who are citizens of the United States (excluding the Chief of Mission) to assess the management and leadership of that post by the Chief of Mission, the Deputy Chief of Mission, and the Charge d’Affaires.

(b) ANONYMITY.—All responses to the sur-

vey shall be—

(1) fully anonymized; and

(2) not made available to the Director General of the Foreign Service.

(c) SURVEY.—The survey shall seek to as-

sess—

(1) the general morale at post;

(2) the presence of any hostile work envi-

ronment;

(3) the presence of any harassment, discrim-

ination, retaliation, or other mistreat-

ment; and

(4) effective leadership and collegial work envi-

ronment.

(d) DIRECTOR GENERAL RECOMMENDA-

TIONS.—Upon compilation and review of the surveys, the Director General of the Foreign Service shall make recommendations to the President, based on the findings of the surveys.
"(v) the Republic of Cuba; and
"(vi) the Syrian Arab Republic.

(B) FOREIGN GOVERNMENT ENTITY.—The term ‘foreign governmental entity’ includes—
"(i) any person employed by—
"(I) any department, agency, or other entity of a foreign government at the national, regional, or local level; or
"(II) any party, association, or entity majority-owned or majority-controlled by a foreign government at the national, regional, or local level; and

(ii) any country described in paragraph (3)(B), any company, economic project, cultural organization, exchange program, or nongovernmental organization that is more than 33 percent owned or controlled by the government of such country.

(C) REPRESENTATION.—The term ‘representation’ does not include representation by an attorney, who is duly licensed and authorized to provide legal advice in a United States jurisdiction, of a person or entity in a legal capacity or for the purposes of rendering legal advice.

(2) SECRETARY OF STATE AND DEPUTY SECRETARY OF STATE.—With respect to a person serving as the Secretary of State or Deputy Secretary of State, the restrictions described in section 207(f)(1) of title 18, United States Code, shall apply to any such person who knowingly represents, aids, or advises a foreign governmental entity before an officer or employee of the executive branch of the United States at any time after the termination of that person’s service as Secretary or Deputy Secretary.

(3) UNDER SECRETARIES, ASSISTANT SECRETARIES, AND AMBASSADORS.—With respect to a person serving as an Under Secretary, Assistant Secretary, or Ambassador at the Department of State or as the United States Permanent Representative to the United Nations, the restrictions described in section 207(f)(1) of title 18, United States Code, shall apply to any such person who knowingly represents, aids, or advises a foreign governmental entity before an officer or employee of the executive branch of the United States at any time after the termination of that person’s service in a position described in this paragraph.

(4) PENALTIES AND INJUNCTIONS.—Any violation of the restrictions under paragraphs (2) or (3) shall be subject to the penalties and injunctions provided for under section 216 of title 18, United States Code.

(5) GUIDANCE FOR CLOSURE OF PUBLIC DIPLOMATIC FACILITIES.—Any person subject to the restrictions under this subsection shall be provided notice of these restrictions by the Department of State—

(A) upon appointment by the President; and

(B) upon termination of service with the Department of State.

(6) EFFECTIVE DATE.—The restrictions under this subsection shall apply only to persons who are appointed by the President on or after the effective date provided in the enactment of the Department of State Authorization Act of 2022.

(7) SUNSET.—The restrictions under paragraphs (2) through (6) shall apply on the date of enactment of 7 years after the date of the enactment of this Act.”.

SEC. 5215. EXPANSION OF AUTHORITIES REGARDING SPECIAL RULES FOR CERTAIN MONTHLY WORKERS COMPENSATION PAYMENTS AND OTHER PAYMENTS.

Section 901 of division J of the Further Consolidated Appropriations Act, 2020 (22 U.S.C. 2680b) is amended by adding at the end the following:

"(j) EXPANSION OF AUTHORITIES.—The head of any Federal agency that exercises the authorities of the Secretary of State, including the United States Attorney General, may prescribe rules that—

(A) attempt to keep the setback requirements of diplomatic posts as limited as possible; and

(B) provide diplomats access to local populations as much as possible, while still providing a necessary level of security;

(3) collocation of diplomatic facilities is often feasible and advisable, particularly for public diplomacy spaces whose mission is to reach and be accessible to wide sectors of the public, including in countries with remote government functions, diplomats are required to permit the foreign public to enter and exit the space easily and openly;

(4) the Bureau of Diplomatic Security should—

(A) fully utilize the waiver process provided under paragraphs (2)(B) and (3)(B) of section 606(a) of the Secure Embassy Construction and Counterterrorism Act of 1999 (22 U.S.C. 4865(a)); and

(B) appropriately exercise such waiver process as a tool to right-size the appropriate security footing at each diplomatic post rather than only approving waivers in extreme circumstances;

(5) the return of great power competition requires—

(A) United States diplomats to do all they can to outperform our adversaries; and

(B) the Department to better optimize use of taxpayer funding to advance United States national interests; and

(6) this section will better enable United States diplomats to compete in the 21st century, while saving United States taxpayers millions in reduced property and maintenance costs at embassies and consulates abroad.

(d) DEFINITION OF UNITED STATES DIPLOMATIC FACILITY.—Section 603 of the Secure Embassy Construction and Counterterrorism Act of 1999 (title VI of division A of appendix G of Public Law 106-113) is amended to read as follows:

"SEC. 603. UNITED STATES DIPLOMATIC FACILITY DEFINED.

“In this title, the term ‘United States diplomatic facility’ and ‘diplomatic facility’ by—

chancery, consulate, or other office that—

(1) is considered by the Secretary of State to be diplomatic or consular premises, consistent with the Vienna Convention on Diplomatic Relations, done at Vienna April 18, 1961, and the Vienna Convention on Consular Relations, done at Vienna April 24, 1963, and was notified to the host government as such; or

(2) is otherwise subject to a publicly available bilateral agreement with the host government (containing in the records of the United States Department of State) that recognizes the official status of the United States Government personnel present at the facility.”;

(e) GUIDANCE AND REQUIREMENTS FOR DIPLOMATIC FACILITIES.—

(1) GUIDANCE FOR CLOSURE OF PUBLIC DIPLOMATIC FACILITIES.—Section 606(a) of the Public Diplomacy Modernization Act of 2021 (Public Law 117-81; 22 U.S.C. 1475g note) is amended to read as follows:

“SEC. 606. PUBLIC DIPLOMATIC FACILITIES.

In this title, the term ‘public diplomatic facility’, for purposes of subparagraphs (A)(ii) and (B)(ii) of paragraph (3) of section 606(a) of the Secure Embassy Construction and Counterterrorism Act of 2022, the Secretary of State shall adopt guidelines to collect and utilize information from each diplomatic post at which the construction of a new diplomatic compound or new consular compound would—

(n) technologies, such as remote controlled drones, that can evade walls and other such static barriers;

(2) the Department should focus on creating performance outcomes that—

(A) attempt to keep the setback requirements of diplomatic posts as limited as possible; and

(B) provide diplomats access to local populations as much as possible, while still providing a necessary level of security;
could result in the closure or co-location of an American Space that is owned and operated by the United States Government, generally known as an American Center, or any other public diplomacy facility under the Sec-
ure Embassy Construction and Counterterror-
ism Act of 1999 (22 U.S.C. 4865 et seq.).

(2) Security Requirements for United States Diplomatic Facilities.—Section 656(a) of the Diplomatic Support and Counterterrorism Act of 1999 (22 U.S.C. 4865(a)) is amended—

(A) in paragraph (1)(A), by striking “the threat and inserting “a range of threats, in-
cluding that’’;

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) in clause (ii), by striking “the site” and insert-
ing “a location that has certain minimum ratings under the Security Environment Threat List as determined by the Secretary in his or her discretion” after “abroad’’;

(ii) by inserting “, personnel of the Peace Corps, and personnel of any other type or category of facility that the Secretary may identify” after “military commander’’;

(iii) in subparagraph (B)—

(I) by amending clause (i) to read as fol-
lows:

‘‘(i) IN GENERAL.—Subject to clause (ii), the Secretary of State may waive subparagraph (A) if the Secretary, in consultation with, as appropriate, the heads of each agency em-
ploying personnel that would not be located at the site, if applicable, determines that it is in the national interest of the United States after taking account of any consider-
ations the Secretary in his or her discretion considers relevant, which may include secu-

(C) in paragraph (3)—

(i) by amending subparagraph (A) to read as follows:

‘‘(A) REQUIREMENT.—

‘‘(i) IN GENERAL.—Each newly acquired United States diplomatic facility in a loca-
tion that has minimum ratings under the Security Environment Threat List as de-
termined by the Secretary of State in his or her discretion shall—

‘‘(II) by inserting “(ii) CHANCERY OR CONSULATE BUILDING.—” and all that follows through “15 days prior” and inserting the following:

‘‘(ii) CHANCERY OR CONSULATE BUILDING.—’’; and

(D) collaborate and, at times, compete

(3) diplomatic missions rely on robust

planning missions, especially those, such as that of the People’s Republic

the Chinese Government, that do not have restrictions on

meetings locations.

The Department is responsible for imple-
dating the full account of what occurred, consistent

a high risk, high threat post, and the

requirements for United States, national security of the post’s continued closure or suspension of operations, and the national security of the United States;’’; and

In subsection (a)—

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

‘‘(1) CONVENING THE SECURITY REVIEW COM-

mittee.—In any case of a serious security in-

flict, the Department is responsible for imple-
dating a high risk, high threat post, and the

requirements for United States, national security of the post’s continued closure or suspension of operations, and the national security of the United States;’’; and

(C) in subparagraph (C), by inserting “the

the Department should be able to ensure a robust overseas presence without inhibiting the ability of diplomats to

inhibit diplomatic activity and limiting engagement between

other United States, diplomatic security threats such post could encounter, and before the

Before cabinets meetings, Congress has a re-

responsibility to empower, support, and hold

Department accountable for imple-

menting an aggressive strategy to ensure a

robust overseas presence that mitigates po-
tential risks and adequately considers the

DIRECTOR OF NATIONAL INTELLIGENCE, and

(D) in paragraph (3), as redesignated by paragraphs (5) and (6), respectively; and

(E) an Assistant Secretary-level rep-

 resentative of any involved United States Government department shall convene a Security Review Com-
mittee, which shall issue a report providing a full account of what occurred, consistent with

(C) the Assistant Secretary of State for

Intelligence and Research;

(D) the Assistant Secretary of State for

Consultation and Negotiation; and

(E) the Assistant Secretary of State for

Management and Resources.

(2) congressional review boards

(S) to promote strengthened security measures, institutionalize a culture of learning,
and, in the case of apparent gross neg-

ligence or breach of duty, recommend that

Security Review Committee for United States Government personnel with security-related responsibilities under chief of

mission authority;’’;

(2) by redesigning paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and

(C) by inserting after paragraph (3) the fol-

owing:

‘‘(4) to support a culture of risk manage-
ment, instead of risk avoidance, that enables the Department to pursue its vital goals with full knowledge that it is neither desirable nor possible for the Department to avoid all risks;’’;

(2) security review committees

SEC. 5302. DIPLOMATIC SUPPORT AND SECURITY.

(A) SHORT TITLE.—This section may be cited as the “Diplomatic Support and Security Act of 2022.”

(b) FINDING.—Congress makes the fol-

lowing findings:

(1) A robust overseas diplomatic presence is part of any national security, partic-
ularly in volatile environments where a flexi-
ble and timely diplomatic response can be decisive in preventing and addressing con-

(2) Diplomats routinely put themselves and

their families at great personal risk to serve

those countries overseas where they face threats related to international terrorism,
violent conflict, and public health.

(3) The Department has a remarkable record of protecting personnel while ena-
bling an enormous amount of global diplo-
mat activity, often in insecure and remote places and facing a variety of evolving risks and threats. With support from Congress, the Department of State has implemented policy, im-
proved physical security through retrofitting and replacing old facilities, deployed addi-
tional security personnel, armored vehicles,
and greater enhanced training require-
ments and training facilities, including the new Foreign Affairs Security Training Cen-
ter in Blacklick, Virginia.

(4) Diplomatic missions rely on robust

staffing and ambitious external engagement to advance United States interests as diverse as competing with China’s malign influence around the world, fighting terrorism and transnational organized crime, preventing and addressing violent conflict and humani-
tarian disasters, promoting United States businesses and trade, protecting the rights of marginalized groups, addressing climate change, and preventing pandemic disease.

(5) Efforts to protect personnel overseas have often resulted in inhibiting diplo-
matic activity and limiting engagement between

embassy personnel and local governments and populations.

(6) Given that Congress currently provides annual appropriations in excess of $1,800,000,000 for embassy security, construc-
tion, and operation, the Department should be able to ensure a robust overseas presence without inhibiting the ability of diplomats to

(1) A robust overseas diplomatic presence

is part of any national security, partic-
ularly in volatile environments where a flexi-
ble and timely diplomatic response can be decisive in preventing and addressing con-

II. CHANCELLOR OR CONSULATE BUILDING.— Prior’’; and

(3) In clause (ii), by striking “(ii) CHAN-

CERIES OR CONSULATE BUILDING.—” and all that follows through “15 days prior” and inserting the follow-
ing:

“(ii) CHANCELLOR OR CONSULATE BUILDING.— Prior’’; and

the following:

(2) SECURITY REQUIREMENTS FOR UNITED STATES DIPLOMATIC FACILITIES.—Section 656(a) of the Diplomatic Support and Counterterrorism Act of 1999 (22 U.S.C. 4865(a)) is amended—

(A) in paragraph (1)(A), by striking “the threat and inserting “a range of threats, in-
cluding that’’;

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) in clause (ii), by striking “the site” and insert-
ing “a location that has certain minimum ratings under the Security Environment Threat List as determined by the Secretary in his or her discretion” after “abroad’’;

(ii) by inserting “, personnel of the Peace Corps, and personnel of any other type or category of facility that the Secretary may identify” after “military commander’’;

(iii) in subparagraph (B)—

(I) by amending clause (i) to read as fol-
lows:

‘‘(i) IN GENERAL.—Each newly acquired United States diplomatic facility in a loca-
tion that has minimum ratings under the Security Environment Threat List as de-
termined by the Secretary of State in his or her discretion shall—

‘‘(II) by inserting “(ii) CHANCERY OR CONSULATE BUILDING.—” and all that follows through “15 days prior” and inserting the follow-
ing:

‘‘(ii) CHANCERY OR CONSULATE BUILDING.— Prior’’; and

(III) in clause (iii), by striking “another’’ and inserting “a quarterly’’.}

the DIPLOMATIC SUPPORT AND SECURITY ACT OF 2022.”

(2) Security Requirements for United States Diplomatic Facilities—Section 656(a) of the Diplomatic Support and Counterterrorism Act of 1999 (22 U.S.C. 4865(a)) is amended—

(A) in paragraph (1)(A), by striking “the threat and inserting “a range of threats, in-
cluding that’’;

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) in clause (ii), by striking “the site” and insert-
ing “a location that has certain minimum ratings under the Security Environment Threat List as determined by the Secretary in his or her discretion” after “abroad’’;

(ii) by inserting “, personnel of the Peace Corps, and personnel of any other type or category of facility that the Secretary may identify” after “military commander’’;

(iii) in subparagraph (B)—

(I) by amending clause (i) to read as fol-
lows:

‘‘(i) IN GENERAL.—Each newly acquired United States diplomatic facility in a loca-
tion that has minimum ratings under the Security Environment Threat List as de-
termined by the Secretary of State in his or her discretion shall—

‘‘(II) by inserting “(ii) CHANCERY OR CONSULATE BUILDING.—” and all that follows through “15 days prior” and inserting the follow-
ing:

‘‘(ii) CHANCERY OR CONSULATE BUILDING.— Prior’’; and

(III) in clause (iii), by striking “another’’ and inserting “a quarterly’’.}
PERSONNEL,” and inserting “EXCEPTIONS to CONVENING a SECURITY REVIEW COMMITTEE;”

(II) by striking “The Secretary of State is not required to convene a Board in the case” and inserting the following:

“(A) IN GENERAL.—The Secretary of State is not required to convene a Security Review Committee if—

(1) the Secretary determines that the incident involves only causes unrelated to security, such as when the security at issue is outside of the scope of the Secretary of State’s national security responsibilities under section 103;

(2) if operational control of overseas security functions has been delegated to another agency in accordance with section 106;

(3) if the incident is a cybersecurity incident and is covered by other review mechanisms;

(4) in the case; and

(5) by striking “In any such case” and inserting the following:

“(B) DEPARTMENT of DEFENSE INVESTIGATIONS.—In the case of an incident described in subparagraph (A)(iv); and

(E) by adding at the end the following:

“(5) RULEMAKING.—The Secretary of State shall promulgate regulations defining the membership and operating procedures for the Security Review Committee and provide such guidance to the Chair and ranking members of the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives as may be necessary to ensure that the Security Review Committee shall—

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

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

(3) the Committee on Foreign Affairs of the House of Representatives; and

(4) the Permanent Select Committee on Intelligence of the House of Representatives.

(6) TECHNICAL and CONFORMING AMENDMENTS.—Section 303(b) of the Diplomatic Security Act of 1986 (22 U.S.C. 4833) is amended to read as follows:

“SEC. 303. SECURITY INCIDENT INVESTIGATION PROCESS.

(a) INVESTIGATIONS.—Not later than 10 days after an initial report pursuant to paragraph (1), the Secretary shall direct the Diplomatic Security Service to assemble an investigative team to investigate the incident. Each investigation of an incident identified under subparagraph (A) shall be conducted and independently established within 45 days.

(b) RECORD keeping.—Not later than 10 days after the administrative closure of an investigation, the Secretary shall submit a report to the Senate and the House of Representatives. Such a report shall include —

(1) the findings described in subsection (a); and

(2) any related recommendations.

(2) SUBMISSION to CONGRESS.—Not later than 90 days after receiving the report pursuant to paragraph (1), the Secretary of State shall submit a copy of the report to—

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

(B) the Committee on Foreign Affairs of the House of Representatives; and

(C) the Permanent Select Committee on Intelligence of the House of Representatives.

(3) PERSONNEL RECOMMENDATIONS.—If in the course of conducting an investigation under section 303, the investigative team finds reasonable cause to believe that an individual described in section 303(a)(2)(D) has breached the duty of that individual or finds lesser failures on the part of an individual in the performance of his or her duties related to the incident, it shall be reported to the Security Review Committee. If the Security Review Committee finds reasonable cause to believe that an individual described in section 303(a)(2)(D) has breached the duty of that individual or finds lesser failures on the part of an individual in the performance of his or her duties related to the incident, it shall be reported to the Secretary for appropriate action.”

(a) FINDINGS.—The Security Review Committee shall—

(1) review the Report of Investigation prepared pursuant to section 303(b), and all other evidence, reporting, and relevant information relating to a Serious Security Incident at a United States mission abroad, including an examination of the facts and circumstances surrounding any serious injuries, loss of life, or significant destruction of property resulting from an incident; and

(2) determine, in writing—

(A) whether the incident was security related and constituted a Serious Security Incident;

(B) if the incident involved a diplomatic compound, motorcade, residence, or other mission facility;

(C) if the incident involved an individual or group of officers, employees, or family members under Chief of Mission security responsibility conducting approved operations or movements outside the United States mission; an assessment of whether proper security briefings and procedures were in place and whether weighing of the risk of the operation or movement took place; and

(D) an assessment of whether the failure of any officials or employees to follow procedures or perform their duties contributed to the security incident;

(3) INVESTIGATIVE TEAM.—The investigative team constituted pursuant to paragraph (2) shall consist of individuals from the Diplomatic Security Service who shall provide an independent and fair assessment of the facts surrounding the incident and what occurred.

The Secretary, or the Secretary’s designee, shall review the makeup of the investigative team for conflict of interest or lack of independence that could undermine the results of the investigation and may remove or replace any members of the team to avoid such an outcome.

(4) REPORT of INVESTIGATION.—Not later than 90 days after the occurrence of a Serious Security Incident, the investigative team shall prepare and submit a Report of Investigation to the Security Review Committee that includes—

(a) a detailed description of the matters set forth in subparagraphs (A) through (D) of subsection (a)(2), including all related findings;

(b) a complete and accurate account of the casualties, injuries, and damage resulting from the incident; and

(c) a review of security procedures and directives in place at the time of the incident.

(b) CONFIDENTIALITY.—The investigative team shall—

(a) comply with all official security guidance to the incident, including an examination of the facts and circumstances surrounding any serious injuries, loss of life, or significant destruction of property resulting from an incident; and

(b) by striking “The Secretary of State is authorized to assign accountability for the incident unless the Security Review Committee determines that an official breached his or her duty;”

(2) a complete and accurate account of the casualties, injuries, and damage resulting from the incident; and

(3) a review of security procedures and directives in place at the time of the incident.

(c) CONFIDENTIALITY.—The investigative team shall—

(a) comply with all official security guidance to the incident, including an examination of the facts and circumstances surrounding any serious injuries, loss of life, or significant destruction of property resulting from an incident; and

(b) by striking “The Secretary of State is authorized to assign accountability for the incident unless the Security Review Committee determines that an official breached his or her duty;”

(2) a complete and accurate account of the casualties, injuries, and damage resulting from the incident; and

(3) a review of security procedures and directives in place at the time of the incident.

(c) CONFIDENTIALITY.—The investigative team shall—

(a) comply with all official security guidance to the incident, including an examination of the facts and circumstances surrounding any serious injuries, loss of life, or significant destruction of property resulting from an incident; and

(b) by striking “The Secretary of State is authorized to assign accountability for the incident unless the Security Review Committee determines that an official breached his or her duty;”

(2) a complete and accurate account of the casualties, injuries, and damage resulting from the incident; and

(3) a review of security procedures and directives in place at the time of the incident.

(c) CONFIDENTIALITY.—The investigative team shall—

(a) comply with all official security guidance to the incident, including an examination of the facts and circumstances surrounding any serious injuries, loss of life, or significant destruction of property resulting from an incident; and

(b) by striking “The Secretary of State is authorized to assign accountability for the incident unless the Security Review Committee determines that an official breached his or her duty;”

(2) a complete and accurate account of the casualties, injuries, and damage resulting from the incident; and

(3) a review of security procedures and directives in place at the time of the incident.

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(a) comply with all official security guidance to the incident, including an examination of the facts and circumstances surrounding any serious injuries, loss of life, or significant destruction of property resulting from an incident; and

(b) by striking “The Secretary of State is authorized to assign accountability for the incident unless the Security Review Committee determines that an official breached his or her duty;”

(2) a complete and accurate account of the casualties, injuries, and damage resulting from the incident; and

(3) a review of security procedures and directives in place at the time of the incident.

(c) CONFIDENTIALITY.—The investigative team shall—

(a) comply with all official security guidance to the incident, including an examination of the facts and circumstances surrounding any serious injuries, loss of life, or significant destruction of property resulting from an incident; and

(b) by striking “The Secretary of State is authorized to assign accountability for the incident unless the Security Review Committee determines that an official breached his or her duty;”

(2) a complete and accurate account of the casualties, injuries, and damage resulting from the incident; and

(3) a review of security procedures and directives in place at the time of the incident.
SEC. 5303. ESTABLISHMENT OF UNITED STATES EMBASSIES IN VANUATU, KIRIBATI, AND TONGA.

(a) FINDINGS.—Congress makes the following findings:

(1) The Pacific Islands are vital to United States national security and national interests in the Indo-Pacific region and globally.

(2) The Pacific Islands region spans 15 percent of the world’s ocean area and controls access to open waters in the Central Pacific, sea lanes to the Western Hemisphere, supply lines to United States forward-deployed forces in East Asia, and economically important fisheries.

(3) The Pacific Islands region is home to the State of Hawaii, 11 United States territories, United States Naval Base Guam, and United States Andersen Air Force Base.

(4) Pacific Island countries cooperate with the United States and United States partners on economic security and efforts to stop illegal, unreported, and destructive fishing.

(5) The Pacific Islands are rich in biodiversity and are on the frontlines of environmental climate issues.

(6) The People’s Republic of China (PRC) seeks to increase its influence in the Pacific Islands region, including through infrastructure development under the PRC’s One Belt, One Road Initiative and its new security agreement with the Solomon Islands.

(7) The United States Embassy in Papua New Guinea manages the diplomatic affairs of the United States to the Republic of Vanuatu, and the United States Embassy in Fiji manages the diplomatic affairs of the United States to the Republic of Kiribati and the Kingdom of Tonga.

(8) The United States requires a physical diplomatic presence in the Republic of Vanuatu, Kiribati, and the Kingdom of Tonga, to ensure the physical and operational security of our efforts in those countries to deepen relations, protect United States national security, and pursue United States national interests.

(b) RELATION TO OTHER PROCEEDINGS.—Section 305 of the Diplomatic Security Act of 1986 (22 U.S.C. 4383) is amended—

(1) by inserting “(a) NO EFFECT ON EXISTING REMEDIES OR DEFENSES.—’’ before “Nothing in this title”; and

(2) by adding at the end the following: “’(b) FUTURE INQUIRIES.—Nothing in this title is intended to preclude the Secretary of State from convening a follow-up public board of inquiry to investigate any security incident if the incident was of such magnitude or significance that an internal process is deemed insufficient to understand and investigate the incident. All materials gathered during the procedures provided under this title shall be provided to the designated board of inquiry convened by the Secretary.’’.

SEC. 5403. COLLECTION, ANALYSIS, AND DISSEMINATION OF WORKFORCE DATA.

(a) INITIAL REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees that includes demographic data and other information regarding the diversity of the workforce of the Department.

(b) DATA.—The report required under subsection (a) shall include, to the maximum extent that the collection and dissemination of such data can be done in a way that protects the confidentiality of individuals and is otherwise permissible:

(1) demographic data on each element of the workforce of the Department during the 5-year period ending on the date of the enactment of this Act, disaggregated by rank and grade or grade-equivalent, with respect to—

(A) individuals hired to join the workforce;

(B) individuals promoted, including promotions to and within the Senior Executive Service or the Senior Foreign Service;

(C) individuals serving as special assistants in any of the offices of the Secretary of State, the Deputy Secretary of State, the Counselor of the Department of State, the Secretary of Policy Planning, the Under Secretary of State for Arms Control and International Security, the Under Secretary of State for Civilian Security, Democracy, and Human Rights, the Under Secretary of State for Economic Growth, Energy, and the Environment, the Under Secretary of State for Management, the Under Secretary of State for Political Affairs, and the Under Secretary of State for Public Diplomacy and Public Affairs;

(D) individuals serving in each bureau’s front office;

(E) individuals serving as details to the National Security Council;

(F) individuals serving on applicable selection boards;

(G) members of any external advisory committee or board who are subject to appointment by individuals at senior positions in the Department;

(H) individuals participating in professional development programs of the Department and the extent to which such participation has been placed into senior positions within the Department after such participation;

(I) individuals participating in mentorship or retention programs; and

(J) individuals who separated from the agency, including individuals in the Senior Executive Service or the Senior Foreign Service;

(2) an assessment of agency compliance with the essential elements identified in Equal Employment Opportunity Commission Guidance Directive 715, effective October 1, 2003; and

(3) data on the overall number of individuals who are part of the workforce, the percentages corresponding to each rank, grade, or grade-equivalent.

(c) EFFECTIVENESS OF DEPARTMENT EFFORTS.—The report required under subsection (a) shall describe and assess the effectiveness of the efforts of the Department to—

(1) to propagate fairness, impartiality, and inclusion in the work environment, both domestically and abroad;

(2) enforce anti-harassment and anti-discrimination policies, both domestically and at posts overseas;
(3) to refrain from engaging in unlawful discrimination in any phase of the employment process, including recruitment, hiring, evaluation, assignments, promotion, retention, and training;

(4) to prevent retaliation against employees for participating in a protected equal employment opportunity activity or for reporting sex or gender-based assault;

(5) to provide reasonable accommodation for qualified employees and applicants with disabilities; and

(6) to recruit a representative workforce by—

(A) recruiting women, persons with disabilities, and minorities;

(B) recruiting from women’s colleges, historically Black colleges and universities, minority-serving institutions, and other institutions serving a significant percentage of minority students;

(C) placing job advertisements in newspapers, magazines, and job sites oriented toward women and minorities;

(D) sponsoring and recruiting at job fairs in urban and rural communities and at land-grant colleges or universities;

(E) providing opportunities through the Foreign Service Internship Program under chapter 12 of the Foreign Service Act of 1980 (22 U.S.C. 4141 et seq.), and other hiring initiatives;

(F) recruiting mid-level and senior-level professionals through programs designed to increase representation in international affairs of people belonging to traditionally underrepresented groups;

(G) offering the Foreign Service written and oral assessment examinations in several languages that are accessible to United States or via online platforms to reduce the burden of applicants having to travel at their own expense to take either or both examinations;

(H) expanding the use of paid internships and (I) supporting recruiting and hiring opportunities through—

(i) the Charles B. Rangel International Affairs Fellowship Program;

(ii) the Thomas R. Pickering Foreign Affairs Fellowship Program; and

(iii) other initiatives, including agency-wide policy initiatives.

(d) ANNUAL REPORT.—

(1) IN GENERAL.—Not later than 1 year after the publication of the report required under subsection (a), the Secretary of State shall submit a report to the appropriate congressional committees that contains such report available on the Department’s website, that includes, without compromising the confidentiality of individuals and to the extent otherwise consistent with law—

(A) disaggregated demographic data, to the maximum extent that collection of such data is permissible by law, relating to the workforce in the Department on the status of diversity and inclusion efforts of the Department;

(B) an analysis of applicant flow data, to the maximum extent that collection of such data is permissible by law; and

(C) disaggregated demographic data relating to participants in professional development programs of the Department and the rate of the enactment of senior positions for participants in such programs.

(2) COMBINATION WITH OTHER ANNUAL REPORT.—The report required under paragraph (1) may be combined with another annual report required by law, to the extent practicable.

SEC. 5404. INSTITUTE FOR TRANSATLANTIC ENGAGEMENT.

(a) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary is authorized to establish the Institute for Transatlantic Engagement referred to in this section as the Institute’).

(b) PURPOSE.—The purpose of the Institute shall be to strengthen national security by highlighting, to a geographically diverse set of populations from the United States, Canada, and European nations the importance of the transatlantic relationship and the threats posed by adversarial countries, such as the Russian Federation and the People’s Republic of China, to democracy, free-market economic principles, and human rights, with the aim that lessons learned from the Institute will be shared across the United States and Europe.

(c) DIRECTOR.—The Institute shall be headed by a Director, who shall have expertise in transatlantic relations, an interest in the populations in the United States and Europe.

(d) SCOPE AND ACTIVITIES.—The Institute shall—

(1) strengthen knowledge of the formation and implementation of transatlantic policies critical to national security, including the threats posed by the Russian Federation and the People’s Republic of China;

(2) increase awareness of the roles of government and nongovernmental actors, such as multinational organizations, civil society actors, academia, think tanks, and philanthropic institutions, in transatlantic policy development and execution;

(3) increase understanding in which diverse backgrounds and perspectives affect the development of transatlantic policies;

(4) enhance the skills, abilities, and effectiveness of government officials at national and international levels;

(5) increase awareness of the importance of the United States interest in, international public service careers;

(6) annually invite not fewer than 30 individuals to participate in programs of the Institute.

(7) not less than 3 times annually, convene representatives of the Government of the United States, the Government of Canada, and of governments of European nations for a program offered by the Institute that is not less than 2 days in duration; and

(8) develop metrics to track the success and efficacy of the program.

(e) ELIGIBILITY TO PARTICIPATE.—Participants in the programs of the Institute shall include elected government officials—

(1) serving at national, regional, or local levels in the United States, Canada, and European nations; and

(2) who represent geographically diverse backgrounds or constituencies in the United States, Canada, and Europe.

(f) SELECTION OF PARTICIPANTS.—

(1) UNITED STATES PARTICIPANTS.—Participants from the United States shall be appointed in an equally divided manner by—

(A) the chairpersons and ranking members of the appropriate congressional committees;

(B) the Speaker of the House of Representatives and the Minority Leader of the House of Representatives;

(C) the Majority Leader of the Senate and the Minority Leader of the Senate.

(2) EUROPEAN AND CANADIAN PARTICIPANTS.—Participants from Europe and Canada shall be appointed by—

(A) the chairpersons and ranking members of the appropriate congressional committees;

(B) the Speaker of the House of Representatives and the Minority Leader of the House of Representatives;

(C) the Majority Leader of the Senate and the Minority Leader of the Senate.

(g) RESTRICTIONS.—

(1) UNPAID PARTICIPATION.—Participants in the Institute may not be paid a salary for such participation.
SEC. 5501. UNITED STATES INTERNATIONAL CYBERSPACE POLICY.

(a) In General.—It is the policy of the United States—

(1) to work internationally to promote an open, interoperable, reliable, and secure internet governed by the multi-stakeholder model, which—

(A) promotes democracy, the rule of law, and human rights, including freedom of expression;

(B) supports the ability to innovate, communicate, and promote economic prosperity; and

(C) is designed to protect private and government data and assets, combat digital threats, and guard against deception, malign influence, incitement to violence, harassment and abuse, fraud, and theft;

(2) to encourage and aid United States allies and partners in improving their own technological capabilities and resiliency to pursue, defend, and protect shared interests and values, free from coercion and external pressures;

(3) in furtherance of the efforts described in paragraphs (1) and (2)—

(A) to provide incentives to the private sector to accelerate the development of the technologies referred to in such paragraphs;

(B) to modernize and harmonize with allies and partners export controls and investment screening regimes and associated policies and regulations; and

(C) to enhance United States leadership in technical standards-setting bodies and venues for developing norms regarding the use of digital tools.

(b) Implementation.—In implementing the policy described in subsection (a), the President, by and with the advice and consent of the Senate, shall—

(1) to clarify the applicability of international laws and norms to the use of information and communications technology (referred to in this subsection as “ICT”);

(2) to reduce and limit the risk of escalation in cybercrime, and ICT-related threats to critical infrastructure, and other malicious cyber activity that impairs the use and operation of critical infrastructure that provides services to the public;

(3) to cooperate with like-minded countries that share common values and cyberspace policies with the United States, including respecting freedom of speech, privacy, human rights, democracy, and the rule of law, to advance such values and policies internationally;

(4) to encourage the responsible development and use of secure, interoperable, and trustworthy cryptographic technologies and ICT products that strengthen a secure Internet architecture that is accessible to all;

(5) to secure and Implement measures that ensure behavior in cyberspace, including commitments by countries—

(A) not to conduct, or knowingly support, cyber-enabled theft of intellectual property, including trade secrets or other confidential business information, with the intent of providing commercial advantages to companies or commercial sectors;

(B) to take all appropriate and reasonable efforts to keep their territories clear of intermediaries or others that are responsible for developing norms regarding the use of ICT and the internet that benefits United States interests and partnerships in improving their own practices;

(C) to encourage and aid United States allies and partners in enhancing the security of the internet, ensuring the security of ICT and the Internet of Things, and enhancing the security of United States systems and networks, including commitments to the development and adoption of internationally recognized technical standards and best practices.

SEC. 5502. BUREAU OF CYBERSPACE AND DIGITAL POLICY.

(a) In General.—Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 265a), is amended—

(1) by redesignating subsections (i) and (j) as subsection (i) and (k), respectively;

(2) by redesignating subsection (h) (as added by section 361(a)(1) of division FF of the Consolidated Appropriations Act, 2021 (Public Law 116–260)) as subsection (l); and

(3) by inserting after subsection (h) the following:

'(i) BUREAU OF CYBERSPACE AND DIGITAL POLICY.—

'(1) IN GENERAL.—There is established, within the Department of State, the Bureau of Cyberspace and Digital Policy (referred to in this subsection as the ‘Bureau’). The head of the Bureau shall have the rank and status of an ambassador and shall be appointed by the President, by and with the advice and consent of the Senate.

'(2) DUTIES.—

''(A) IN GENERAL.—The head of the Bureau shall perform such duties and exercise such powers as the Secretary of State shall prescribe, including implementing the diplomatic and foreign policy aspects of the policy described in section 5501(a) of the Department of State Authorization Act of 2022.

''(B) DUTIES DESCRIBED.—The principal duties and responsibilities of the head of the Bureau shall, in furtherance of the diplomatic and foreign policy mission of the Department, be—

''(i) to serve as the principal cyberspace policy official within the senior management of the Department of State and as the advisor to the Secretary of State for cyberspace and digital policy; and

''(ii) to lead, coordinate, and execute, in coordination with other relevant bureaus and offices, the Department of State’s diplomatic cyberspace, and cybersecurity efforts (including efforts related to data privacy, data flows, internet governance, information security, and critical communications technology standards, and other issues that the Secretary has assigned to the Bureau);

''(iii) to coordinate with relevant Federal agencies, the Office of the Director of Cyber andほしい。
(xix) to support efforts by the Global Engagement Center to counter cyber-enabled information operations against the United States or its allies and partners; and

(20) certain other matters as the Secretary of State may assign.

(3) QUALIFICATIONS.—The head of the Bureau should be an individual of demonstrated competency in the fields of—

(A) cybersecurity and other relevant cyberspace and information and communications technology policy issues; and

(B) international diplomacy.

(4) ORGANIZATIONAL PLACEMENT.—

(a) INITIAL PLACEMENT.—Except as provided in subparagraph (b), the head of the Bureau shall report to the Deputy Secretary of State.

(b) SUBSEQUENT PLACEMENT.—The head of the Bureau may report to an Under Secretary of State or to an official holding a higher position than Under Secretary if, not later than 15 days before any change in such reporting structure, the Secretary of State—

(i) consults with the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives; and

(ii) submits a report to such committees that—

(I) indicates that the Secretary, with respect to the reporting structure of the Bureau, consulted with and solicited feedback from—

(aa) other relevant Federal entities with a role in international aspects of cyber policy; and

(bb) the elements of the Department of State with responsibility for aspects of cyber policy, including the elements reporting to—

(A) the Under Secretary of State for Political Affairs; (BB) the Under Secretary of State for Civilian Security, Democracy, and Human Rights; (CC) the Under Secretary of State for Economic Growth, Energy, and the Environment; (DD) the Under Secretary of State for Arms Control and International Security Affairs; (EE) the Under Secretary of State for Management; and (FF) the Under Secretary of State for Public Diplomacy and Public Affairs;

(ii) describes the new reporting structure for the Bureau and the justification for such new structure; and

(iii) includes a plan describing how the new reporting structure will better enable the head of the Bureau to carry out the duties described in paragraph (2), including the security, economic, and human rights aspects of cyber diplomacy.

(5) SPECIAL HIRING AUTHORITIES.—The Secretary of State may—

(A) appoint employees without regard to chapter 51 and subchapter III of chapter 53 of title 5, United States Code, regarding appointments in the competitive service; and

(B) fix the basic compensation of such employees without regard to chapter 51 and subchapter III of chapter 53 of title 5, United States Code, regarding classification and General Schedule pay rates.

(6) COORDINATION.—In implementing the duties described in paragraph (2), the head of the Bureau shall coordinate with the heads of such Federal agencies as the National Cyber Director deems appropriate.

(7) BUREAU CONSTRUCTION.—Nothing in this subsection may be construed—

(A) to preclude the head of the Bureau from being designated as an Assistant Secretary of State; or

(B) to alter or modify the existing authorities of any other Federal agency or official.

(8) SENSE OF CONGRESS.—It is the sense of Congress that the Bureau established under section 111 of the State Department Basic Authorizations Act of 2016 (as amended by this subsection), and the Bureau established under section (a), should have a diverse workforce composed of qualified individuals, including individuals belonging to an underrepresented group.

(g) UNITED NATIONS.—The Permanent Representative of the United States to the United Nations should use the voice, vote, and influence of the United States with other Federal entities to achieve any measure that is inconsistent with the policy described in section 5501(a).

SEC. 5503. INTERNATIONAL CYBERSPACE AND DIGITAL POLICY STRATEGY.

(a) STRATEGY REQUIRED.—Not later than 1 year after the date of the enactment of this Act, the President, acting through the Secretary, and in coordination with the heads of other relevant Federal departments and agencies, shall develop and publish an international cyberspace and digital policy strategy.

(b) ELEMENTS.—The strategy required under subsection (a) shall include—

(I) an international diplomatic strategy; (II) a review of alternative concepts for international norms regarding cyberspace; (III) a review to determine whether the budgetary resources, technical expertise, legal authorities, and personnel available to the Department are adequate to achieve the actions and activities undertaken by the Department to support the policy described in section 5501(a); (IV) an assessment of the extent to which United States diplomatic efforts and other efforts with foreign countries, including through bilateral fora, bilateral engagements, and negotiated cybersecurity agreements, advance the full range of United States interests regarding cyberspace, including the policy described in section 5501(a); (V) a review to determine whether the Department is properly organized and coordinated with other Federal departments and agencies as the President may direct, to guide the diplomacy of the Department with respect to the inclusion of cyber issues in mutual defense agreements.

(c) FORM OF STRATEGY.—

(1) PUBLIC AVAILABILITY.—The strategy required under subsection (a) shall be available to the public in unclassified form, including through publication in the Federal Register.

(2) CLASSIFIED ANNEX.—The strategy required under subsection (a) may include a classified annex.

(d) BRIEFING.—Not later than 30 days after the completion of the strategy required under subsection (a), the Secretary shall brief the Committee on Foreign Relations of the Senate, the Select Committee on Intelligence of the Senate, the Committee on Armed Services of the Senate, the Committee on Foreign Affairs of the House of Representatives, the Permanent Select Committee on Intelligence of the House of Representatives, and the Committee on Armed Services of the House of Representatives regarding the strategy, including any material contained in a classified annex.

(e) UPDATES.—The strategy required under subsection (a) shall be updated—

(1) not later than 90 days after any material change to United States policy described in such strategy; and

(2) not later than 1 year after the inauguration of each new President.

SEC. 5504. GOVERNMENT ACCOUNTABILITY OFFICE REPORT ON CYBER DIPLOMACY.

Not later than 18 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to the appropriate congressional committees that includes—

(1) an assessment of the extent to which United States diplomatic efforts and other efforts with foreign countries, including through multilateral fora, bilateral engagements, and negotiated cybersecurity agreements, advance the full range of United States interests regarding cyberspace, including the policy described in section 5501(a); (2) a review of the Department’s organizational structure and approach to managing its diplomatic efforts to advance the full range of United States interests regarding cyberspace, including a review of the Department’s international cyber mission; (3) a review of alternative diplomatic mission, structure, staffing, funding, and activities of such Bureau; and (4) an assessment of the extent to which such tools have been used; and
(D) what challenges, if any, the Department has faced or will face in establishing such Bureau; and

(3) any other matters that the Comptroller General determines to be relevant.

SEC. 5505. REPORT ON DIPLOMATIC PROGRAMS TO DETECT AND RESPOND TO CYBER ATTACKS AGAINST ALLIES AND PARTNERS.

Not later than 180 days after the date of the enactment of this Act, the Secretary, in coordination with the heads of other relevant Federal agencies, shall report to the appropriate congressional committees that assesses the capabilities of the Department to provide civilian-led support for acute cyber incident response in ally and partner countries that includes—

(1) a description and assessment of the Department’s coordination with cyber programs and operations of the Department of Defense and the Department of Homeland Security;

(2) recommendations on how to improve coordination and executive of Department involvement in programs or operations to support allies and partners in responding to acute cyber incidents; and

(3) the budgetary resources, technical expertise, legal authorities, and personnel needed for the Department to formulate and implement the programs described in this section.

SEC. 5506. CYBERSECURITY RECRUITMENT AND RETENTION.

(a) SENSE OF CONGRESS.—It is the sense of Congress that improving computer programming language proficiency will improve—

(1) the cybersecurity effectiveness of the Department; and

(2) the ability of foreign service officers to engage with foreign audiences on cybersecurity matters.

(b) TECHNOLOGY TALENT ACQUISITION.—

(1) ESTABLISHMENT.—The Secretary shall establish positions within the Bureau of Global Talent Management that are solely focused on recruitment and retention of Department personnel with backgrounds in cybersecurity, engineering, data science, application development, artificial intelligence, critical and emerging technology, and technology and digital policy.

(2) GOALS.—The goals of the positions described in paragraph (1) shall be—

(A) to fulfill the critical need of the Department to recruit and retain employees for cybersecurity, digital, and technology positions;

(B) to actively recruit relevant candidates from academic institutions, the private sector, and related industries;

(C) to work with the Office of Personnel Management and the United States Digital Service to develop and implement best strategies for recruiting and retaining technology talent; and

(D) to inform and train supervisors at the Department on the use of the authorities listed in subsection (c) in such a manner that describes how the objectives and goals set forth in paragraphs (1) and (2) will be implemented.

(3) IMPLEMENTATION PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a plan to the appropriate congressional committees that describes how the objectives and goals set forth in paragraphs (1) and (2) will be implemented.

(4) AUTHORIZATION OF APPROPRIATIONS.—

There is authorized to be appropriated up to $750,000 for each of the fiscal years 2023 through 2027 to carry out this subsection.

(c) ANNUAL REPORT ON HIRING AUTHORIZED.

(1) NOT LATER THAN 1 YEAR AFTER THE DATE OF THE ENACTMENT OF THIS ACT, the Secretary shall make a report to the appropriate congressional committees that describes how the most relevant relevant technologies affect the activities of the Department.

(b) THROUGHPUT OBJECTIVES.—

(1) during the first year after the enactment of this Act, the Secretary shall submit an implementation plan to the appropriate congressional committees that outlines objectives for—

(A) reducing the attrition rate referred to in paragraph (5) by 5 percent each year;

(B) additional hiring authorities needed to acquire needed talent;

(C) hiring personnel to hold public trust positions until such personnel can obtain the necessary security clearance; and

(D) implementing supervisors within the Department on the use of the authorities listed in paragraph (1).

(2) INCENTIVE PAY FOR CYBERSECURITY PROFESSIONALS.—To increase the number of qualified candidates available to fulfill the cybersecurity needs of the Department, the Secretary shall—

(1) include computer programming languages within the Recruitment Language Program; and

(2) provide appropriate language incentive pay.

(e) REPORT.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter for the following 5 years, the Secretary shall provide a report to the appropriate congressional committees that identifies—

(1) the computer programming languages included within the Recruitment Language Program and the language incentive pay rate; and

(2) the number of individuals benefitting from the inclusion of such computer programming languages in the Recruitment Language Program and language incentive pay.

SEC. 5507. SHORT COURSE ON EMERGING TECHNOLOGIES FOR SENIOR OFFICIALS.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall develop and begin providing, for senior officials of the Department, a short course on emerging technologies for—

(1) making publicly known a Vulnerability Disclosure Policy (referred to in this section as the “VDP’’); and

(b) THROUGHPUT OBJECTIVES.—

(1) during the first year after the course developed pursuant to subsection (a) is offered, not fewer than 20 percent of senior officials are certified as having passed such course; and

(2) in each subsequent year, until the date on which 80 percent of senior officials are certified as having passed such course.

SEC. 5505. ESTABLISHMENT AND EXPANSION OF REGIONAL TECHNOLOGY OFFICER PROGRAM.

(a) REGIONAL TECHNOLOGY OFFICER PROGRAM.

(1) ESTABLISHMENT.—The Secretary shall establish a program, which shall be known as the “Regional Technology Officer Program’’ (referred to in this section as the “Program’’).

(2) GOALS.—The goals of the Program shall include—

(A) Promoting United States leadership in technology abroad.

(B) Working with partners to increase the deployment of critical and emerging technology in support of democratic values.

(C) Shaping diplomatic agreements in regional and international fora with respect to critical and emerging technologies.

(D) Building diplomatic capacity for handling critical and emerging technology issues.

(E) Facilitating the role of critical and emerging technology in advancing the foreign policy objectives of the United States through engagement with research labs, incubators, and venture capitalists.

(F) Maintaining the advantages of the United States with respect to critical and emerging technologies.

(3) IMPLEMENTATION PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit an implementation plan to the appropriate congressional committees that outlines strategies for—

(1) advancing the goals described in subsection (a); and

(2) hiring Regional Technology Officers and increasing the competitiveness of the Program within the Foreign Service bidding process.

(4) EXPANDING THE PROGRAM TO INCLUDE A MINIMUM OF 15 REGIONAL TECHNOLOGY OFFICERS; and

(5) ASSINGNING NOT FEWER THAN 2 REGIONAL TECHNOLOGY OFFICERS TO POSTS IN—

(A) EACH REGIONAL BUREAU OF THE DEPARTMENT; and

(B) THE BUREAU OF INTERNATIONAL ORGANIZATION AFFAIRS.

(b) ANNUAL BRIEFING REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for the following 5 years, the Secretary shall brief the appropriate congressional committees regarding the status of the implementation plan required under subsection (a).

(d) AUTHORIZATION OF APPROPRIATIONS.—

There is authorized to be appropriated up to $50,000 for each of the fiscal years 2023 through 2027 to carry out this section.

SEC. 5509. VULNERABILITY DISCLOSURE POLICY AND BUG BOUNTY PROGRAM REPORT.

(a) DEFINITIONS.—In this section:

(1) BUG BOUNTY PROGRAM.—The term ‘‘bug bounty program’’ means a program under which an approved individual, organization, or company is temporarily authorized to identify and report vulnerabilities of Internet-facing information technology of the Department in exchange for compensation.

(2) INFORMATION TECHNOLOGY.—The term ‘‘information technology’’ has the meaning given in section 11101 of title 40, United States Code.

(b) VULNERABILITY DISCLOSURE POLICY.—

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

(A) creating Department policy and infrastructure to receive reports of and remediate discovered vulnerabilities in line with existing policies of the Office of Management and Budget and the Department of Homeland Security;

(B) providing a report on such policy and infrastructure to Congress.

(2) GOALS.—The goals of the Program shall include—

(A) Promoting United States leadership in technology abroad.

(B) Working with partners to increase the deployment of critical and emerging technology in support of democratic values.

(C) Shaping diplomatic agreements in regional and international fora with respect to critical and emerging technologies.

(D) Building diplomatic capacity for handling critical and emerging technology issues.

(E) Facilitating the role of critical and emerging technology in advancing the foreign policy objectives of the United States through engagement with research labs, incubators, and venture capitalists.

(F) Maintaining the advantages of the United States with respect to critical and emerging technologies.

(G) Expanding the Program to include a minimum of 15 Regional Technology Officers; and

(H) Assigning not fewer than 2 Regional Technology Officers to posts in—

(I) each regional bureau of the Department; and

(J) the Bureau of International Organization Affairs.

(c) ANNUAL BRIEFING REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for the following 5 years, the Secretary shall—

(1) submit a report to the appropriate congressional committees that outlines strategies for—

(A) expanding the Program to include a minimum of 15 Regional Technology Officers; and

(B) assigning not fewer than 2 Regional Technology Officers to posts in—

(I) each regional bureau of the Department; and

(J) the Bureau of International Organization Affairs.

(d) AUTHORIZATION OF APPROPRIATIONS.—

There is authorized to be appropriated up to $50,000 for each of the fiscal years 2023 through 2027 to carry out this section.

SEC. 5505. ESTABLISHMENT AND EXPANSION OF REGIONAL TECHNOLOGY OFFICER PROGRAM.

(a) REGIONAL TECHNOLOGY OFFICER PROGRAM.

(1) ESTABLISHMENT.—The Secretary shall establish a program, which shall be known as
(2) **ANNUAL REPORTS.—**Not later than 180 days after the establishment of the VDP pursuant to paragraph (1), and annually thereafter for the following 5 years, the Secretary shall submit a report on the VDP to the Committee on Foreign Relations of the Senate, the Committee on Homeland Security and Governmental Affairs of the Senate, the Select Committee on Intelligence of the Senate, the Committee on Foreign Affairs of the House of Representatives, the Committee on Homeland Security of the House of Representatives, and the Permanent Select Committee on Intelligence of the House of Representatives that includes information relating to—

(A) the number and severity of all security vulnerabilities reported;

(B) the number of previously unidentified security vulnerabilities remediated as a result;

(C) the current number of outstanding previously unidentified security vulnerabilities and Department of State remediation plans;

(D) the average time between the reporting of security vulnerabilities and remediation of such vulnerabilities;

(E) the resources, surge staffing, roles, and responsibilities within the Department used to implement the VDP and complete security vulnerability remediation;

(F) any challenges in implementing the VDP and plans for expansion or contraction in the scope of the VDP across Department information systems; and

(G) any other topic that the Secretary determines to be relevant.

(3) **BUG BOUNTY PROGRAM REPORT.—**

(A) Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to Congress that includes any ongoing efforts by the Department or a third-party vendor under contract with the Department to establish or carry out a bug bounty program that identifies security vulnerabilities or vulnerabilities of State remediation plans, and internet-facing information technology of the Department.

(B) **REPORT.—**Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to Congress that includes any ongoing efforts by the Department or a third-party vendor under contract with the Department to establish or carry out a bug bounty program that identifies security vulnerabilities or vulnerabilities of State remediation plans, and internet-facing information technology of the Department.

(E) the public accessibility of information systems; and

(F) the types of compensation provided under such program.

(G) the lessons learned from such program;

(H) the accessibility of contact information for the Department regarding the bug bounty program;

(I) the integration of bug bounty program identified vulnerabilities into existing Department vulnerability prioritization and management processes; and

(J) any challenges in implementing the bug bounty program and plans for expansion or contraction in the scope of the bug bounty program across Department information systems.

**TITLE LVI—PUBLIC DIPLOMACY**

SEC. 5601. UNITED STATES PARTICIPATION IN INTERNATIONAL FAIRS AND EXPOSITIONS.

(a) **IN GENERAL.—**Notwithstanding section 204 of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 (22 U.S.C. 2452b), and subject to subsection (b), amounts available under title I of the Department of State, Foreign Operations, and Related Programs appropriations Act, 2022 (division K of Public Law 117–131), or under prior such Acts, may be made available to pay for expenses related to United States participation in international fairs and expositions abroad, including for construction and operation of pavilions or other major exhibits.

(b) **LIMITATION ON SOLICITATION OF FUNDS.—**Senior employees of the Department, in their official capacity, may not solicit funds to pay for expenses related to United States pavilion or other major exhibit at any international exposition or world’s fair registered by the Bureau of International Expositions.

(c) **AUTHORIZATION OF APPROPRIATIONS.—**There is authorized to be appropriated up to $20,000,000 to the Department for United States participation in international fairs and expositions abroad, including for construction and operation of pavilions or other major exhibits.

SEC. 5602. PRESS FREEDOM CURRICULUM.

The Secretary shall ensure that there is a press freedom curriculum for the National Foreign Affairs Training Center that enables Foreign Service officers to better understand issues of press freedom and the tools that are available to them to promote freedom of the press, which may include—

(A) the historic and current issues facing press freedom, including countries of specific concern;

(B) the Department’s role in promoting press freedom as an American value, a human rights issue, and a national security imperative;

(C) ways to incorporate press freedom promotion into other aspects of diplomacy; and

(D) existing tools to assist journalists in distress and methods for engaging foreign governments and institutions on behalf of individuals engaged in journalistic activity who are at risk of harm.

SEC. 5603. GLOBAL ENGAGEMENT CENTER.

(a) **IN GENERAL.—**Section 1287(i) of the National Defense Authorization Act for Fiscal Year 2017 (22 U.S.C. 2666 note) is amended by striking “the date that is 8 years after the date of the enactment of this Act” and inserting “December 31, 2027”.

(b) **HIRING AUTHORITY FOR GLOBAL ENGAGEMENT CENTER.—**Notwithstanding any other provision of law, the Secretary, during the 5-year period beginning on the date of the enactment of this Act and ending December 31, 2027, is authorized to—

(1) appoint employees without regard to appointment in the competitive service; and

(2) fix the basic compensation of such employees regarding classification and General Schedule pay rates.

**TITLE LVI—OTHER MATTERS**

SEC. 5701. SUPPORTING THE EMPLOYMENT OF UNITED STATES CITIZENS BY INTERNATIONAL ORGANIZATIONS.

(a) **SENSE OF CONGRESS.—**It is the sense of Congress that—

(1) the Department should continue to eliminate the unreasonable barriers United States nationals face in employment in the United Nations Secretariat, funds, programs, and agencies; and

(2) the Department should bolster efforts to increase the number of qualified United States nationals who are candidates for leadership and oversight positions in the United Nations system, agencies, and commissions, and other international organizations.

(b) **IN GENERAL.—**The Secretary is authorized to promote the employment and advancement of United States citizens by international organizations and bodies, including by—

(1) providing stipends, consultation, and analytical services to support United States citizen applicants; and

(2) making grants for the purposes described in paragraph (1).

(c) **USING DIPLOMATIC PROGRAMS FUNDING TO PROMOTE THE EMPLOYMENT OF UNITED STATES CITIZENS BY INTERNATIONAL ORGANIZATIONS.—**Amounts appropriated under the heading “Foreign Language and Diplomatic Programs” in Acts described in paragraph (1) are appropriated for—

(1) making appropriations for the Department of State, Foreign Operations, and Related Programs to be appropriated for the purposes described in subsection (b).
SEC. 5702. INCREASING HOUSING AVAILABILITY FOR UNAGM. Programs authorized by section 8(a) of the United States Participation Act of 1945 (22 U.S.C. 287e-1(2)), as amended by striking “30” and inserting “41”.

SEC. 5703. LIMITATION ON UNITED STATES CONTRIBUTIONS TO PEACKEEPING OPERATIONS NOT AUTHORIZED BY THE UNITED NATIONS SECURITY COUNCIL. The United Nations Participation Act of 1945 (22 U.S.C. 287 et seq.) is amended by adding at the end the following:

"SEC. 12. LIMITATION ON UNITED STATES CONTRIBUTIONS TO PEACKEEPING OPERATIONS NOT AUTHORIZED BY THE UNITED NATIONS SECURITY COUNCIL.

"None of the funds authorized to be appropriated or otherwise made available to pay assessed and other expenses of international peacekeeping operations authorized under this Act may be made available for an international peacekeeping operation that has not been expressly approved by the United Nations Security Council.".

SEC. 5704. BOARDS OF RADIO FREE EUROPE/ RADIO LIBERTY, RADIO FREE ASIA, THE UNITED EAST BROADCASTING NETWORKS, AND THE OPEN TECHNOLOGY FUND. The United States International Broadcasting Act of 1994 (22 U.S.C. 6201 et seq.) is amended by inserting after section 306 (22 U.S.C. 6205) the following:

"SEC. 307. GRANTEE CORPORATE BOARDS OF DIRECTORS.

"(a) IN GENERAL.—The corporate board of directors of each grantee under this title—

"(1) shall be bipartisan;

"(2) shall, except as otherwise provided in this Act, have the sole responsibility to operate their respective grantees within the jurisdiction of their respective States of incorporation or jurisdiction under the laws of the State in which the principal place of business of the grantee is located or a United Nations Security Council.

"(3) shall be composed of not fewer than 5 members, who shall be qualified individuals who are not employed in the public sector; and

"(4) shall appoint successors in the event of vacancies on their respective boards, in accordance with applicable bylaws.

"(b) NOT FEDERAL EMPLOYEES.—No employee of any grantee under this title may be a Federal employee.

SEC. 5705. BROADCASTING ENTITIES NO LONGER REQUIRED TO CONSOLIDATE INTO A SINGLE PRIVATE, NONPROFIT CORPORATION. Section 310 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6209) is repealed.

SEC. 5706. INTERNATIONAL BROADCASTING ACTIVITIES.

Section 305(a) of the United States International Broadcasting Act of 1994 (22 U.S.C. 6203(a)) is amended—

"(1) by striking paragraph (20);

"(2) by redesigning paragraphs (21), (22), and (23) as paragraphs (20), (21), and (22), respectively; and

"(3) by striking paragraph (20), as redesignated, by striking “or between grantees.”

SEC. 5707. GLOBAL INTERNET FREEDOM.

(a) STATEMENT OF POLICY.—It is the policy of the United States to promote internet freedom through programs of the Department and USAID that preserve and expand the internet as an open, global space for freedom of expression and association, which shall be prioritized for countries—

"(1) whose governments restrict freedom of expression on the internet; and

"(2) that are important to the national interest of the United States.

(b) PURPOSE AND COORDINATION WITH OTHER PROGRAMS.—Global internet freedom programs and activities authorized by this section—

"(1) shall be coordinated with other United States foreign assistance programs that promote democracy and support the efforts of civil society;

"(A) to counter the development of repressive internet-related laws and regulations, including countering threats to internet freedom at international negotiations;

"(B) to combat violence against bloggers and other civil society activists who utilize the internet; and

"(C) to enhance digital security training and capacity building for democracy activists;

"(2) shall seek to assist efforts—

"(A) to research key threats to internet freedom;

"(B) to continue the development of technologies that provide or enhance access to the internet, circumvention tools that bypass internet blocking, filtering, and other censorship techniques used by authoritarian governments; and

"(C) to maintain the technological advantage of the Federal Government over the censorship techniques described in subparagraph (B); and

"(3) shall be incorporated into country assistance and democracy promotion strategies, as appropriate.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for fiscal year 2023—

"(1) $75,000,000 to the Department and USAID, to continue efforts to promote internet freedom globally, and shall be matched, to the maximum extent practicable, by sources other than the Federal Government, including the private sector; and

"(2) $49,000,000 to the United States Agency for Global Media (referred to in this section as the “USAGM”) and its grantees, for internet freedom and circumvention technologies that are designed—

"(A) for open-source tools and techniques to securely develop and distribute digital content produced by the USAGM and its grantees;

"(B) to facilitate audience access to such digital content on websites that are censored;

"(C) to coordinate the distribution of such digital content to targeted regional audiences; and

"(D) to promote and distribute such tools and techniques, including digital security technologies.

(d) UNITED STATES AGENCY FOR GLOBAL MEDIA ACTIVITIES.—

"(1) ANNUAL CERTIFICATION.—For any new tools or techniques authorized under subsection (c)(2), the Chief Executive Officer of the USAGM, in consultation with the President of the Open Technology Fund (referred to in this subsection as the “OTF”) and relevant Federal departments and agencies, shall submit an annual certification to the appropriate congressional committees that verifies they—

"(A) have evaluated the risks and benefits of such new tools or techniques; and

"(B) have established safeguards to minimize the use of such new tools or techniques for illicit purposes.

"(2) INFORMATION SHARING.—The Secretary—

"(A) may use the programs or policy of the USAGM or the OTF, but may share any research and development with relevant Federal departments and agencies for the exclusive purposes of—

"(A) sharing information, technologies, and best practices; and

"(B) assessing the effectiveness of such technologies.

(3) UNITED STATES AGENCY FOR GLOBAL MEDIA.—The Chief Executive Officer of the USAGM shall, in consultation with the President of the OTF, shall—

"(A) coordinate international broadcasting programs and incorporate such programs into country broadcasting strategies, as appropriate;

"(B) solicit project proposals through an open, transparent, and competitive application process, including by seeking input from technical and subject matter experts; and

"(C) support internet circumvention tools and techniques for audiences in countries that are strategic priorities for the OTF, in accordance with USAGM’s annual language service prioritization review.

(e) USAGM REPORT.—Not later than 120 days after the date of the enactment of this Act, the Chief Executive Officer of the USAGM shall submit a report to the appropriate congressional committees that describes—

"(1) as of the date of the report—

"(A) the full scope of internet freedom programs within the USAID and the OTF, but may include a classified annex, to the appropriate congressional committees that describes—

"(i) the efforts of the Office of Internet Freedom; and

"(ii) the efforts of the Open Technology Fund;

"(B) the capacity of internet censorship circumvention tools supported by the Office of Internet Freedom and grantees of the Open Technology Fund that are available for use by individuals in foreign countries seeking to counteract censors; and

"(C) any barriers to the provision of the efforts described in clauses (1) and (ii) of subparagraph (A), including access to surge funding; and

"(2) successful examples from the Office of Internet Freedom and Open Technology Fund involving—

"(A) responding rapidly to internet shutdowns in closed societies; and

"(B) ensuring uninterrupted circulation services for USAGM entities to promote internet freedom within repressive regimes.

(f) JOINT REPORT.—Not later than 60 days after the date of the enactment of this Act, the Secretary and the Administrator of USAID shall jointly submit a report, which may include a classified annex, to the appropriate congressional committees that describes—

"(1) as of the date of the report—

"(A) the full scope of internet freedom programs within the Department and USAID, including—

"(i) Department circumvention efforts; and

"(ii) USAID efforts to support internet infrastructure;

"(B) the capacity of internet censorship circumvention tools supported by the Federal Government that are available for use by individuals in foreign countries seeking to counteract censors; and

"(C) any barriers to the provision of the efforts enumerated in clauses (1) and (ii) of subsection (e)(1)(A), including access to surge funding; and

"(2) any new resources needed to provide the Federal Government with greater capacity to provide and boost internet access—

"(A) to respond rapidly to internet shutdowns in closed societies; and

"(B) to provide internet connectivity to foreign locations where the provision of additional internet access service would promote freedom from repressive regimes.

(g) SECURITY AUDITS.—Before providing any support for open source technologies
under this section, such technologies must undergo comprehensive security audits to ensure that such technologies are secure and have not been compromised in a manner that is detrimental to or may compromise United States or to the interests of individuals and organizations benefitting from programs supported by such funding.

(b) Authorization of Appropriations.—Subject to paragraph (2), there is authorized to be appropriated, in addition to amounts otherwise made available for such purposes, up to $2,500,000 to support internet freedom programs in closed societies, including programs that:

(A) are carried out in crisis situations by vetted entities that are already engaged in internet freedom programs;

(B) involve circumvention tools; or

(C) provide bandwidth for companies that received Federal funding during the previous fiscal year.

(c) Certification.—Amounts authorized to be appropriated pursuant to paragraph (1) may not be expended until the Secretary has certified to the appropriate congressional committees that such amounts will be used to support internet freedom programs that:

(A) are carried out in crisis situations by vetted entities that are already engaged in internet freedom programs;

(B) involve circumvention tools; or

(C) provide bandwidth for companies that received Federal funding during the previous fiscal year.

(d) Definitions.—In this section:

(1) ‘‘Internet censorship circumvention tool’’ means a software application or other tool that is designed to evade foreign government restrictions on internet access.

Section 38(e) of the Arms Export Control Act (22 U.S.C. 2778(e)) is amended—

(1) by striking sections (c), (d), (e), and (g) of section 11 of the Export Administration Act of 1979, and by subsections (a), (c), and (d) of section 1706 of the Export Control Reform Act of 2018 (50 U.S.C. 4819); and

(2) by striking ‘‘11(c)(2)(B) of such Act’’ and inserting ‘‘11(c)(2) of such Act’’.

SEC. 5710. ARMS EXPORT CONTROL ACT ALIGNMENT WITH OTHER EXPORT CONTROL REFORM ACT.

Section 38(e) of the Arms Export Control Act (22 U.S.C. 2778(e)) is amended—

(1) by striking subsections (c), (d), (e), and (g) of section 11 of the Export Administration Act of 1979, and by subsections (a) and (c) of section 1706 of the Export Control Reform Act of 2018 (50 U.S.C. 4819); and

(2) by striking ‘‘11(c)(2)(B) of such Act’’ and inserting ‘‘11(c)(2) of such Act’’.

SEC. 5711. INCREASING THE MAXIMUM ANNUAL LEASE PAYMENT AVAILABLE WITH PREPAID MAIL BY THE SECRETARY.

Section 10(a) of the Foreign Service Buildings Act, 1926 (22 U.S.C. 301(a)), is amended by striking ‘‘$30,000’’ and inserting ‘‘$100,000’’.

SEC. 5712. REPORT ON UNITED STATES ACCESS TO CRITICAL MINERAL RESOURCES ABROAD.

Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees that details, with regard to the Department—

(1) diplomatic efforts to ensure United States access to critical minerals acquired from outside the United States that are used to manufacture clean energy technologies; and

(2) collaboration with other parts of the Federal Government to build a robust supply chain for critical minerals necessary to manufacture clean energy technologies.

SEC. 5713. OCEANS UNITED STATES STRATEGIC INFRASTRUCTURE DEVELOPMENT PROJECTS.

(a) Sense of Congress.—It is the sense of Congress that—

(1) the One Belt, One Road Initiative (referred to in this section as ‘‘OBOR’’) exploits gaps in critical infrastructure in developing countries to advance the People’s Republic of China’s own foreign policy objectives;

(2) although OBOR may meet many countries’ short-term strategic infrastructure needs, OBOR—

(A) frequently places countries in debt to the PRC;

(B) contributes to widespread corruption;

(C) often fails to maintain the infrastructure that is built; and

(D) rarely takes into account human rights, labor standards, or the environment, and

(3) the need to challenge OBOR represents a major national security concern for the United States, as the PRC’s efforts to control markets and supply chains for critical infrastructure projects, including critical and strategic minerals resource extraction, represent a grave national security threat.

(b) Definitions.—In this section:

(1) OBOR.—The term ‘‘OBOR’’ means the One Belt, One Road Initiative—a global infrastructure development strategy initiated by the Government of the People’s Republic of China in 2013.

(2) PRC.—The term ‘‘PRC’’ means the People’s Republic of China.

(3) Assessment of Impact to United States National Security of PRC Infrastructure Projects in the Developing World.—

(I) In General.—The Secretary, in coordination with the Administrator, shall enter into a contract with an independent research organization to prepare the report described in paragraph (2).

(II) Report Elements.—The report described in this paragraph shall—

(A) describe the nature and cost of OBOR investments, operation, and construction of critical infrastructure projects, including critical and strategic minerals resource extraction, logistics, refining, and processing industries and resource facilities, and critical and strategic mineral resource extraction projects, including an assessment of—

(i) the strategic benefits of such investments that are derived by the PRC and the host nation; and

(ii) the negative impacts of such investments to the host nation and to United States interests;

(B) describe the nature and total funding of United States’ strategic infrastructure investments and construction, such as projects financed through initiatives such as Prosper Africa and the Millennium Challenge Corporation;

(C) assess the national security threats posed by the foreign infrastructure investment gap between China and the United States, including critical infrastructure, such as ports, market access to, and the security of, critical and strategic minerals, digital and telecommunications infrastructure, threats to United States supply chains, and general favorability towards the PRC and the United States among the populations of host countries;

(D) assess the opportunities and challenges for companies based in the United States and companies based in United States partner and allied countries to invest in foreign strategic infrastructure projects in geographies where the PRC has focused these types of investments;

(E) identify challenges and opportunities for the United States Government and United States partners and allies to more directly finance and otherwise support foreign strategic infrastructure projects, including an assessment of the authorities and capabilities of United States agencies, departments, public-private partnerships, and international strategic infrastructure companies to support such projects without undermining United States domestic industries, such as domestic mineral deposits, and

(F) identify at least 5 strategic infrastructure projects, with one each in the Western Hemisphere, Africa, and Asia, that are needed, but have not yet been initiated.

(G) Submission to Congress.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit a copy of the report prepared pursuant to this subsection to the Senate Committee on Foreign Relations, the Committee on Intelligence of the Senate, the Select Committee on Foreign Affairs of the House of Representatives, and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 5714. CONSULAR AND BORDER SECURITY PROGRAMS VISA SERVICES COST RECOVERY PROCLAMATION.

Section 812(i)(c)(2) of the Enhanced Border Security and Visa Entry Reform Act of 2002 (8 U.S.C. 1731(c)(2)) is amended by adding at the end the following: ‘‘The amount of the machine-readable visa fee or surcharge under this subsection may also account for the cost of other consular services that are not otherwise subject to a fee or surcharge retained by the Department of State.’’

SEC. 5715. RETURN OF SUPPORTING DOCUMENTS FOR DIPLOMATIC AND CONSULAR SERVICES THROUGH UNITED STATES POSTAL SERVICE CERTIFIED MAIL.

(a) In General.—Not later than 180 days after the date of the enactment of the Consular Services Act, the Secretary shall establish a procedure that provides, to any individual applying for a new United States passport or to renew an individual’s United States passport or visa issued by mail, the option to have supporting documents for the application returned to the individual through the United States Postal Service through certified mail.

(b) Cost.—(1) Responsibility.—The cost of returning supporting documents described in subsection (a) shall be the responsibility of the individual.
SEC. 5716. REPORT ON DISTRIBUTION OF PERSONNEL AND RESOURCES RELATED TO ORDERED DEPARTURES AND POST CLOSURES.

Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees that—

(1) how Department personnel and resources dedicated to Mission Afghanistan were reallocated following the closure of diplomatic posts in Afghanistan in August 2021;

(2) the extent to which Department personnel and resources for Mission Iraq were reallocated following ordered departures for diplomatic posts in March 2020, and how such resources were reallocated.

SEC. 5717. ELIMINATION OF OBSOLETE REPORTS.

(a) TERMINATION OF EFFECTIVENESS OF THE AUSTRALIA GROUP.—Section 27 of Senate Resolution 75 (106th Congress) is amended by striking subparagraph (C).

(b) AUTHORIZATION.—Section 102 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (P.L. 103–246) is amended by striking subsection (d).

(c) ANNUAL.—Section 103 of the Afghanistan Freedom Support Act of 2002 (22 U.S.C. 7513) is amended by striking section 12.

(d) ACTIVITIES OF THE TALIBAN.—Section 1256 of the National Defense Authorization Act for Fiscal Year 2009 (Public Law 111–32) is amended by striking paragraphs (2) through (4) and in subsection (b) the word "related".

(e) RESOLUTION.—Title III of the Comprehensive Anti-Arms Trafficking Act (Public Law 116–260) is amended by striking ``(B)''.

(f) POLICY.—The Jerusalem Embassy Act of 1995 (Public Law 104–145) is amended by striking section 6.

(g) BURMA’S TIMBER TRADE.—The Tom Lantos Burmese junta Accountability and Democracy Act of 1997 (22 U.S.C. 10103(a)) is amended by striking section 2.

(h) MONITORING OF ASSISTANCE FOR AFGHANISTAN.—Section 103 of the Afghanistan Freedom Support Act of 2002 (22 U.S.C. 7513) is amended by striking subsection (d).

(i) PRESIDENTIAL ANTI-PEDOPHILIA CERTIFICATION.—Section 202 of the Foreign Relations Authorization Act, Fiscal Years 1999 and 2000 (Public Law 106–281) is amended by striking subsection (g).


SEC. 5718. LOCALITY PAY FOR FEDERAL EMPLOYEES WORKING OVERSEAS UNDER DOMESTIC EMPLOYEE TELEWORKING OVERSEAS AGREEMENTS.

(a) DEFINITIONS.—In this section:

(1) CIVIL SERVICE.—The term ‘‘civil service’’ has the meaning given the term in section 207b of title 5, United States Code.

(2) COVERED EMPLOYEE.—The term ‘‘covered employee’’ means an employee who—

(A) occupies a position in the civil service; and

(B) is working overseas under a Domestic Employee Teleworking Overseas agreement, or

(c) LOCALITY PAY.—The term ‘‘locality pay’’ means a locality-based comparability payment paid in accordance with subsection (b).

(d) NONFOREIGN AREA.—The term ‘‘nonforeign area’’ has the meaning given the term in section 591.205 of title 5, Code of Federal Regulations, or any successor regulation.

(e) OVERSEAS.—The term ‘‘Overseas headquarters’’ means any geographic location that is not in—

(A) the continental United States; or

(B) a nonforeign area.

(f) PAYMENT OF LOCALITY PAY.—Each covered employee shall be paid locality pay in an amount that is equal to the lesser of—

(1) the amount of a locality-based comparability payment that the covered employee would have been paid under section 5304 or 5304a of title 5, United States Code, had the official duty station of the covered employee not been changed to reflect an overseas location under the applicable Domestic Employee Teleworking Overseas agreement; or

(2) the amount of a locality-based comparability payment that the covered employee would be paid under section 1113 of the America’s Export Competitiveness Act of 2007 (Public Law 110–407)."
Secretary, in consultation with the Secretary of the Treasury and the Administrator, shall submit a report to the Committee on Foreign Relations of the Senate, the Select Committee on Intelligence of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Permanent Select Committee on Intelligence of the House of Representatives, regarding United States diplomacy efforts in Africa in achieving United States policy goals and countering the activities of malign actors.

(2) The report required under paragraph (1) shall include—

(A) case studies from Mali, Sudan, the Central African Republic, the Democratic Republic of South Sudan, with the goal of assessing the effectiveness of diplomatic tools during the 5-year period ending on the date of the enactment of this Act; and

(B) an assessment of—

(i) the extent and effectiveness of certain diplomatic tools to advance United States priorities in the respective case study countries, including—

(I) in-country diplomacy presence;

(II) humanitarian and development assistance;

(III) support for increased 2-way trade and investment;

(IV) United States security assistance;

(V) public diplomacy; and

(VI) accountability measures, including sanctions;

(ii) whether the use of the diplomatic tools described in clause (i) achieved the diplomatic ends for which they were intended; and

(iii) the means by which the Russian Federation and the People's Republic of China exploit openings for diplomatic engagement in the case study countries.

(b) Form.—The report required under subsection (a) shall be submitted in classified form.

(c) Classified Briefing Required.—Not later than 1 year after the date of the enactment of this Act, the Secretary and the Administrator shall jointly brief Congress regarding the report required under subsection (a).

TITLE LVIII—EXTENSION OF AUTHORITIES

SEC. 5801. CONSULTING SERVICES.

Any consulting services through procurement contracts shall be limited to contracts in which the services are provided by any individual whose employment is documented in public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive orders issued pursuant to existing law.

SEC. 5802. DIPLOMATIC FACILITIES.

For the purposes of calculating the costs of providing new United States diplomatic facilities in any fiscal year, in accordance with section 604(e) of the Secure Embassy Construction and Counterterrorism Act of 1999 (22 U.S.C. 4865 note), the Secretary of State, in consultation with the Director of the Office of Management and Budget, shall determine the annual program level and agency shares for such fiscal year in a manner that is proportional to the contributions of the Department of State for this purpose.

SEC. 5803. EXTENSION OF EXISTING AUTHORITIES.

(a) Extension of Authorities.—

(1) PASSPORT FEES.—Section 1(b)(2) of the Passport Act of June 1, 1920 (22 U.S.C. 214(b)(2)) shall be applied by striking “September 30, 2024” and inserting “September 30, 2025”.

(2) INCENTIVES FOR CRITICAL POSTS.—The authorities provided under section 3(b)(2)(A) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321k(b)) as a major non-Nato Atlantic Treaty Organization ally. Such third-country training shall be clearly identified and the report submitted pursuant to such section 656.

(b) Authorization of Appropriations.—The following Act shall remain in effect through September 30, 2024:

(1) IN GENERAL.—For the purpose of implementing section 656 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321k(b)), the term ‘appropriate congressional committees’ means—

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

(ii) the Committee on Appropriations of the Senate;

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

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

(v) the Committee on Appropriations of the House of Representatives; and

(vi) the Committee on Armed Services of the House of Representatives.

SEC. 5804. COMMISSION ON REFORM AND MODERNIZATION OF THE DEPARTMENT OF STATE.

(a) Short Title.—This section may be cited as the “Commission on Reform and Modernization of the Department of State”.

(b) Establishment of Commission.—There is established, in the legislative branch, the Commission on Reform and Modernization of the Department of State, which is met in this section as the “Commission”.

(c) Purposes.—The purposes of the Commission are—

(1) to examine the changing nature of diplomacy in the 21st century and the ways in which the Department and its personnel can modernize to advance the interests of the United States; and

(2) to offer recommendations to the President and Congress related to—

(A) the organizational structure of the Department, including a review of the jurisdictional responsibilities of all of the Department’s regional bureaus (the Bureau of African Affairs, the Bureau of East Asian and Pacific Affairs, the Bureau of European and Eurasian Affairs, the Bureau of Near Eastern Affairs, the Bureau of South and Central Asian Affairs, and the Bureau of Western Hemisphere Affairs); and

(B) personnel-related matters, including recruitment, promotion, training, and retention of the Department’s workforce in order to maintain the best and brightest personnel and foster effective diplomacy worldwide, including measures to strengthen diversity and inclusion to ensure that the Department’s workforce represents all of America;

(C) the Department of State’s infrastructure (both domestic and overseas), including infrastructure relating to information technology, transportation, and security;

(D) the link among diplomacy and defense, intelligence, development, commercial, law enforcement, and other core United States interests;

(E) core legislation that authorizes United States diplomacy, including the Foreign Service Act of 1980 (Public Law 96–465);

(F) related regulations, rules, and processes that define United States diplomatic efforts, including the Foreign Affairs Manual; and

(G) treaties that impact United States overseas presence.

(d) Membership.—(1) The Commission shall be composed of 10 members, of whom—

(A) 2 members shall be appointed by the President; and

(B) 3 members shall be appointed by the Commission on Foreign Relations of the Senate;
(C) 1 member shall be appointed by the ranking member of the Committee on Foreign Relations of the Senate;

(D) 1 member shall be appointed by the chair of the Committee on Foreign Affairs of the House of Representatives;

(E) 1 member shall be appointed by the ranking member of the Committee on Foreign Affairs of the House of Representatives;

(F) 1 member shall be appointed by the majority leader of the Senate, who shall serve as co-chair of the Commission;

(G) be appointed by the Speaker of the House of Representatives;

(H) 1 member shall be appointed by the majority leader of the House, who shall serve as co-chair of the Commission;

(I) 1 member shall be appointed by the majority leader of the House of Representatives.

(2) QUALIFICATIONS; MEETINGS. —

(A) MEMBERSHIP.—The members of the Commission should be prominent United States citizens, with national recognition and significant depth of experience in international relations and with the Department.

(B) POLITICAL PARTY AFFILIATION.—Not more than 3 members of the Commission may be from the same political party.

(C) MEETINGS.—

(1) INITIAL MEETING.—Not later than 45 days after the date of the enactment of this Act, the Commission shall hold the first meeting and begin operations as soon as practicable.

(2) FREQUENT MEETINGS.—The Commission shall meet at least each of the co-chairs.

(3) QUORUM.—Six members of the Commission shall constitute a quorum for purposes of conducting business, except that 2 members of the Commission shall constitute a quorum for purposes of receiving testimony.

(D) VACANCIES.—Any vacancy in the Commission shall not affect the powers of the Commission, but shall be filled in the same manner as the original appointment.

(E) FUNCTIONS OF COMMISSION.—

(1) IN GENERAL.—The Commission shall act by resolution agreed to by a majority of the members of the Commission voting and present.

(2) PANELS.—The Commission may establish panels composed of less than the full membership of the Commission for purposes of carrying out its duties under this section. The actions of any such panel shall be subject to the review and control of the Commission. Any findings and determinations made by such a panel shall not be considered the findings and determinations of the Commission unless such findings and determinations are approved by the Commission.

(3) DELEGATION.—Any member, agent, or staff of the Commission, may, if authorized by the Commission, take any action which the Commission is authorized to take pursuant to this section.

(F) POWERS OF COMMISSION.—

(1) IN GENERAL.—The Commission or any panel or member of the Commission, as delegated by the co-chairs, may, for the purpose of carrying out this section—

(A) hold such hearings and meetings, take such testimony, receive such evidence, and administer such oaths as the Commission or such designated subcommittee or designated member considers necessary;

(B) require the attendance and testimony of such witnesses and the production of such correspondence, memoranda, papers, and documents, and the production of such designated subcommittee or designated member considers necessary; and

(C) subject to applicable privacy laws and regulations governing the collection and preservation of records by the Department, USAID, the United States International Development Finance Corpora-

tion, the Millennium Challenge Corporation, the Peace Corps, Trade Development Agency, and the United States Agency for Global Media information and data necessary to enable the Commission to carry out its duties.

(2) COMMISSION MEMBERS.—

(A) COMPENSATION.—The co-chairs of the Commission, in accordance with rules established by the Commission, shall appoint and fix the compensation of a staff director and such other personnel as may be necessary to enable the Commission to carry out its duties, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 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 under this section.

(B) AVOIDING DUPLICATION.—In analyzing the reports referred to in subparagraph (A), the Commission should pay particular attention to any specific reform proposals that have been recommended by 2 or more of such reports.

(G) STAFF AND COMPENSATION.—

(1) STAFF.—

(A) COMPENSATION.—The co-chairs of the Commission, in accordance with rules established by the Commission, shall appoint and fix the compensation of a staff director and such other personnel as may be necessary to enable the Commission to carry out its duties, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 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.

(B) DETAIL OF GOVERNMENT EMPLOYEES.—A Federal Government employee may be detailed to the Commission without reimbursement. The Commission shall be without interruption or loss of civil service status or privilege.
(C) the Department of State’s infrastructure (both domestic and overseas), including infrastructure relating to information technology, transportation, and security;
(D) the Department of Defense’s infrastructure and defense, development, commercial, health, law enforcement, and other core United States interests;
(E) (A) legislation that authorizes United States diplomacy;
(F) related regulations, rules, and processes that define United States diplomatic efforts, including the Foreign Affairs Manual;
(G) treaties that impact United States overseas presence;
(H) any other areas that the Commission considers necessary for a complete appraisal of United States diplomacy and Department management and operations; and
(i) the amount of time, manpower, and financial resources that would be necessary to implement the recommendations specified under this paragraph.
(3) DEPARTMENT RESPONSE.—The Secretary, in coordination with the heads of appropriate Federal departments and agencies, shall have the right to review and respond to all Commission recommendations—
(A) before the Commission submits its report to the President and to Congress; and
(B) not later than 90 days after receiving such recommendations from the Commission.

Title I—Implementation of an Enhanced Defense Partnership Between the United States and Taiwan

SEC. 10101. MODERNIZING TAIWAN’S SECURITY CAPABILITIES TO DEFEND AND, IF NECESSARY, DEFEND TAIWAN. This division may be cited as “Matters Related to Taiwan.”

SEC. 10102. MODERNIZING TAIWAN’S SECURITY CAPABILITIES TO DEFEND AND, IF NECESSARY, DEFEND TAIWAN. This division may be cited as “Matters Related to Taiwan.”

SEC. 10103. MODERNIZING TAIWAN’S SECURITY CAPABILITIES TO DEFEND AND, IF NECESSARY, DEFEND TAIWAN.

SEC. 10101. MODERNIZING TAIWAN’S SECURITY CAPABILITIES TO DEFEND AND, IF NECESSARY, DEFEND TAIWAN.

SEC. 10102. MODERNIZING TAIWAN’S SECURITY CAPABILITIES TO DEFEND AND, IF NECESSARY, DEFEND TAIWAN.

SEC. 10103. MODERNIZING TAIWAN’S SECURITY CAPABILITIES TO DEFEND AND, IF NECESSARY, DEFEND TAIWAN.

SEC. 10104. MODERNIZING TAIWAN’S SECURITY CAPABILITIES TO DEFEND AND, IF NECESSARY, DEFEND TAIWAN.

SEC. 10105. MODERNIZING TAIWAN’S SECURITY CAPABILITIES TO DEFEND AND, IF NECESSARY, DEFEND TAIWAN.

SEC. 10106. MODERNIZING TAIWAN’S SECURITY CAPABILITIES TO DEFEND AND, IF NECESSARY, DEFEND TAIWAN.

SEC. 10107. MODERNIZING TAIWAN’S SECURITY CAPABILITIES TO DEFEND AND, IF NECESSARY, DEFEND TAIWAN.
(iii) anti-ship cruise missiles;  
(iv) land-attack cruise missiles;  
(v) coastal defense;  
(vi) anti-armor;  
(vii) air-to-air warfare;  
(viii) survivable swarming maritime assets;  
(ix) manned and unmanned aerial systems;  
(x) counter-intervention capabilities;  
(xi) intelligence, surveillance, and reconnaissance capabilities;  
(xii) command and control systems; and  
(xiii) cyber defense capabilities that the United States and Taiwan jointly determine are crucial to the defense of Taiwan;  
(C) an evaluation of the balance between conventional and non-conventional intervention capabilities in the defense force of Taiwan as of the date on which the report is submitted;  
(D) an assessment of steps taken by Taiwan to enhance the overall readiness of its defense forces, including—  
(1) the extent to which Taiwan is requiring and providing regular and relevant training to such forces;  
(2) the extent to which such training is realistic to the security environment that Taiwan faces; and  
(3) the sufficiency of the financial and budgetary resources Taiwan is putting toward readiness of such forces;  
(E) an assessment of steps taken by Taiwan to boost its civilian defenses, including any informational campaigns to raise awareness among the population of Taiwan of the risks Taiwan faces;  
(F) an assessment of the efforts made by Taiwan to secure its critical infrastructure, including in transportation, telecommunications networks, and energy;  
(G) an assessment of the efforts made by Taiwan to boost its civilian defenses, including any informational campaigns to raise awareness among the population of Taiwan of the risks Taiwan faces;  
(H) an assessment of the efforts made by Taiwan to secure its critical infrastructure, including in transportation, telecommunications networks, and energy;  
(i) a description of cooperative efforts between the United States and Taiwan on the matters described in subparagraphs (A) through (J); and  
(j) a description of any resistance in Taiwan to—  
(1) implementing the matters described in subparagraphs (A) through (J); or  
(2) United States support or engagement with regard to such matters.  
(4) SUBSEQUENT REPORTS.—Concurrently with subsequent certifications required under subsection (d)(2), the Secretary of State and the Secretary of Defense shall jointly submit updates to the initial report required under paragraph (2) that provides a description of changes and developments that occurred in the prior year.  
(5) FORM.—The reports required under paragraphs (2) and (4) shall be submitted in classified form and shall include a detailed unclassified summary.  
(6) SHARING OF SUMMARY.—The Secretary of State and the Secretary of Defense shall jointly ensure that any classified summary required under paragraph (5) with Taiwan, as appropriate.  

(f) FOREIGN MILITARY FINANCING LOAN AND LOAN GUARANTEE AUTHORITY.—  
(1) DIRECT LOANS.—(A) IN GENERAL.—Notwithstanding section 230(c)(1) of the Arms Export Control Act (22 U.S.C. 2763), during fiscal years 2023 through 2027, the Secretary of State is authorized to make direct loans available for Taiwan pursuant to section 23 of such Act.  
(B) MAXIMUM AMOUNTS.—Cross obligations for the principal amounts of loans authorized under subparagraph (A) may not exceed $2,000,000,000.  
(C) SOURCE OF FUNDS.—(i) DEFINED TERM.—In this subparagraph, the term “cost” means—  
(I) the amount given such term in section 502(5) of the Congressional Budget Act of 1974 (2 U.S.C. 68a(5));  
(II) shall include the cost of modifying a loan authorized under subparagraph (A); and  
(III) may include the cost of selling, redicing, or cancelling any amounts owed to the United States or to any agency of the United States.  
(2) REPRODUCTION.—Amounts authorized to be appropriated pursuant to subsection (g) may be made available to pay for the cost of loans authorized under subparagraph (A).  
(D) FEES.—(i) IN GENERAL.—The Government of the United States may charge fees for loans made pursuant to paragraph (A), which shall be collected from borrowers through a financing account (as defined in section 502(7) of the Congressional Budget Act of 1974 (2 U.S.C. 68a(7))).  
(ii) LIMITATION ON FEES.—Amounts made available under any appropriation Act for any fiscal year may not be used to pay fees associated with a loan authorized under subparagraph (A).  
(E) REPAYMENT.—Loans made pursuant to subparagraph (A) shall be repaid not later than 12 years after the loan is received by the borrower, including a grace period of not more than 1 year on repayment of principal.  
(F) INTEREST.—(i) IN GENERAL.—The Government of the United States shall make charges determined by the Secretary of State, except that such rate may not be less than the prevailing interest rate on marketable Treasury securities of similar maturity.  
(ii) TREATMENT OF LOAN AMOUNTS USED TO PAY INTEREST.—Amounts made available under this paragraph for interest costs shall not be considered assistance for the purposes of any statutory limitation on assistance to a country.  
(2) LOAN GUARANTEES.—(A) AUTHORIZATION.—Amounts authorized to be appropriated pursuant to subsection (g) may be made available for the costs of loan guarantees authorized under subparagraph (A).  
(B) MAXIMUM AMOUNTS.—A loan guarantee authorized under subparagraph (A)—  
(i) may not guarantee a loan that exceeds $2,000,000,000; and  
(ii) may not exceed 80 percent of the loan principal with respect to any single borrower.  
(C) SUBORDINATION.—Any loan guaranteed pursuant to subparagraph (A) may not be subordinated to—  
(1) another debt contracted by the borrower; or  
(2) any other claims against the borrower in the case of default.  
(D) REPAYMENT.—Repayment in United States dollars of any loan guaranteed under this paragraph shall be required not later than 12 years after the loan is guaranteed.  
(E) FEES.—Notwithstanding section 24 of the Arms Export Control Act (22 U.S.C. 2764), the Government of the United States may charge fees for loan guarantees authorized under subparagraph (A), which shall be collected from borrowers, or from third parties on behalf of such borrowers, through a financing account (as defined in section 502(7) of the Congressional Budget Act of 1974 (2 U.S.C. 68a(7))).  
(F) TREATMENTS OF LOAN GUARANTEES.—Amounts authorized to be appropriated under this paragraph for the costs of loan guarantees authorized under subparagraph (A) shall not be considered assistance for the purposes of any statutory limitation on assistance to a country.  
(3) NOTIFICATION REQUIREMENT.—Amounts authorized to be appropriated to carry out this subsection may not be expended without prior notification of the appropriate committees of Congress.  
(G) AUTHORIZATION OF APPROPRIATIONS.—(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts otherwise authorized to be appropriated for Foreign Military Financing, there is authorized to be appropriated to the Department of State for Taiwan Foreign Military Finance grant assistance up to $2,000,000,000 for each of the fiscal years 2023 through 2027.  
(2) TRAINING AND EDUCATION.—Of the amounts authorized to be appropriated under paragraph (1), the Secretary of State shall use not less than $2,000,000 per fiscal year for training and education programs.  
(H) DIRECT COMMERCIAL CONTRACTING.—Of the amounts authorized to be appropriated under paragraph (1), the Secretary of State may utilize such funds for the procurement of defense articles, defense services, or design and construction services that are not sold by the United States Government under the Arms Export Control Act (22 U.S.C. 2751 et seq.).  
(4) OFFSHORE PROCUREMENT.—Of the amounts authorized to be appropriated for Foreign Military Financing and made available for Taiwan, not more than $2,000,000,000 for each fiscal year may be available for the procurement by Taiwan in Taiwan of defense articles and defense services, including research and development, as agreed by the United States and Taiwan.  
(I) SUNSET PROVISION.—Assistance may not be provided under this section after September 30, 2022.  

SECTION 10102. INCREASE IN ANNUAL REGIONAL CONTINGENCY STOCKPILE ADDITIONS AND TAIWAN.  
(a) IN GENERAL.—Section 514(b)(2)(A) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h(b)(2)(A)) is amended by striking “$50,000,000” and all that follows and inserting “$75,000,000,000 for any of the fiscal years 2023, 2024, or 2025.”.  
(b) SUBORDINATION.—Subject to section 514 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h), the President may establish a regional contingency stockpile for Taiwan consisting of munitions and other appropriate defense articles.  
(c) INCLUSION OF TAIWAN AMONG OTHER ALLIES ELIGIBLE FOR DEFENSE ARTICLES.—Chapter II of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2311 et seq.) is amended—  
(1) in section 514(c)(2) (22 U.S.C. 2321h(c)(2)), by inserting “Taiwan,” after “Thailand,”; and  
(2) in section 516(c)(2) (22 U.S.C. 2321j(c)(2)), by inserting “to Taiwan,” after “major non-
NATO allies on such southern and southeastern flank.”.

SEC. 10103. INTERNATIONAL MILITARY EDUCTION AND TRAINING COOPERATION WITH TAIWAN.

The Secretary of State is authorized to provide training and education to relevant entities in Taiwan through the International Military Education and Training Program (22 U.S.C. 2347 et seq).

(a) ADDITIONAL AUTHORITIES TO SUPPORT TRAINING AND EDUCATION WITH TAIWAN.

(1) CONTENT.—Section 506(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2313(a)) is amended, in the following paragraph:

"(3) In addition to amounts already specified in this section, the President may direct the drawdown of defense articles from the stocks of the Department of Defense, defense services of the Department of Defense, and military education and training, of an aggregate value of not to exceed $1,000,000,000 per fiscal year to be used for training and education offered by the United States to the military of Taiwan.

(b) ENSURING SUFFICIENT AVAILABILITY OF AUTHORITY TO PROVIDE TRAINING AND EDUCATION TO TAIWAN.

The Secretary of State or the Secretary of Defense shall engage for the purposes of providing necessary and immediate assistance to Taiwan a value not to exceed $25,000,000 in any fiscal year.

SEC. 10104. ADDITIONAL AUTHORITIES TO SUPPORT SECURITY COOPERATION WITH TAIWAN.

(a) DRAWDOWN AUTHORITY.—Section 506(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2313(a)) is amended, in the following paragraph:

"(5) An assessment of—

(A) the capability gaps and capacity shortfalls that could be addressed in a sufficient and timely manner by Taiwan; and

(B) the capability gaps and capacity shortfalls that are unlikely to be addressed in a sufficient and timely manner solely by Taiwan;

(c) RELIEF MEASURES TO ADDRESS DEFENSE DEFICIENCIES.

(1) ADDITIONAL AUTHORITY.—Section 3303(b)(1)(B) of the Arms Export Control Act (22 U.S.C. 2776) is amended, in the preamble to the section, by inserting "as determined pursuant to the provision of this Act or section 506(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2313(d)); or;

(d) ANNUAL BRIEFING.—Not later than 1 year after the date of enactment of this Act, and annually thereafter for 7 years, the President shall provide a briefing to the appropriate committees of Congress regarding the status of contingencies, stockpiles established under subsection (b).

SEC. 10105. MULTI-YEAR PLAN TO FULLY LEVERAGE TAIWAN'S MILITARY Capabilities AND INTELLIGENCE SUPPORT.

(a) MULTI-YEAR PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of State shall engage for the purposes of establishing a joint consultative mechanism with appropriate officials of Taiwan to develop and implement a multi-year plan to provide for the acquisition of appropriate defense capabilities by Taiwan and to engage with Taiwan in a series of combined training, exercises, and planning activities, as appropriate, through combined training, exercises, and planning events, including—

(A) table-top exercises and war games that allow operational commands to improve joint and combined planning for contingencies involving a well-equipped adversary in a counter-intervention campaign;

(B) joint and combined exercises that test the feasibility of counter-intervention strategies, develop interoperability across services, and develop the lethality and survivability of combined forces against a well-equipped adversary;

(C) logistics exercises that test the feasibility of expeditionary logistics in an extended campaign with a well-equipped adversary;

(D) service-to-service exercise programs that build functional mission skills for addressing challenges posed by a well-equipped adversary in a counter-intervention campaign; and

(E) any other combined training, exercises, or planning events that the Secretary of Defense and Secretary of State consider relevant.

(b) INTERAGENCY POLICY.—The Secretary of Defense shall jointly review and update interagency policies and guidance to implement the provisions of this section.

(c) INTELLIGENCE POLICY.—The Secretary of Defense shall jointly review and update intelligence policies and guidance to implement the provisions of this section.

SEC. 10107. EXPEDITING DELIVERY OF ARMS EXPORTS TO TAIWAN.

(a) REPORT REQUIRED.—Not later than March 1, 2023, and annually thereafter for a period of 5 years, the Secretary of State, in coordination with the Secretary of Defense, shall transmit to the appropriate committees of Congress a report on the status of the implementation of the provisions of this section.

(b) PRIORITIZING PROCESSING OF FOREIGN MILITARY SALES REQUESTS FROM TAIWAN.

(1) REQUIREMENT.—The Secretary of State and the Secretary of Defense shall prioritize and expedite the processing of requests for arms exports to Taiwan under the Foreign Military Sales program, and may not delay the processing of requests for bundling purposes.

(2) DELIVERY.—The requirement under paragraph (1) shall continue until the Secretary of State determines and certifies to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that the threat to Taiwan has significantly abated.

(c) INTELLIGENCE POLICY.—The Secretary of State and the Secretary of Defense shall jointly review and update intelligence policies and guidance to implement the provisions of this section.

SEC. 10106. FAST-TRACKING SALES TO TAIWAN UNDER FOREIGN MILITARY SALES PROGRAM.

(a) PRECLEARANCE OF CERTAIN FOREIGN MILITARY SALES ITEMS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and annually thereafter for 7 years, the Secretary of State, in coordination with the Secretary of Defense, and in conjunction with coordinating entities such as the National Defense Policy Council, the Arms Transfer and Technology Release Senior Steering Group, and other appropriate entities, shall compile a list of available and emerging military platforms, technologies, and equipment that are pre-cleared and prioritized for sale and release to Taiwan through the Foreign Military Sales program.

(b) EXCLUSION ITEMS.

(A) RULE OF CONSTRUCTION.—The list compiled pursuant to paragraph (1) shall not be construed as limiting the type, timing, or quantity of items that may be sold to, or sold by, Taiwan under the Foreign Military Sales program.

(B) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as limiting the type, timing, or quantity of items that may be sold to, or sold by, Taiwan under the Foreign Military Sales program.

(c) INTERAGENCY REVIEW.—The Secretary of State and the Secretary of Defense shall jointly review and update the coordination guidance to implement the provisions of this section.
the Philippines, Thailand, or New Zealand, that have not been fully delivered by the start of the fiscal year in which the report is being submitted.

(2) A description of confirmed start and end dates of delivery for each approved and incomplete transfer listed pursuant to paragraph (1), including additional details and dates for any transfers that involve multiple tranches of deliveries.

(3) With respect to each approved and incomplete transfer listed pursuant to paragraph (1), a description of—

(A) any changes in the delivery dates of defense articles or services relative to the dates at the time of congressional approval of the transfer, including specific reasons for any delays related to the United States Government, defense suppliers, or the partner;

(B) the feasibility and advisability of providing the partner subject to such delayed delivery with an interim capability or solution, including drawing from United States stocks, and the mechanisms under consideration for doing so as well as any challenges to implementing such a capability or solution;

(C) authorities, appropriations, or waiver requests that Congress could provide to improve delivery timelines or authorize the provision of interim capabilities or solutions identified pursuant to subparagraph (B); and

(D) a description of which countries are ahead of Taiwan for delivery of each item listed pursuant to paragraph (1).

(4) A description of ongoing interagency efforts to support attainment of operational capability of the corresponding defense articles and services once delivered, including advance training with United States or armed forces of partner countries on the systems involved. The description of any such training shall also include an identification of the training implementer.

(5) If a transfer listed pursuant to paragraph (1) has been terminated prior to the date of the submission of the report for any reason—

(A) the case information for such transfer, including the date of congressional notification, delivery date of the Letter of Offer and Acceptance (LOA), final signature of the LOA, and information pertaining to delays in delivering the transferred defense articles and services, and the reasons for delay;

(B) a description of the reasons for which the transfer is no longer in effect; and

(C) any determination made with respect to the intended end-user and the consequent implications for regional security, including the impact on deterrence of military action by the partner relative to the United States, the military balance in the Taiwan Strait, and other factors.

(6) A separate description of the actions the United States is taking to expedite and prioritize deliveries of defense articles and services to Taiwan, including—

(A) a description of what actions the Department of Defense Select Committee on Defense have taken or are planning to take to prioritize Taiwan’s Foreign Military Sales cases;

(B) current procedures or mechanisms for determining that a Foreign Military Sales case for Taiwan should be prioritized above a sale to another country of the same or similar item;

(C) whether the United States intends to divert defense articles from United States stocks to provide an interim capability or solution with respect to any delayed deliveries to Taiwan and the plan, if applicable, to replenish any such diverted stocks.

(7) A description of other potential actions already proceeding or currently under consideration by the Department of State and the Department of Defense to improve delivery timelines for the transfers listed pursuant to paragraph (1).

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term "appropri- ate committees of Congress" means—

(1) the Committee on Foreign Relations and the Committee on Armed Services of the Senate; and

(2) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives.

(d) Format.—The report required under subsection (b) shall be submitted in unclassified form but may include a classified annex.

SEC. 10108. ASSESSMENT OF TAIWAN’S NEEDS FOR CIVILIAN DEFENSE AND RESILIENCE.

SEC. 10109. ANNUAL REPORT ON TAIWAN DEFENSIVE MILITARY CAPABILITIES AND INTELLIGENCE SUPPORT.

Section 1248 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 133) as amended is amended to read as follows:

(1) An intelligence assessment regarding—

(A) conventional military and nuclear threats to Taiwan from countries, organizations, or non-state actors; and

(B) irregular warfare activities, including influence operations, conducted by China to intimidate or coerce Taiwan; and

(2) A description of the military threats to Taiwan and the ability of Taiwan to defend itself from external conventional and irregular military threats across a range of scenarios.

(3) The interoperability of current and future defensive capabilities of Taiwan with the military capabilities of the United States and its allies and partners.

(4) The plans, tactics, techniques, and procedures underpinning an effective defense strategy for Taiwan, including how address- ing identified capability gaps and capacity shortfalls will improve the effectiveness of such strategy.

(5) A description of additional personnel, resources, and authorities in Taiwan or in the United States that may be required to meet any shortcomings in the development of Taiwan’s military capabilities identified pursuant to this section. China, including the People’s Republic of China, a prioritized list of capability gaps and capacity shortfalls of the military forces of Taiwan, including—

(A) an identification of—

(i) any United States, Taiwan, or ally or partner country defense articles or defense services provided to China or any other country as part of a joint effort to improve China’s defense capabilities, and a timeline for such transfers.

(ii) defense cooperation with China, including joint military exercises, as well as the challenges to such arrangements;

(iii) the associated investment costs of enabling expanded production for items that China is currently at maximum production;

(iv) existing stocks of such capabilities in the United States and allied partners; and

(b) the feasibility and advisability of procuring solutions to such gaps and shortfalls through United States allies and partners, including through co-development or co-production arrangements;

(C) the feasibility and advisability of assisting Taiwan in the domestic production of solutions to capability gaps, including through—

(i) the transfer of intellectual property; and

(ii) co-development or co-production arrangements;

(D) the estimated costs, expressed in a range of options, of procuring sufficient capabilities and capacities to meet such gaps and shortfalls;

(E) an assessment of the relative priority assigned by appropriate officials of Taiwan to each such gap and shortfall; and

(F) the extent to which Taiwan is prioritizing the development, production, or fielding of solutions to
such gaps and shortfalls within its overall defense budget.

"(7) The applicability of Department of State and Department of Defense authorities for improving Taiwan and United States military capabilities of Taiwan in a manner consistent with the Taiwan Relations Act.

"(8) A description of any security assistance related to military-to-military cooperation and Direct Commercial Sales activity with Taiwan over the past year.

"(9) A description of each engagement between the United States and Taiwan personnel related to planning over the past year.

"(10) With respect to each to training and exercises —

"(A) a description of each such instance over the past year;

"(B) a description of how each such instance —

"(i) sought to achieve greater interoperability, improved readiness, joint planning capabilities, and shared situational awareness between the United States and Taiwan, or among the United States, Taiwan, and other countries;

"(ii) familiarized the militaries of the United States and Taiwan with each other; and

"(iii) improved Taiwan’s defense capabilities.

"(11) A description of the areas and means through which the United States is assisting and support training, exercising, and assistance to support Taiwan’s requirements related to civilian defense and resilience, and how the United States is seeking to assist Taiwan in addressing any critical gaps where capacity falls short of meeting such requirements through those elements identified in the assessment required by section 10100 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023.

"(12) An assessment of the implications of current levels of pre-positioned war reserve materiel on the ability of the United States to respond to a crisis or conflict involving Taiwan with respect to—

"(A) providing military or non-military aid to Taiwan; and

"(B) sustaining military installations and other infrastructure of the United States in the Indo-Pacific region.

"(13) An assessment of the current intelligence, surveillance, and reconnaissance capabilities of Taiwan, including any existing gaps in such capabilities and investments in such capabilities by Taiwan since the preceding report.

"(14) A summary of changes to pre-positioned war reserve materiel of the United States in the Indo-Pacific region since the preceding report.

"(15) Any other matters the Secretary of Defense or the Secretary of State considers appropriate.

"(b) PLAN.—The Secretary of Defense and the Secretary of State shall jointly develop a plan for assisting Taiwan in improving its defensive military capabilities and addressing vulnerabilities identified pursuant to subsection (a) that includes—

"(1) recommendations, if any, for new Department of State or Department of Defense authorities, or modifications to existing Department of State or Department of Defense authorities, necessary to improve the defensive military capabilities of Taiwan in a manner consistent with the Taiwan Relations Act (Public Law 96-6; 22 U.S.C. 3301 et seq.);

"(2) an identification of opportunities for key leader and subject matter expert engagement with United States personnel and military and civilian counterparts in Taiwan; and

"(3) an identification of challenges and opportunities for leveraging authorities, resources, and capabilities outside the Department of Defense and the Department of State that are necessary to improve the defensive capabilities of Taiwan in accordance with the Taiwan Relations Act.

"(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter through fiscal year 2027, the Secretary of State and the Secretary of Defense shall jointly submit to the appropriate committees of Congress—

"(1) a report on the results of the assessment required by subsection (a);

"(2) the plan required by subsection (b); and

"(3) a report on—

"(A) the status of efforts to develop and implement the joint multi-year plan required under section 10007 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 to provide for the acquisition of appropriate defensive military capabilities by Taiwan and to engage with Taiwan in a series of combined training and planning activities consistent with the Taiwan Relations Act (Public Law 96-6; 22 U.S.C. 3301 et seq.);

"(B) any other matters the Secretary considers necessary.

"(d) FORM.—The reports required by subsection (c) shall be submitted in unclassified form, but may include a classified annex.

"(e) APPROPRIATE COMMITTEES OF CONGRESS Defined.—The term ‘appropriate committees of Congress’—

"(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.

TITILE II—COUNTERING PEOPLE’S REPUBLIC OF CHINA COERCION AND INFLUENCE CAMPAIGNS

SEC. 10201. STRATEGY TO RESPOND TO INFLUENCE AND INFORMATION OPERATIONS TARGETING TAIWAN

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act and annually thereafter for the following 5 years, the President, in consultation with the Director of National Intelligence, shall develop and implement a strategy to respond to—

"(1) covert, coercive, and corrupting activities carried out to advance the Chinese Communist Party’s “United Front” work, including activities directed, coordinated, or otherwise supported by the United Front Work Department or its subordinate or affiliated entities; and

"(2) information and disinformation campaigns, cyber attacks, and other activities that—

"(A) propagate false narratives on topics of international interest, such as Taiwan; and

"(B) are conducted in furtherance of the People’s Republic of China’s strategic interests.

"(b) ELEMENTS.—The strategy required under subsection (a) shall include descriptions of—

"(1) the proposed response to propaganda and disinformation campaigns by the People’s Republic of China and cyber-intrusions targeting Taiwan, including—

"(A) assistance in building the capacity of Taiwan’s public and private-sector entities to document and expose propaganda and disinformation supported by the Government of the People’s Republic of China, the Chinese Communist Party, or affiliated entities;

"(B) assistance to enhance Taiwan’s ability to defend itself from cyber attacks and to respond to sharp power operations, including election interference; and

"(C) media training for Taiwan officials and other Taiwan entities targeted by disinformation campaigns;

"(2) the proposed response to political influence operations that include an assessment of the extent of influence exerted by the Government of the People’s Republic of China and the Chinese Communist Party in Taiwan, and in the United States and other countries; and

"(3) support for exchanges and other technical assistance to strengthen the Taiwan legal system’s ability to respond to sham power operations; and

"(A) programs carried out by the Global Engagement Center to expose misinformation and disinformation in the Chinese Communist Party’s propaganda.

SEC. 10202. STRATEGY TO COUNTER ECONOMIC COERCION BY THE PEOPLE’S REPUBLIC OF CHINA TARGETING COUNTRIES AND ENTITIES THAT SUPPORT TAIWAN

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate committees of Congress a description of the strategy being used by the Department of State or Department of Defense and the appropriate congressional committees to counter the People’s Republic of China’s increased response, including economic coercion, against countries which have strengthened ties with Taiwan.

"(B) ASSISTANCE FOR COUNTRIES AND ENTITIES TARGETED BY THE PEOPLE’S REPUBLIC OF CHINA FOR ECONOMIC COERCION.—The Department of State, the United States Agency for International Development, the United States International Development Finance Corporation, the Department of Commerce and the Department of the Treasury shall provide appropriate assistance to countries and entities that are subject to coercive economic practices by the People’s Republic of China.

"(C) APPROPRIATE COMMITTEES OF CONGRESS Defined.—In this section, the term ‘appropriate committees of Congress’ means—

"(1) the Committee on Foreign Relations of the Senate;

"(2) the Committee on Appropriations of the Senate; and

"(3) the Committee on Foreign Affairs of the House of Representatives.

SEC. 10203. CHINA CENSORSHIP MONITOR AND ACTION GROUP

(a) DEFINITIONS.—In this section:

"(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means—

"(A) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

"(B) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

"(2) QUALIFIED RESEARCH ENTITY.—The term ‘qualified research entity’ means an entity that—

"(A) is a nonprofit research organization or a Federally funded research and development center; and

"(B) has appropriate expertise and analytical capability to write the report required under subsection (c); and

"(C) is free from any financial, commercial, or other entanglements, which could undermine the independence of such report or create a conflict of interest or the appearance of a conflict of interest, with—

"(i) the Government of the People’s Republic of China;
(ii) the Chinese Communist Party;
(iii) any company incorporated in the People’s Republic of China or a subsidiary of such company; or
(iv) any individual or entity incorporated outside of the People’s Republic of China that is believed to have a substantial financial or commercial interest in the People’s Republic of China.

(3) UNITED STATES PERSON.—The term ‘United States person’ means—
(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or
(B) an entity organized under the laws of the United States or any jurisdiction within the United States, including a foreign branch of such an entity.

(b) CHINA CENSORSHIP MONITOR AND ACTION GROUP.—
(1) IN GENERAL.—The President shall establish an interagency task force, which shall be known as the “China Censorship Monitor and Action Group” (referred to in this subsection as the “Task Force”).

(2) MEMBERSHIP.—The President shall take the following actions with respect to the membership of, and participation in, the Task Force:
(A) Appoint the chair of the Task Force from among the staff of the National Security Council.
(B) Appoint the vice chair of the Task Force from among the staff of the National Economic Council.
(C) Direct the head of each of the following executive branch agencies to appoint personnel to participate in the Task Force:
(i) The Department of State.
(ii) The Department of Commerce.
(iii) The Department of the Treasury.
(iv) The Department of Justice.
(v) The Office of the Director of National Intelligence, and other appropriate elements of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)).
(vi) The United States Agency for Global Media.
(vii) Other agencies designated by the President.

(3) RESPONSIBILITIES.—The Task Force shall—
(A) oversee the development and execution of an interagency National Security Strategy to monitor and address the impacts of efforts directed, or directly supported, by the Government of the People’s Republic of China to limit freedom of expression in the private sector, including media, social media, film, education, and entertainment, technology, telecommunication, and internet infrastructure interests;
(B) submit the strategy developed pursuant to subparagraph (A) to the appropriate congressional committees not later than 120 days after the date of the enactment of this Act.
(C) APPLICABILITY TO UNITED STATES ALLIES AND PARTNERS.—To the extent practicable, the report required under subparagraph (A) shall include information on the activities conducted by the Task Force with respect to the reporting period—
(i) the strategic objectives and policies pursued by the United States in the People’s Republic of China to limit freedom of expression in the private sector, including media, social media, film, education, and entertainment, technology, telecommunication, and internet infrastructure interests;
(ii) the Government of the People’s Republic of China to limit freedom of expression in the private sector, including media, social media, film, education, and entertainment, technology, telecommunication, and internet infrastructure interests;
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conferences, technical working groups, meet-
ings, activities, and mechanisms; and
(2) Taiwan is a global leader and hub for
international aviation, with a range of ex-
pertise in the strategic importance of Taiwan
as the fifth busiest airport in Asia (Taoyuan Inter-
national Airport), and its meaningful par-
ticipation in ICAO would significantly en-
hance the authority of ICAO to ensure the safety
and security of global aviation; and
(3) coercion by the Chinese Communist
Party and the People’s Republic of China has
ensured the systematic exclusion of Taiwan
due to meaningful participation in ICAO, sig-
nificantly undermining the ability of ICAO to
ensure the safety and security of global aviation.

(b) PLAN FOR TAIWAN’S MEANINGFUL PAR-
TICIPATION IN THE INTERNATIONAL CIVIL AVIA-
TION ORGANIZATION.—Not later than 90 days
after the date of the enactment of this Act, and
annually thereafter for the following 5 years, the
Secretary shall submit a report on the implemen-
tation of the Taiwan Travel Act, including a discussion of its posi-
tive effects on United States interests in the
region, to the appropriate committees of Congress.

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

(c) APPROPRIATE COMMITTEES OF CONGRESS
DEFINED.—In this section, the term “ap-
propriate committees of Congress” means—
(1) the Committee on Foreign Relations
of the Senate;
(2) the Committee on Armed Services of the
Senate;
(3) the Committee on Appropriations of the
Senate;
(4) the Committee on Foreign Affairs of the
House of Representatives;
(5) the Committee on Armed Services of the
House of Representatives; and
(6) the Committee on Appropriations of the
House of Representatives.

SEC. 10402. AMENDMENTS TO THE TAIWAN AL-
LIES INTERNATIONAL PROTECTION AND ENHANCE-
MENT INITIATIVE (TAIPEI) ACT OF 2019.

The Taiwan Allies International Protec-
tion and Enhancement Initiative (TAIPEI)
Act of 2019 (Public Law 116–135) is amended—
(1) in section 2(b), by striking “and Kirbati” and inserting “Kiribati, and
Nicka-
ragua,”;
(2) in section 4 (A) in the matter preceding paragraph (1), by striking
the phrase “and Kiribati” and inserting “the United States of Amer-
ica has a diplomatic relationship with Kiribati and Nicaragua,”;
(3) by striking paragraph (1) and inserting—
(A) descriptions and explanations on the significance of the threats to
Taiwan’s security; and
(B) in subsection (b)(1), by striking “Tasman Sea” and inserting “the
South China Sea”;
(4) by adding at the end the following:
(TAIPPEI) ACT OF 2019.

1. The Secretary of State shall submit an unclassified report that—
(A) describes the United States plan to en-
sure Taiwan’s meaningful participation in ICAO, including in ICAO tri-
nennial assembly sessions, conferences, technical working groups, meet-
ings, activities, and mechanisms; and
(B) seeks to secure a vote at the next ICAO tri-
nennial assembly session on the question of
Taiwan’s participation in that session.

(c) REPORT CONCERNING TAIWAN’S MEAN-
INGFUL PARTICIPATION IN THE INTERNATIONAL CIVIL
AVIATION ORGANIZATION.—The Secretary of
State, in coordination with the Secretary of
Commerce, is authorized—
(1) to submit to the United States Congress an unclassified report that—
(a) describes the United States plan to en-
sure Taiwan’s meaningful participation in ICAO, including in ICAO tri-
nennial assembly sessions, conferences, technical working groups, meet-
ings, activities, and mechanisms; and
(b) includes an account of the efforts made by the Secretary of State and the Secretary of
Commerce to ensure Taiwan’s meaningful participation in ICAO, including in ICAO tri-
nennial assembly sessions, conferences, technical working groups, meet-
ings, activities, and mechanisms; and
(3) identifies the steps the Secretary of State and the Secretary of
Commerce will take to ensure Taiwan’s meaningful participation in ICAO, including in ICAO tri-
nennial assembly sessions, conferences, technical working groups, meet-
ings, activities, and mechanisms; and
(4) describes measures taken by Taiwan to ensure meaningful participa-
tion in ICAO.

SEC. 10403. REPORT ON THE ROLE OF PEOPLE’S REP-
UBLIC OF CHINA’S NUCLEAR THREAT IN ESCALATION DYNAMICS.

(a) IN GENERAL.—Not later than 90 days
after the date of the enactment of this Act,
the Secretary of State, in consultation with the
Secretary of Defense and the Director of
National Intelligence, shall submit to the ap-
propriate congressional committees a report
assessing the role of the increasing nuclear
threat of the People’s Republic of China in
escalation dynamics with respect to Taiwan.

(b) FORM.—The report required by sub-
section (a) shall be submitted in unclassified
form, but may include a classified annex.

(c) APPROPRIATE COMMITTEES OF CONGRESS
DEFINED.—In this section, the term “appropriate congressional committees” means—
(1) the Committee on Foreign Relations
of the Senate;
(2) the Committee on Appropriations of the
Senate;
(3) the Committee on Foreign Affairs of the
House of Representatives;
(4) the Committee on Armed Services of the
House of Representatives; and
(5) the Permanent Select Committee on In-
elligence of the House of Representatives.

SEC. 10404. REPORT ANALYZING THE IMPACT OF RUSSIA’S WAR AGAINST UKRAINE ON THE OBJECTIVES OF THE PEOPLE’S REPUBLIC OF CHINA WITH RESPECT TO TAIWAN.

(a) IN GENERAL.—Not later than 90 days
after the date of the enactment of this Act,
the Secretary of State, in consultation with the
Secretary of Defense and the Director of
National Intelligence, shall submit a report to
the appropriate congressional committees
that analyzes the impact of Russia’s war
against Ukraine on the PRC’s diplomatic,
military, economic, and propaganda objec-
tives with respect to Taiwan.

(b) ELEMENTS.—The report required under
subsection (a) shall describe—
(1) adaptations or known changes to PRC strategies and military doctrine since
the commencement of the Russian invasion of Ukraine on February 24, 2022, including
changes—
(A) in PRC behavior in international for-
ums;
(B) within the People’s Liberation Army,
with respect to the size of forces, the make-
up of leadership, weapons procurement,
equipment upkeep, the doctrine on the use of
specific weapons, such as weapons banned
under the international law of armed con-
flicts, efforts to move weapons supply chains
onto mainland PRC, or any other changes in
its military strategy with respect to Taiwan;
(C) in economic planning, such as sanc-
tions, evasion, efforts to increase exposure
to sanctions, or moves in support of the
protection of currency or other strategic re-
serves;
(D) to propaganda, disinformation, and
other information operations originating in
the PRC; and
(E) to the PRC’s use of force against Taiwan,
including any informa-
tion on preferred scenarios or operations to
secure its objectives in Taiwan, adjustments
based on how the Russian military has per-
formed in Ukraine, and other relevant mat-
ters;
(2) United States’ plans to adapt its poli-
cies and military planning in response to
the changes referred to in paragraph
(1); and
(3) United States’ plans to adapt its poli-
cies and military planning in response to
the changes referred to in paragraph
(1).

(c) FORM.—The report required under
subsection (a) shall be submitted in classi-
fied form.
under subsection (a), as appropriate, with appropriate officials of allied and partners, including Taiwan and other partners in Europe and in the Indo-Pacific.

SEC. 10501. SHORT TITLE. This title may be cited as “United States-Taiwan Public Health Protection Act”.

SEC. 10502. DEFINITIONS. In this title:
(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—For the purposes of this title, the term “appropriate congressional committees” means—
(A) the Committee on Foreign Relations of the Senate;
(B) the Committee on Armed Services of the Senate;
(C) the Select Committee on Intelligence of the Senate;
(D) the Committee on Banking, Housing, and Urban Affairs of the Senate;
(E) the Committee on Foreign Affairs of the House of Representatives;
(F) the Committee on Armed Services of the House of Representatives;
(G) the Committee on Appropriations of the House of Representatives;
(H) the Permanent Select Committee on Intelligence of the House of Representatives; and
(I) the Committee on Financial Services of the House of Representatives.

TITLES V—UNITED STATES-TAIWAN PUBLIC HEALTH PROTECTION

SEC. 10501. SHORT TITLE. This title may be cited as “United States-Taiwan Public Health Protection Act”.

SEC. 10502. DEFINITIONS. In this title:
(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—For the purposes of this title, the term “appropriate congressional committees” means—
(A) the Committee on Foreign Relations of the Senate;
(B) the Committee on Health, Education, Labor, and Pensions of the Senate;
(C) the Committee on Appropriations of the Senate;
(D) the Committee on Foreign Affairs of the House of Representatives;
(E) the Committee on Energy and Commerce of the House of Representatives;
(F) the Committee on Appropriations of the House of Representatives;
(G) the Committee on Energy and Commerce of the House of Representatives; and
(H) the Committee on Appropriations of the House of Representatives.

TITLES V—RULES OF CONSTRUCTION

SEC. 10601. RULE OF CONSTRUCTION. Nothing in this division may be construed—
(1) to restore diplomatic relations with the Republic of China; or
(2) to alter the United States Government’s position with respect to the international status of the Republic of China.

SEC. 10602. RULE OF CONSTRUCTION REGARDING USE OF MILITARY FORCE. Nothing in this division may be construed as authorizing the use of military force or the introduction of United States forces into hostilities.

SA 6448. Mr. REED (for Mr. CRAMER) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1077. COST-SHARING REQUIREMENTS APPLICABLE TO CERTAIN BUREAU OF RECLAMATION DAMS AND DIKES.

Section 4309 of the America’s Water Infrastructure Act of 2018 (43 U.S.C. 377b; Public Law 115-270) is amended—
(1) in the section heading, by inserting “dams and” before “dikes”;
(2) in subsection (a), by striking “effective beginning on the date of enactment of this section, the Federal share of the operations and maintenance costs described in subsection (b)” and inserting “effective during the 1-year period beginning on the date of enactment of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023, the Federal share of the dam safety modifications costs of a dam or dike described in subsection (b), including repairing or replacing a gate or ancillary gate components,”; and
(3) in subsection (b)–
(A) in the subsection heading, by inserting “dams and” before “dikes”;
(B) in the matter preceding paragraph (1), by inserting “or” before “dike” each place it appears; and
(C) in paragraph (2), by striking “December 31, 1945” and inserting “December 31, 1948”.

SA 6450. Mr. REED (for Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1208. PROHIBITION ON AVAILABILITY OF FUNDS RELATING TO SOVEREIGNTY OF THE RUSSIAN FEDERATION OVER SOVEREIGN UKRAINIAN TERRITORY.

(a) IN GENERAL.—Section 1234 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 135 Stat. 1974) is amended—

...
SEC. 884. PROHIBITION ON OPERATION OF COVERED UNMANNED AIRCRAFT SYSTEMS FROM COVERED FOREIGN ENTITIES.

(a) Prohibition.—

(1) in general.—Beginning on the date that is two years after the date of enactment of this Act, no Federal department or agency may operate a covered unmanned aircraft system manufactured or assembled by a covered foreign entity.

(b) Exemption.—The Secretary of Homeland Security, the Secretary of Defense, the Director of National Intelligence, and the Attorney General are exempt from the restriction under subsection (a) if the procurement is required in the national interest of the United States and—

(1) is for the sole purposes of research, evaluation, training, testing, or analysis for electronic warfare, information warfare operations, cybersecurity, or development of unmanned aircraft system or counter-unmanned aircraft system technology;

(2) is for the sole purposes of conducting counterterrorism or counterintelligence activities, protective missions, or Federal activities of the Department of Energy, the Department of Homeland Security, the Secretary of Defense, the Department of Commerce, the Office of Management and Budget, and any other activity deemed to support the safe, secure, or efficient operation of the National Airspace System or maintenance of public safety, as determined by the Secretaries or the Secretary's designee.

SEC. 885. PROHIBITION ON USE OR TRANSFER TO COVERED UNMANNED AIRCRAFT SYSTEMS.

(a) Prohibition.—

(1) in general.—Beginning on the date that is two years after the date of enactment of this Act, no Federal department or agency may use or transfer to, or download data from, a covered unmanned aircraft system or counter-unmanned aircraft system technology; or

(2) upon notification to—

(a) IN GENERAL.—Except as provided under subsections (b) through (f), the head of an executive agency may not procure any covered unmanned aircraft system that is manufactured or assembled by a covered foreign entity, which includes associated elements (consisting of communication links and the components of unmanned aircraft systems that enable the operator to operate the aircraft in the National Airspace System. The Federal Airspace Authorization Act, in coordination with the Attorney General, the Secretary of Homeland Security, the Secretary of Defense, the Director of National Intelligence, and the Attorney General are exempt from the restriction under subsection (a) if the procurement is required in the national interest of the United States and—

(1) is for the sole purposes of research, evaluation, training, testing, or analysis for electronic warfare, information warfare operations, cybersecurity, or development of unmanned aircraft system or counter-unmanned aircraft system technology;

(2) is for the sole purposes of conducting counterterrorism or counterintelligence activities, protective missions, or Federal activities of the Department of Energy, the Department of Homeland Security, the Secretary of Defense, the Department of Commerce, the Office of Management and Budget, and any other activity deemed to support the safe, secure, or efficient operation of the National Airspace System or maintenance of public safety, as determined by the Secretaries or the Secretary's designee.

(b) Exemption.—The Department of Homeland Security, the Secretary of Defense, the Director of National Intelligence, and the Attorney General are exempt from the restriction under subsection (a) if the procurement is required in the national interest of the United States and—

(1) is for the sole purposes of research, evaluation, training, testing, or analysis for electronic warfare, information warfare operations, cybersecurity, or development of unmanned aircraft system or counter-unmanned aircraft system technology; or

(2) is for the sole purposes of conducting counterterrorism or counterintelligence activities, protective missions, or Federal activities of the Department of Energy, the Department of Homeland Security, the Secretary of Defense, the Department of Commerce, the Office of Management and Budget, and any other activity deemed to support the safe, secure, or efficient operation of the National Airspace System or maintenance of public safety, as determined by the Secretaries or the Secretary's designee.

(c) Department of Transportation and Federal Aviation Administration Exemption.—The Secretary of Transportation is exempt from the restriction under subsection (a) if the procurement is necessary for the sole purpose of conducting safety investigations.

(d) National Ocean and Atmospheric Administration Exemption.—The Administrator of the National Ocean and Atmospheric Administration (NOAA), in consultation with the Secretary of Homeland Security, is exempt from the restriction under subsection (a) if the procurement is necessary for the purpose of meeting NOAA's science or management objectives.

(e) Waiver.—The head of an executive agency may waive the prohibition under subsection (a) if the procurement is necessary for the purpose of meeting NOAA's science or management objectives.

(f) Exemption.—The head of an executive agency may waive the prohibition under subsection (a) if the procurement is necessary for the purpose of meeting NOAA's science or management objectives.

SEC. 886. PROHIBITION ON OPERATION OF COVERED UNMANNED AIRCRAFT SYSTEMS.

(a) Prohibition.—

(1) in general.—Beginning on the date that is two years after the date of enactment of this Act, no Federal department or agency may operate a covered unmanned aircraft system manufactured or assembled by a covered foreign entity.

(b) Exemption.—The Secretary of Homeland Security, the Secretary of Defense, the Director of National Intelligence, and the Attorney General are exempt from the restriction under subsection (a) if the procurement is required in the national interest of the United States and—

(1) is for the sole purposes of research, evaluation, training, testing, or analysis for electronic warfare, information warfare operations, cybersecurity, or development of unmanned aircraft system or counter-unmanned aircraft system technology;

(2) is for the sole purposes of conducting counterterrorism or counterintelligence activities, protective missions, or Federal activities of the Department of Energy, the Department of Homeland Security, the Secretary of Defense, the Department of Commerce, the Office of Management and Budget, and any other activity deemed to support the safe, secure, or efficient operation of the National Airspace System or maintenance of public safety, as determined by the Secretaries or the Secretary's designee.

(c) Department of Transportation and Federal Aviation Administration Exemption.—The Secretary of Transportation is exempt from the restriction under subsection (a) if the operation or procurement is necessary for the sole purpose of conducting safety investigations.

(d) National Ocean and Atmospheric Administration Exemption.—The Administrator of the National Oceanic and Atmospheric Administration (NOAA), in consultation with the Secretary of Homeland Security, is exempt from the restriction under subsection (a) if the operation or procurement is necessary for the purpose of meeting NOAA's science or management objectives.

(e) Waiver.—The head of an executive agency may waive the prohibition under subsection (a) if the procurement is necessary for the purpose of meeting NOAA's science or management objectives.

(f) Exemption.—The head of an executive agency may waive the prohibition under subsection (a) if the procurement is necessary for the purpose of meeting NOAA's science or management objectives.
(2) upon notification to—
(A) the Committee on Homeland Security and Governmental Affairs of the Senate;
(B) the Committee on Oversight and Reform; and
(C) other appropriate congressional committees of jurisdiction.

(g) REGULATIONS AND GUIDANCE.—Not later than two years after the date of the enactment of this Act, the Secretary of Homeland Security, in consultation with the Attorney General, shall prescribe regulations or guidance to implement this section.

SEC. 885. PROHIBITION ON USE OF FEDERAL FUNDS FOR PURCHASES AND OPERATIONS OF COVERED UANNED AIRCRAFT SYSTEMS FROM COVERED FOREIGN ENTITIES.

(a) IN GENERAL.—Beginning on the date that is two years after the date of the enactment of this Act, except as provided in subsection (b), no Federal funds awarded through a contract, grant, cooperative agreement, or otherwise made available may be used—
(1) to purchase a covered unmanned aircraft system that is manufactured or assembled by a covered foreign entity; or
(2) in connection with the operation of such a drone or unmanned aircraft system.

(b) Secretary of Homeland Security, the Director of the National Intelligence, and the Attorney General are exempt from the restrictions of subsection (a) if the procurement is required in the national interest of the United States and—
(1) is for the sole purposes of research, evaluation, training, testing, or analysis, including for electronic warfare, information warfare operations, cybersecurity, or development of unmanned aircraft systems or counter-unmanned aircraft system technology; or
(2) is for the sole purposes of conducting counterterrorism or counterintelligence activities, protective missions, or Federal criminal or national security investigations, including forensic examinations, or for electronic warfare, information warfare operations, cybersecurity, or development of an unmanned aircraft system or counter-unmanned aircraft system technology;
(3) is a manned aircraft system that, as procured or as modified after procurement but before operational use, can no longer be used to transfer to, or download data from, a covered foreign entity and otherwise poses no national security cybersecurity risks as determined by the official;
(c) DEPARTMENT OF TRANSPORTATION AND FEDERAL AVIATION ADMINISTRATION EXEMPTION.—The Secretary of Transportation is exempt from the restriction under subsection (a) if the operation or procurement is deemed to support the safe, secure, or efficient operation of the National Airspace System or to maintain public safety, including activities carried out under the Federal Aviation Administration’s Alliance for System Safety through Research Excellence (ASSURE) or the Federal Aviation Administration’s Aviation Safety of UAS through Research Excellence (COE) and any other activity deemed to support the safe, secure, or efficient operation of the National Airspace System or to maintain public safety, as determined by the Secretary or the Secretary’s designee.
(d) NATIONAL OCEANIC AND AT HOSPHERIC ADMINISTRATION EXEMPTION.—The Administrator of the National Oceanic and Atmospheric Administration (NOAA), in consultation with the Secretary of Homeland Security, is exempt from the restriction under subsection (a) if the operation or procurement is necessary for the purpose of meeting NOAA’s science or management objectives.
(e) AVIATION SECURITY.—The Administrator of the Federal Aviation Administration, or an employee of the Administrator, may waive the prohibition under subsection (a) on a case-by-case basis—
(1) with the approval of the Director of the Office of Management and Budget, after consultation with the Federal Acquisition Security Council; and
(2) upon notification to—
(A) the Committee on Homeland Security and Government Affairs of the Senate; and
(B) the Committee on Oversight and Reform.

(f) EXCEPTIONS.—The Department of Defense, the Department of Homeland Security, the Department of Justice, and the Office of Management and Budget, as necessary, to implement the requirements of this section pertaining to Federal contracts.

(g) REGULATIONS AND GUIDANCE.—Not later than 180 days after the date of enactment of this Act, the Federal Acquisition Regulatory Council shall prescribe regulations or guidance, as necessary, to implement the requirements of this section pertaining to Federal contracts.

SEC. 886. PROHIBITION ON USE OF GOVERNMENT-ISSUED PURCHASE CARDS TO PURCHASE COVERED UANNED AIRCRAFT SYSTEMS FROM COVERED FOREIGN ENTITIES.

Effective immediately, Government-issued Purchase Cards may not be used to procure any covered unmanned aircraft system from a covered foreign entity.

SEC. 887. MANAGEMENT OF EXISTING INVENTORIES OF COVERED UANNED AIRCRAFT SYSTEMS FROM COVERED FOREIGN ENTITIES.

(a) IN GENERAL.—All executive agencies must account for existing inventories of covered unmanned aircraft systems manufactured or assembled by a covered foreign entity in their personal property accounting systems, within one year of the date of enactment of this Act, regardless of the original purpose of the procurement due to the special monitoring and accounting measures necessary to track the items’ capabilities.

(b) CLASSIFIED TRACKING.—Due to the sensitive nature of missions and operations conducted by the United States Government, inventory data for covered unmanned aircraft systems manufactured or assembled by a covered foreign entity may be tracked at a classified level.

(c) EXCEPTIONS.—The Department of Defense, Department of Homeland Security, Department of Justice, and Department of Transportation may exclude from the full inventory process, covered unmanned aircraft systems that are deemed expendable due to mission risk such as recovery issues or that are otherwise one-time-use covered unmanned aircraft due to requirements and low cost.

SEC. 888. COMPTROLLER GENERAL REPORT.

Not later than 276 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the amount of commercial off-the-shelf drones and covered unmanned aircraft systems procured by Federal departments and agencies from covered foreign entities.

SEC. 889. GOVERNMENT-WIDE POLICY FOR PURCHASE OF COVERED UANNED AIRCRAFT SYSTEMS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Director of the Office of Management and Budget, in coordination with the Director of the Office of Management and Budget, and the Director of the Office of Management and Budget, and in consultation with the National Institute of Standards and Technology, shall establish a government-wide policy for the procurement of an unmanned aircraft system—
(1) for non-Department of Defense and non-Federal entities not subject to, or not subject solely to, the Federal Acquisition Regulation, as necessary, to implement the policy; and
(2) the Director of the Office of Management and Budget, in coordination with the Director of the Office of Management and Budget, as necessary, to implement the policy.

(b) TIME PERIOD.—In developing the policy required under subsection (a), the Director of the Office of Management and Budget shall—
(1) incorporate policies to implement the exemptions contained in this subtitle; and
(2) incorporate an exemption to the policy in the case of a head of an Executive Department or agency determining, in writing, that no product that complies with the information security requirements described in subsection (b) is capable of fulfilling mission critical performance requirements, and such determination—
(A) may not be delegated below the level of the Deputy Secretary, or Administrator, of the procuring department or agency; and
(B) shall specify—
(i) the quantity of end items to which the waiver applies and the removal or procurement value of those items; and
(ii) the time period over which the waiver applies, which shall not exceed three years; and
(C) shall be reported to the Office of Management and Budget following issuance of such a determination; and
(D) not later than 30 days after the date on which the determination is made, shall be provided to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform.

SEC. 890. STATE, LOCAL, AND TERRITORIAL LAW ENFORCEMENT AND EMERGENCY RESPONSE EXEMPTIONS.

(a) RULE OF CONSTRUCTION.—Nothing in this subtitle shall prevent a State, local, or
terrestrial law enforcement or emergency service agency from procuring or operating a covered unmanned aircraft system purchased with non-Federal dollars.

(b) Reporting Arrangements.—The Federal Government may continue entering into contracts, grants, and cooperative agreements or other Federal funding instruments with State, local, or territorial law enforcement or emergency service agencies under which a covered unmanned aircraft system will be purchased or operated if the agency received approval or waiver to purchase or operate a covered unmanned aircraft system pursuant to section 885.

SEC. 891. STUDY.
(a) IN GENERAL.—The Secretary of Defense, in consultation with the Secretary of Homeland Security, shall conduct a study to assess the extent to which any program of the Department of Defense, and for military contingency operations or search and rescue operations on Indian lands.

b. Sections 883, 884, and 885 shall cease to have effect on the date that is five years after the date of enactment of this Act.

SEC. 892. EXCEPTIONS.
(a) EXCEPTION FOR WILDFIRE MANAGEMENT OPERATIONS AND SEARCH AND RESCUE OPERATIONS.—The appropriate congressional committees may permit the Under Secretary of Defense for Acquisition and Sustainment to provide to the appropriate congressional committees a report on the supply chain for covered unmanned aircraft systems, including a discussion of current and projected future demand for covered unmanned aircraft systems.

(b) Purchase under paragraph (1) shall include the following:
(A) A description of the current and future global and domestic market for covered unmanned aircraft systems that are similarly commercially available except from a covered foreign entity.
(B) A description of the sustainability, availability, cost, and quality of secure sources of covered unmanned aircraft systems domestically and from sources in allied and partner countries.
(C) The Select Committee on Intelligence of the Senate, in consultation with the Director of National Intelligence, are exempt from the appropriations for fiscal year 2023 for military activities of the Department of Defense and for military contingency operations or search and rescue operations on Indian lands.

SEC. 893. SUNSET.
Sections 883, 884, and 885 shall cease to have effect on the date that is five years after the date of enactment of this Act.

SA 6452. Mr. REED (for Mr. SHELBY) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REID (for himself and Mr. INHOFE) to the bill S. 790, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military contingency operations or search and rescue operations on Indian lands.

SEC. 883. CENTER FOR EXCELLENCE IN ENVIRONMENTAL SECURITY.
(a) IN GENERAL.—Chapter 7 of title 10, United States Code, is amended by inserting after section 182 the following new section:

SEC. 182c. CENTER FOR EXCELLENCE IN ENVIRONMENTAL SECURITY.
(A) Establishment.—The Secretary of Defense may operate a Center for Excellence in Environmental Security (in this section referred to as the ‘‘Center’’).
(B) Missions.—(1) The Center shall be used to provide and facilitate education, training, and research in civil-military operations, particularly operations that require coordination between the Department of Defense and other agencies.
(C) The Center shall be credited to appropriations for military activities of the Department of Defense and for military contingency operations or search and rescue operations on Indian lands.

SEC. 884. CENTER FOR EXCELLENCE IN ENVIRONMENTAL SECURITY.
(a) ESTABLISHMENT.—The Secretary of Defense may operate a Center for Excellence in Environmental Security.
(b) MISSONS.—(1) The Center shall be used to provide and facilitate education, training, and research in civil-military operations, particularly operations that require coordination between the Department of Defense and other agencies.
(2) The Center shall be used to provide and facilitate education, training, and research in civil-military operations, particularly operations that require coordination between the Department of Defense and other agencies.
(c) The Center shall be used to provide and facilitate education, training, and research in civil-military operations, particularly operations that require coordination between the Department of Defense and other agencies.
(3) The Center shall be used to provide and facilitate education, training, and research in civil-military operations, particularly operations that require coordination between the Department of Defense and other agencies.
(4) The Center shall be used to provide and facilitate education, training, and research in civil-military operations, particularly operations that require coordination between the Department of Defense and other agencies.

SEC. 885. CENTER FOR EXCELLENCE IN ENVIRONMENTAL SECURITY.
(a) IN GENERAL.—Chapter 7 of title 10, United States Code, is amended by inserting after section 182 the following new section:

SEC. 182d. CENTER FOR EXCELLENCE IN ENVIRONMENTAL SECURITY.
(A) Establishment.—The Secretary of Defense may operate a Center for Excellence in Environmental Security.
(B) Missions.—(1) The Center shall be used to provide and facilitate education, training, and research in civil-military operations, particularly operations that require coordination between the Department of Defense and other agencies.
(2) The Center shall be used to provide and facilitate education, training, and research in civil-military operations, particularly operations that require coordination between the Department of Defense and other agencies.

SEC. 1550. IRAN NUCLEAR WEAPONS CAPABILITY AND TERRORISM MONITORING ACT OF 2022.
(a) SHORT TITLE.—This section may be cited as the ‘‘Iran Nuclear Weapons Capability and Terrorism Monitoring Act of 2022’’.
(b) FINDINGS.—Congress makes the following findings:
(1) In the late 1980s, the Islamic Republic of Iran established the AMAD Project with the intent to manufacture 5 nuclear weapons and posses them underground.
(2) Since at least 2002, the Islamic Republic of Iran has advanced its nuclear and ballistic
Hassan Rouhani stated that "Iran's Atomic uranium to 60 percent purity. death of the head of the Organization of Development, and manufacturing by the Islamic Republic of Iran.

(4) On April 11, 2006, the International Atomic Energy Agency to monitor uranium enrichment activities.

(2) intelligence agencies have compiled evidence of the intent of the Islamic Republic of Iran to advance a nuclear program, with evidence of a nuclear program prior to 2005.

(3) the United States, Israel, and other allies and partners.

(4) the Islamic Republic of Iran continues to support proxies in the Middle East in a manner that—

(A) undermines the sovereignty of regional governments; apply nuclear material of any kind to terrorist activities.

(3) The term "appropriate congressional committees" means—

(A) the Committee on Foreign Relations, the Committee on Appropriations, the Committee on Armed Services, the Committee on Energy and Natural Resources, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Appropriations, the Committee on Armed Services, the Committee on Energy and Commerce, and the Permanent Select Committee on Intelligence of the House of Representatives.

(7) In connection with the Islamic Republic of Iran manifested through the support of the international community; and

(9) the Islamic Republic of Iran continues to support proxies in the Middle East in a manner that—

(A) undermines the sovereignty of regional governments;

(1) A PROPER CONGRESSIONAL COMMITTEE.—The term ‘appropriate congressional committees’ means—

(A) the Committee on Foreign Relations, the Committee on Appropriations, the Committee on Armed Services, the Committee on Energy and Commerce, and the Permanent Select Committee on Intelligence of the House of Representatives.

(1) Unauthorized nuclear weapon agreements with foreign states; and

(2) The term "appropriate congressional committees" means—

(A) the Committee on Foreign Relations, the Committee on Appropriations, the Committee on Armed Services, the Committee on Energy and Natural Resources, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Appropriations, the Committee on Armed Services, the Committee on Energy and Commerce, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) comprehensive safeguards agreement.—The term "comprehensive safeguards agreement" means the Agreement between the Islamic Republic of Iran and the International Atomic Energy Agency for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons, done at Vienna June 19, 1973.

(3) INTELLIGENCE COMMUNITY.—The term "intelligence community" has the meaning given in the term in section 3 of the National Security Act of 1947 (50 U.S.C. 203).
(1) ESTABLISHMENT.—The Secretary of State shall establish a task force to coordinate and synthesize efforts by the United States Government regarding—
(A) activities of the Islamic Republic of Iran or its proxies; and
(B) regional and global terrorism activity by the Islamic Republic of Iran or its proxies.

(2) COMPOSITION.—
(A) CHAIRPERSON.—The Secretary of State shall be the Chairperson of the task force.
(B) MEMBERS.—
(i) IN GENERAL.—The task force shall be composed of individuals, each of whom shall be an expert in an area appointed to the task force by the head of one of the following agencies:
(I) The Department of State.
(II) The Office of the Director of National Intelligence.
(III) The Department of Defense.
(IV) The Department of Energy.
(V) The Chairperson of the Central Intelligence Agency.
(ii) ADDITIONAL MEMBERS.—The Chairperson may appoint to the task force additional individuals from other Federal agencies, as the Chairperson considers necessary.

(3) SUNSET.—The task force shall terminate on December 31, 2028.

(4) PURPOSES.—The task force shall conduct a comprehensive and on-going assessment of the national security of the United States, Israel, and other countries affected by the Islamic Republic of Iran or any of its proxies, a description of—
(x) an assessment of whether the Islamic Republic of Iran or any of its proxies possesses an unmanned aircraft system or other associated equipment capable of delivering a nuclear weapon; and
(xi) an assessment of whether the Islamic Republic of Iran or any of its proxies has engaged in or conducted nuclear weapons development activities, or activities related to developing the capabilities for the production of nuclear weapons or potential delivery vehicles, that would pose a threat to the national security of the United States, Israel, or other partners or allies; and
(xii) any other information that the task force determines is necessary to ensure a complete understanding of the capability of the Islamic Republic of Iran to develop and manufacture nuclear or other types of associated weapons systems.

(1) INTELLIGENCE ASSESSMENT ON NUCLEAR ACTIVITY.—
(A) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, and every 120 days thereafter until December 31, 2028, the Director of National Intelligence shall submit to the appropriate congressional committees an assessment regarding any uranium enrichment, nuclear weapons development, delivery vehicle development, and associated engineering and research activities of the Islamic Republic of Iran.
(B) CONTENTS.—The assessment required by subparagraph (A) shall include—
(i) a description and location of current fuel cycle activities for the production of fissile material being undertaken by the Islamic Republic of Iran, including—
(aa) development activities to procure or construct additional advanced IR-2, IR-6 and other model centrifuges and enrichment cascades, including for stable isotopes;
(bb) research and development of reprocessing capabilities, including—
(a) reprocessing of spent fuel, and
(b) extraction of medical isotopes from irradiated uranium targets;
(cc) activities with respect to designing or constructing reactors, including—
(1) the construction of heavy water reactors;
(2) the manufacture or procurement of reactor components, including the intended application of such components; and
(ccc) efforts to rebuild the original reactor at Arak;
(dd) uranium mining, concentration, conversion, enrichment, and reprocessing, including—
(aa) estimated uranium ore production capacity and annual recovery;
(bb) recovery processes and ore concentrate production capacity and annual recovery;
(cc) research and development with respect to, and the annual rate of, conversion of uranium feed stock;
(dd) research and development with respect to the fabrication of reactor fuels, including the use of depleted, natural, and enriched uranium and thorium; and
(2) activities with respect to—
(aa) producing or acquiring plutonium or uranium (or their alloys); and
(b) the research, development and deployment on plutonium or uranium (or their alloys); and
(cc) uranium metal; or
(dd) casting, forming, or machining plutonium or uranium;
(ii) with respect to any activity described in clause (i), a description, as applicable, of—
(aa) the type and type of centrifuges used to enrich uranium and the operating status of such centrifuges;
(bb) the number and location of any enrichment or associated research and development facility used to engage in such activity;
(cc) the amount of heavy water, in metric tons, produced by such activity and the acquisition or manufacture of major reactor components, including, for the second and subsequent assessments, the amount produced since the last assessment;
(dd) the number and type of fuel assemblies produced by the Islamic Republic of Iran, including failed or rejected assemblies; and
(e) the total amount of—
(aa) uranium–235 enriched to not greater than 5 percent purity;
(bb) uranium–235 enriched to greater than 5 percent purity and not greater than 20 percent purity;
(cc) uranium–235 enriched to greater than 20 percent purity and not greater than 60 percent purity;
(dd) uranium–235 enriched to greater than 60 percent purity and not greater than 90 percent purity; and
(ee) uranium–235 enriched greater than 90 percent purity;
(iii) a description of any weaponization plans and weapons development capabilities of the Islamic Republic of Iran, including—
(aa) plans and capabilities with respect to—
(1) weapon design, including fission, warhead miniaturization, and boosted and early thermonuclear weapon design;
(2) high yield fission development;
(3) design, development, acquisition, or use of computer models to simulate nuclear explosive devices;
(b) design, development, fabrication, acquisition, or use of explosively driven neutron sources or specialized materials for explosively driven neutron sources; and
(cc) design, development, fabrication, acquisition, or use of precision machining and tooling that could enable the production of nuclear explosive device components;
(iv) the ability of the Islamic Republic of Iran to deploy a working or reliable delivery vehicle capable of carrying a nuclear warhead;
(v) the estimated breakout time for the Islamic Republic of Iran to develop and deploy a nuclear weapon, including a crude nuclear weapon;
(vi) the status and location of any research and development work site related to the preparation of an underground test nuclear test site;
(vii) an identification of any clandestine nuclear facility;
(viii) an assessment of whether the Islamic Republic of Iran has locations to store dual-use equipment, research archives, or other material previously used for a weapons program or that would be of use to a weapons program that the Islamic Republic of Iran has not declared to the International Atomic Energy Agency;
(ix) any diversion by the Islamic Republic of Iran of uranium, carbon-fiber, or other materials for use in an undeclared or clandestine facility;
(x) an assessment of activities related to developing the capabilities for the production of nuclear weapons, conducted at facilities controlled by the Ministry of Defense and Armed Forces Logistics of Iran, the Islamic Revolutionary Guard Corps, and the Organization of Defensive Innovation and Research, including an analysis of gaps in knowledge due to the lack of inspections and nontransparency of such facilities;
(xi) a description of activities between the Islamic Republic of Iran and other countries with respect to sharing information on nuclear weapons or activities related to weaponization;
(xii) any assessment of whether the Islamic Republic of Iran or any of its proxies, a description of—
(1) the type of missile;
(2) the range of such missiles; and
(3) the capability of such missiles to deliver a nuclear warhead;
(xiii) the number of such missiles; and
(xiv) any assessment of whether the Islamic Republic of Iran or any of its proxies possesses an unmanned aircraft system or other associated equipment capable of delivering a nuclear weapon;
(xv) an assessment of whether the Islamic Republic of Iran or any of its proxies has engaged in or conducted nuclear weapons development activities, or activities related to developing the capabilities for the production of nuclear weapons or potential delivery vehicles, that would pose a threat to the national security of the United States, Israel, or other partners or allies; and
(xvi) any other information that the task force determines is necessary to ensure a complete understanding of the capability of the Islamic Republic of Iran to develop and manufacture nuclear or other types of associated weapons systems.

(2) ASSESSMENT ON REGIONAL AND GLOBAL TERRORISM OF THE ISLAMIC REPUBLIC OF IRAN.—
(A) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, and every 120 days thereafter until December 31, 2028, the Director of National Intelligence shall submit to the appropriate congressional committees an assessment regarding the regional and global terrorism of the Islamic Republic of Iran.
(B) CONTENTS.—The assessment required by subparagraph (A) shall include—
(i) a description of the lethal support of the Islamic Republic of Iran, including training, equipment, and associated intelligence support, to regional and global non-state terrorist groups and proxies; and
(ii) a description of the lethal support of the Islamic Republic of Iran, including training and equipment, to regional and global non-state terrorist groups and proxies;
(iii) an assessment of financial support of the Islamic Republic of Iran to Middle Eastern non-state terrorist groups and proxies and associated Iranian revenue streams funding such support;
(iv) an assessment of the threat posed by the Islamic Republic of Iran and Iran-supported groups to members of the Armed Forces, diplomats, and military and diplomatic facilities of the United States throughout the Middle East and North Africa;
(v) a description of attacks by, or sponsored by, the Islamic Republic of Iran against members of the Armed Forces, diplomats, and military and diplomatic facilities of the United States, and the associated response by the United States Government in the previous 120 days;
(vi) a description of attacks by, or sponsored by, the Islamic Republic of Iran against United States partners or allies and the associated response by the United States Government in the previous 120 days;
in the Middle East and North Africa in an effort to create conditions for or shape agreements more favorable to the policies of the Government of the Islamic Republic of Iran; (vi) to support the diplomatic presence of the United States citizens, the diplomatic presence of the United States in the Middle East, and the national security interests of the United States; (vii) to provide additional leverage to the United States citizens, the diplomatic presence of the United States citizens, the national security interests of the United States; and
(x) a description of any plots by the Islamic Republic of Iran against United States citizens both abroad and within the United States; and
(x) a description of any efforts to address the threat that new or evolving uranium enrichment, nuclear weaponization, or missile development activities by the Islamic Republic of Iran may pose to the national security interests of the United States.
(3) FORM: PUBLIC AVAILABILITY; DUPLICATION. (A) FORM.—Each assessment required by this subsection shall be submitted in unclassified form but may include a classified annex for information that, if released, would be detrimental to the national security of the United States.
(B) PUBLIC AVAILABILITY.—The unclassified portion of an assessment required by this subsection shall be made available to the public on an internet website of the Office of the Director of National Intelligence that is accessible by the public, unless the Director of National Intelligence determines, in his or her discretion, that such availability would be detrimental to the national security of the United States, and unless otherwise required by a congressional mandate or requests from executive branch officials.
(g) DIPLOMATIC STRATEGY TO ADDRESS IDENTIFIED NUCLEAR, BALLISTIC MISSILE, AND TERRORISM THREATS TO THE UNITED STATES. (1) IN GENERAL.—Not later than 30 days after the submission of the initial assessment under subsection (f)(1), and annually thereafter (but not later than December 31, 2023, the Secretary, in consultation with the task force, shall submit to the appropriate congressional committees a diplomatic strategy that outlines a comprehensive plan for engaging with partners and allies of the United States regarding uranium enrichment, nuclear weaponization, and missile development activities and regional and global terrorism of the Islamic Republic of Iran.
(2) CONTENTS.—The diplomatic strategy required by paragraph (1) shall include—
(i) an assessment of whether the Islamic Republic of Iran—
(A) is in compliance with the Comprehensive Safeguards Agreement and modified Code 3.1 of the Subsidiary Arrangements to the Comprehensive Safeguards Agreement; and
(B) has denied access to sites that the International Atomic Energy Agency has sought to inspect during previous 1-year period;
(ii) a description of any dual-use items (as defined in 10 CFR 7900, to authorize appropriations for the fiscal year 2023 for military activities of the Department of Defense, and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:
At the appropriate place in division C, insert the following:
SEC. 3. U.S. NUCLEAR FUELS SECURITY INITIATIVE.
(a) SENSE OF CONGRESS.—It is the sense of Congress that—
(1) the Department should—
(A) prioritize activities to increase domestic production of low-enriched uranium; and
(B) accelerate efforts to establish a domestic high-assay, low-enriched uranium enrichment capability; and
(2) if domestic enrichment of high-assay, low-enriched uranium will not be commercially available at the scale needed in time to meet the needs of the advanced nuclear reactor and uranium fuel fabrication projects of the Department, the Secretary shall consider implementing—
(A) all viable options to make high-assay, low-enriched uranium produced from in-vessel reactor irradiated high-assay, low-enriched uranium by an annual quantity, and in such form, determined by the Secretary to be sufficient to meet the needs of—
(1) advanced nuclear reactor developers; and
(2) the consortium;
(3) to ensure the availability of domestically produced, converted, and enriched uranium in a quantity determined by the Secretary, in consultation with U.S. nuclear energy companies, to be sufficient to address a reasonably anticipated supply disruption; and
(4) to address gaps in the domestic production, conversion, enrichment, deconversion, and reduction of uranium by partnering with countries that are allies or partners of the United States if domestic options are not practicable;
(5) to ensure that, in the event of a supply disruption in the nuclear fuel market, a reserve of nuclear fuels is available to serve as a backup supply to support the nuclear non-proliferation and civil nuclear energy objectives of the Department; and
(6) to support enrichment, deconversion, and reduction technology deployed in the United States; and
(7) to ensure that, until such time that domestic enrichment and conversion is not possible, low-enriched uranium is commercially available at the scale needed to meet the needs of advanced nuclear reactor developers;
(c) DEFINITIONS.—In this section:
(1) ADVANCED NUCLEAR REACTOR.—The term "advanced nuclear reactor" has the meaning given the term in section 2001(a)(2)(F) of the Energy Policy Act of 2005 (42 U.S.C. 16281(b)).
(2) ASSOCIATED ENTITY.—The term "associated entity" means an entity that—
(A) is owned, controlled or dominated by—
(i) the government of a country that is an ally or partner of the United States; or
(ii) an associated individual; or
(iii) a person organized under the laws of, or otherwise subject to the jurisdiction of, a country that is an ally or partner of the United States, including a corporation that is incorporated in such a country.
(3) ASSOCIATED INDIVIDUAL.—The term "associated individual" means an alien who is a national of a country that is an ally or partner of the United States.
(4) CONSORTIUM.—The term "consortium" means the consortium established under section 3001(a)(2)(F) of the Energy Act of 2020 (42 U.S.C. 16281(a)(2)(F)).
(5) DEPARTMENT.—The term "Department" means the Department of Energy.
(6) HIGH-ASSAY, LOW-ENRICHED URANIUM; HALEU.—The term "high-assay, low-enriched uranium" or "HALEU" means high-assay low-enriched uranium (as defined in section 2001(d) of the Energy Act of 2020 (42 U.S.C. 16281(d))).
(7) LOW-ENRICHED URANIUM; LEU.—The term "low-enriched uranium" or "LEU" means each of Americium-241 and low-enriched uranium (as defined in section 3102 of the USEC Privatization Act (42 U.S.C. 2297h)); and
(8) LOW-ENRICHED URANIUM; LEU.—The term "low-enriched uranium" or "LEU" means each of Americium-241 and low-enriched uranium (as defined in section 3102 of the USEC Privatization Act (42 U.S.C. 2297h)); and
(9) A11OC6.037 S11OC
(B) low-enriched uranium (as defined in section 3112(a)(10) of that Act (42 U.S.C. 2297h–10a(a)));

(8) PROGRAMS.—The term “Programs” means—

(A) the Nuclear Fuel Security Program established under subsection (d)(1);

(B) the American Assured Fuel Supply Program of the Department, and

(C) the HALEU for Advanced Reactor Demonstration Projects Program established under subsection (d)(3).

(9) THE TERMINATION.—The term “Secretary” means the Secretary of Energy.

(10) U.S. NUCLEAR ENERGY COMPANY.—The term “U.S. nuclear energy company” means a company that—

(A) is organized under the laws of, or otherwise subject to the jurisdiction of, the United States; and

(B) is involved in the nuclear energy industry.

(d) ESTABLISHMENT AND EXPANSION OF PROGRAMS.—The Secretary, consistent with the objectives described in subsection (b), shall—

(1) establish a program, to be known as the “Nuclear Fuel Security Program”, to increase the quantity of LEU and HALEU produced by U.S. nuclear energy companies;

(2) expand the American Assured Fuel Supply Program of the Department to ensure the availability of domestically produced, converted, and enriched uranium in the event of a supply disruption; and

(3) establish a program, to be known as the “HALEU for Advanced Nuclear Reactor Demonstration Projects Program”—

(A) to maximize the potential for the Department to meet the needs and schedules of advanced nuclear reactor developers until such time that commercial enrichment and deconversion capability for HALEU exists in the United States; or

(B) is involved in the nuclear energy industry.

(e) NUCLEAR FUEL SECURITY PROGRAM.—

(I) IN GENERAL.—In carrying out the Nuclear Fuel Security Program, the Secretary—

(a) shall—

(i) not later than 180 days after the date of enactment of this Act, enter into 2 or more contracts with members of the consortium to begin acquiring not less than 100 metric tons per year of LEU by December 31, 2026 (or the earliest operationally feasible date thereafter), to ensure diverse domestic uranium mining, conversion, enrichment, deconversion, and reprocessing capacity and technology to support increasing capacity, among U.S. nuclear energy companies;

(ii) not later than 180 days after the date of enactment of this Act, enter into 2 or more contracts with members of the consortium to begin acquiring not less than 20 metric tons per year of HALEU by December 31, 2027 (or the earliest operationally feasible date thereafter), from U.S. nuclear energy companies;

(iii) utilize only uranium produced, converted, and enriched in—

(I) the United States; or

(II) if domestic options are not practicable, a country that is an ally or partner of the United States; and

(iv) to the maximum extent practicable, ensure that the use of domestic uranium utilized as a result of that program does not negatively affect the economic operation of nuclear reactors located in the United States; and

(B) (i) may not make commitments under this subsection (including cooperative agreements (used in accordance with section 638 of the United States Code), purchase agreements, guarantees, leases, service contracts, or any other type of commitment) for the purchase or other acquisition of HALEU or LEU unless—

(I) funds are specifically provided for those purposes in advance in appropriations Acts enacted after the date of enactment of this Act; or

(II) the commitment is funded entirely by funds made available to the Secretary from the account described in subsection (1)(B); and

(ii) may make a commitment described in clause (i) only—

(I) if the full extent of the anticipated costs stemming from the commitment is recorded as an obligation at the time that the commitment is made;

(II) to the extent of that up-front obligation recorded in full at that time.

(2) CONSIDERATIONS.—In carrying out paragraph (1), the Secretary shall consider and, if appropriate, implement—

(A) options to ensure the quickest availability of commercially enriched HALEU, including—

(i) partnerships between 2 or more commercial enrichers; and

(ii) utilization of up to 10-percent enriched uranium to meet the needs of HALEU enrichment facilities;

(B) options to partner with countries that are allies or partners of the United States to provide LEU and HALEU for commercial purposes; and

(C) options that provide for an array of HALEU—

(i) enrichment levels;

(ii) output levels to meet demand; and

(iii) fuel forms, including uranium metal and oxide; and

(iii) options—

(i) to replenish, as necessary, Department stockpiles of uranium that was intended to be double-converted but was instead used in carrying out activities under the HALEU for Advanced Nuclear Reactor Demonstration Projects Program;

(ii) to continue supplying HALEU to meet the needs of the recipients of an award made pursuant to the funding opportunity announcement of the Department numbered DE-FOA–0002271 for Pathway 1, Advanced Reactor Demonstrations; and

(iii) to make HALEU available to other advanced nuclear reactor developers and other end-users.

(f) AVOIDANCE OF MARKET DISRUPTIONS.—In carrying out the Nuclear Fuel Security Program, the Secretary, to the extent practicable and consistent with contract obligations and contract purposes, shall not disrupt or replace market mechanisms by competing with U.S. nuclear energy companies.

(g) EXPANSION OF THE AMERICAN ASSURED FUEL SUPPLY PROGRAM.—The Secretary, in consultation with U.S. nuclear energy companies, shall—

(I) expand the American Assured Fuel Supply Program of the Department by merging the operations of the Uranium Reserve Program of the Department and the American Assured Fuel Supply Program; and

(II) in carrying out the American Assured Fuel Supply Program of the Department, as expanded under paragraph (I)—

(A) maintain, replenish, diversify, or increase the quantity of uranium made available by that program in a manner consistent with the purposes of that program and the objectives described in subsection (b); and

(B) utilize only uranium produced, converted, and enriched in—

(i) the United States; or

(ii) if domestic options are not practicable, a country that is an ally or partner of the United States.

(ii) make uranium available from inventories or stockpiles owned by the Department and made available to the consortium, HALEU for use in advanced nuclear reactor demonstrations, by taking actions that cannot operate on uranium with lower enrichment levels or on alternate fuels, with priority given to the awards made pursuant to the funding opportunity announcement of the Department numbered DE-FOA–0002271 for Pathway 1, Advanced Reactor Demonstrations, with additional uranium to other advanced nuclear reactor developers, as the Secretary determines to be appropriate.

(h) QUANTITY.—In carrying out activities under this subsection, the Secretary shall consider and implement, as necessary, all available options to make HALEU available in quantities sufficient to maximize the potential for the Department to meet the needs and schedules of advanced nuclear reactor developers, including by seeking to make available—

(1) by September 30, 2024, not less than 3 metric tons of HALEU;

(2) by December 31, 2025, not less than an additional 8 metric tons of HALEU; and

(3) by June 30, 2026, not less than an additional 10 metric tons of HALEU.

(i) FACTORS FOR CONSIDERATION.—In carrying out activities under this subsection, the Secretary shall take into consideration—

(A) options for providing HALEU from a stockpile of uranium owned by the Department, including—

(i) uranium that has been declared excess to national security needs during or prior to fiscal year 2022;

(ii) uranium that—

(I) directly meets the needs of advanced nuclear reactor developers; but

(II) has not been previously used or fabricated for another purpose;

(iii) uranium that can meet the needs of advanced nuclear reactor developers after radioactive decay to levels that resulted from previous use or fabrication of the fuel for research, development, demonstration, or deployment activities of the Department, including that which resulted from the environmental liability of the Department by accelerating the processing of uranium from stockpiles designated as waste;

(iv) uranium from a high-enriched uranium stockpile, which can be blended with lower assay uranium to become HALEU to meet the needs of advanced nuclear reactor developers; and

(v) uranium from stockpiles intended for other purposes (excluding stockpiles intended for national security needs), but for which uranium could be swapped or replaced in time in such a manner that would not negatively impact the missions of the Department;

(B) options for expanding, or establishing new, capabilities or infrastructure to support
(C) options for accelerating the availability of HALEU from HALEU enrichment demonstration projects of the Department;
(D) options for providing HALEU from domestically enriched HALEU procured by the Department through a competitive process pursuant to the Nuclear Fuel Security Program established under subsection (d)(1);
(E) options to replenish, as needed, Department stockpiles of uranium made available pursuant to paragraph (A) without domestic HALEU; and
(F) options that combine 1 or more of the approaches described in subparagraphs (A) through (E) to meet the deadlines described in paragraph (2).

(4) LIMITATIONS.—
(A) CERTAIN SERVICES.—The Secretary shall not barter, or otherwise sell or transfer uranium in any form in exchange for services relating to—
(i) the final disposition of radioactive waste produced that is the subject of a contract for sale, resale, transfer, or lease under this subsection; or
(ii) environmental cleanup activities.

(B) PROCUREMENTS.—In carrying out activities under this subsection, the Secretary—
(i) may not make commitments under this subsection (including cooperative agreements (used in accordance with section 6395 of title 31, United States Code), purchase agreements, guarantees, leases, service contracts, or any other type of commitment) for the purchase or other acquisition of HALEU or LEU unless—
(I) funds are specifically provided for those purposes in advance in appropriations Acts enacted after the date of enactment of this Act; or
(II) the commitment is funded entirely by funds made available to the Secretary from the account described in subsection (i)(2); and
(ii) may make a commitment described in clause (i) only—
(I) if the full extent of the anticipated costs stemming from the commitment is recorded in an accounting at the time that the commitment is made; and
(II) to the extent of that up-front obligation made full at the time.

(C) PROCUREMENTS.—The Secretary, in consultation with U.S. nuclear energy companies, shall—

(D) DOMESTIC SOURCING CONSIDERATIONS.—
(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary may only carry out an activity in connection with 1 or more of the Programs if—
(A) the activity promotes manufacturing in the United States associated with uranium supply chains; or
(B) the activity relies on resources, materials, or equipment developed or produced—
(i) in the United States;
(ii) in a country that is an ally or partner of the United States by—
(I) the government of that country;
(II) a commercial entity; or
(III) a U.S. nuclear energy company.
(2) WAIVER.—The Secretary may waive the requirements of paragraph (1) with respect to an activity if the Secretary determines a waiver to be necessary to achieve 1 or more of the objectives described in subsection (b).

(1) REASONABLE COMPENSATION.—
(1) IN GENERAL.—In carrying out activities under this section, the Secretary shall ensure that any LEU and HALEU made available pursuant to 1 or more of the Programs is subject to reasonable compensation, taking into account the fair market value of the LEU or HALEU and the purposes of this section.

(2) AVAILABILITY OF CERTAIN FUNDS.—
(A) IN GENERAL.—Notwithstanding section 3932(b) of title 31, United States Code, revenues received by the Secretary from the sale or transfer of fuel material material acquired by the Secretary pursuant to a contract entered into under clause (i) (or of subsection (e)(1)(A)) shall—
(I) be deposited in the account described in subparagraph (B); and
(II) be available to the Secretary for carrying out the purposes of this section, to reduce the need for further appropriations for those purposes; and
(III) remain available until expended.

(B) REVOLVING FUND.—There shall not be—
(I) deposited in the Treasury an account into which the revenues described in subparagraph (A) shall be—
(II) be available to the Secretary in accordance with clause (i) of that subparagraph; and
(III) be made available in accordance with clauses (ii) and (iii) of that subparagraph.

(1) NUCLEAR REGULATORY COMMISSION.—The Nuclear Regulatory Commission shall prioritize and expedite consideration of any action relating to, or necessary to action pursuant to, the purposes of this section, and shall not—
(I) waive to be necessary to achieve 1 or more of the objectives described in subsection (b).

(1) the importation into, or transfer of U.S. possession of, LEU or HALEU unless—
(I) the Secretary—
(a) submits to amendment SA 6455 to section 16274(a)(5) of the Energy Policy Act of 2005 (42 U.S.C. 16274(a)(5)) is amended—
(1) by redesignating subparagraph (E) as subparagraph (F); and
(b) submits to amendment SA 6455 to section 16274(a)(5) of the Energy Policy Act of 2005 (42 U.S.C. 16274(a)(5)) is amended—
(1) by redesignating subparagraph (E) as subparagraph (F); and
(2) by inserting after subparagraph (D) the following:
(1) IN GENERAL.—The Secretary shall expand the Reactor-Driven Fuel Services subprogram of the Radiological Facilities Management program of the Department carried out under paragraph (6) to provide nuclear fuel services to research reactors established under this paragraph.

SEC. 3 REPORT ON CIVIL NUCLEAR CREDIT PROGRAM

Not later than 180 days after the date of enactment of this Act, the Secretary of Energy shall submit to the appropriate committees of Congress a report that identifies the anticipated funding requirements for the civil nuclear credit program described in section 4933 of the Infrastructure Investment and Jobs Act (42 U.S.C. 16753), taking into account—

(1) the zero-emission nuclear power production credit authorized by section 45U of the Internal Revenue Code of 1986; and
(2) any increased fuel costs associated with the use of domestic fuel that may arise from the implementation of that program.
“(F) the Asian community; 
“(G) the Hispanic (including persons of Mexican, Puerto Rican, Cuban, and Central or South American origin) community; 
“(H) the Native American community; 
“(I) the Middle Eastern and North African community; and 
“(J) any other historically disadvantaged community determined by the Director.

“(b) Office of Civil Rights and Inclusion.—

“(1) IN GENERAL.—The Office of Equal Rights of the Agency shall, on and after the date of enactment of the Achieving Fairness in Disaster Response, Recovery, and Resilience Act of 2022, be known as the Office of Civil Rights and Inclusion.

“(2) REFERENCES.—Any reference to the Office of Equal Rights of the Agency in any law, regulation, map, document, record, or other paper of the United States shall be deemed to be a reference to the Office of Civil Rights and Inclusion.

“(c) Director.—

“(1) IN GENERAL.—The Office shall be headed by a Director, who shall report to the Administrator.

“(2) REQUIREMENT.—The Director shall have such personnel and authority as may be necessary to carry out the provisions of this subpart. The Director shall coordinate with other relevant offices across the Federal Government, including by leading a voluntary task force to address disaster response needs of underserved communities.

“(d) Purpose.—The purpose of the Office is to—

“(1) improve underserved community access to disaster assistance;

“(2) improve the quality of disaster assistance received by underserved communities;

“(3) eliminate underserved community disparities in the delivery of disaster assistance;

“(4) carry out such other responsibilities of the Office of Equal Rights as in effect on the day before the date of enactment of the Achieving Fairness in Disaster Response, Recovery, and Resilience Act of 2022, as determined appropriate by the Administrator.

“(e) Authorities and Duties.—

“(1) IN GENERAL.—The Director shall be responsible for—

“(A) improving—

“(i) underserved community access to disaster assistance before and after a disaster; and

“(ii) the quality of Agency assistance under- served communities receive;

“(B) reducing disparities in preparedness, response, and recovery programs and activities of the Agency to ensure the elimination of underserved community disparities in the delivery of such activities; and

“(C) carrying out such other responsibilities of the Office of Equal Rights as in effect on the day before the date of enactment of the Achieving Fairness in Disaster Response, Recovery, and Resilience Act of 2022, as determined appropriate by the Administrator.

“(2) REDUCING DISPARITIES IN PREPAREDNESS, RESPONSE, AND RECOVERY.—

“(A) Improving—

“(i) underserved community access to disaster assistance before and after a disaster; and

“(ii) the quality of Agency assistance underserved communities receive;

“(B) reducing disparities in preparedness, response, and recovery programs and activities of the Agency to ensure the elimination of underserved community disparities in the delivery of such activities; and

“(C) carrying out such other responsibilities of the Office of Equal Rights as in effect on the day before the date of enactment of the Achieving Fairness in Disaster Response, Recovery, and Resilience Act of 2022, as determined appropriate by the Administrator.

“(f) Increased Federal Support for Civil Rights and Inclusion.

“(1) REQUIREMENT.—The Director shall have such personnel and authority as may be necessary to carry out the provisions of this subpart. The Director shall coordinate with other relevant offices across the Federal Government, including by leading a voluntary task force to address disaster response needs of underserved communities.

“(2) PROGRAMS AND CONTRACTS.—In carrying out this section, to further inclusion and engagement of underserved communities through preparedness, response, and recovery and mitigation and to eliminate underserved community disparities in the delivery of disaster assistance, as described in subsection (d), the Administrator shall—

“(A) administer and evaluate Agency programs and activities, including the programs and activities of recipients of preparedness, response, recovery, and mitigation grants and contracts, to—

“(i) further inclusion and engagement of underserved communities and underserved businesses; and

“(ii) improve outcomes for underserved communities tied to Agency programs and activities; and

“(B) establish an underserved community initiative to award grants to, and enter into cooperative agreements and contracts with, nonprofit entities.

“(g) Disability Coordinator.—

“(1) IN GENERAL.—There shall be within the Office a Disability Coordinator to ensure that the needs of individuals with disabilities are being properly addressed by proactively engaging with disability and underserved communities and State, local, and tribal government officials and emergency preparedness and disaster relief.

“(2) RESPONSIBILITIES.—The Disability Coordinator shall be responsible for—

“(A) providing guidance and coordination on matters relating to individuals with disabilities in emergency planning requirements and relief efforts in the event of a natural disaster, act of terrorism, or other man-made disaster; and

“(B) interacting with the staff of the Agency, the national Council on Disability, the Interagency Council on Preparedness and Individuals with Disabilities established under Executive Order 13347 (6 U.S.C. 314 note; relating to individuals with disabilities in emergency preparedness, other agencies of the Federal Government, and State, local, and tribal government authorities relating to the needs of individuals with disabilities in emergency preparedness, coordination on preparedness and individuals with disabilities, and the Secretary of Homeland Security); and

“(C) consulting with stakeholders that represent the interests and rights of individuals with disabilities about the needs of individuals with disabilities in emergency planning requirements and relief efforts in the event of a natural disaster, act of terrorism, or other man-made disaster; and

“(D) ensuring the coordination and dissemination of best practices and model evacuation plans and sheltering for individuals with disabilities.

“(h) COVID–19 Response.—

“(1) IN GENERAL.—During the period of time for which there is a major disaster or emergency declared by the President under section 401 or 501, respectively, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170, 5191) declared with respect to COVID–19, the Director of the Office of Civil Rights and Inclusion shall report to the Director of the Office for Civil Rights and Civil Liberties; and

“(i) any other duties assigned by the Director.

“(2) REPORTS.—

“(i) IN GENERAL.—Not later than 1 year after the date of enactment of the Achieving Fairness in Disaster Response, Recovery, and Resilience Act of 2022, and biennially thereafter, the Administrator shall submit to the appropriate committees of Congress a report describing the activities carried out under this section during the period for which the report is being prepared.

“(2) CONTENTS.—Each report submitted under paragraph (1) shall include—

“(A) a narrative on activities conducted by the Office; 

“(B) the results of the measures developed to evaluate the effectiveness of activities aimed at reducing preparedness, response, and recovery disparities; and

“(C) the number and types of allegations of unequal disaster assistance investigated by the Office or referred to other appropriate offices.

“(3) AUTHORIZATION OF APPROPRIATIONS.—

“(A) There are authorized to be appropriated such sums as are necessary to carry out this section.

“(B) TECHNICAL AND CONFORMING AMENDMENTS.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 233) is amended by striking the item relating to section 513 (6 U.S.C. 231b) and inserting the following: “Sec. 513. Office of Civil Rights and Inclusion.”.

“(4) COVID–19 RESPONSE.—

“(A) IN GENERAL.—During the period of time for which there is a major disaster or emergency declared by the President under section 401 or 501, respectively, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170, 5191) declared with respect to COVID–19, the Director of the Office of Civil Rights and Inclusion shall report to the Director of the Office for Civil Rights and Civil Liberties; and

“(B) any other duties assigned by the Director.

“(C) EFFECTIVE PERIOD.—The authority granted by the preceding paragraph shall expire at the end of the period for which the Declaration of Major Disaster or Emergency is in effect.
communities the Office of Civil Rights and Inclusion identifies as disproportionately impacted by COVID-19.

(2) FACA APPLICABILITY.—The Federal Ad
dvisory Committee Act (5 U.S.C. App.) shall not apply to any consultation conducted under paragraph (1).

SA 6456. Mr. REED (for Mrs. FEIN
STEIN) submitted an amendment in
tended to be proposed to amendment
SA 5499 proposed by Mr. REED (for him-
self and Mr. INHOFE) to the bill H.R.
7900, to authorize appropriations for
fiscal year 2023 for military activities
of the Department of Defense and for
military construction, and for defense
activities of the Department of Energy,
to prescribe military personnel
strengths for such fiscal year, and for
other purposes; which was ordered to lie on the table; as follows:

At the end of subtitl G of title X, add the follow-

SEC. 1077. OUTREACH TO HISTORICALLY BLACK
Colleges and Universities.

(1) Program.

(a) Definitions.—In this section:

(1) ‘‘NSIN’’ means the National Security
Innovation Network.

(b) Department.

(c) Certification.

(d) Reporting.

SA 6457. Mr. REED (for Mr. OssOFF
(forth and Mr. SCOTT of South Caro-
lina)) submitted an amendment in-
tended to be proposed to amendment
SA 5499 proposed by Mr. REED (for him-
self and Mr. INHOFE) to the bill H.R.
7900, to authorize appropriations for
fiscal year 2023 for military activities
of the Department of Defense and for
military construction, and for defense
activities of the Department of Energy,
to prescribe military personnel
strengths for such fiscal year, and for
other purposes; which was ordered to lie on the table; as follows:

At the end of subtitl G of title X, add the follow-

SEC. 1077. OUTREACH TO HISTORICALLY BLACK
Colleges and Universities and Minority Serving Institutions.

(1) Program.

(a) Definitions.—In this section:

(b) Department.

(c) Certification.

(d) Reporting.

SA 6458. Mr. REED (for Mr. Van Hol-
Lan (for himself and Mr. TILLIS)) sub-
mitted an amendment intended to be
proposed to amendment SA 5499 pro-
based on Mr. REED (for himself and Mr.
INHOFE) to the bill H.R. 7900, to author-
ize appropriations for fiscal year 2023 for
military activities of the Department of Defense and for
military construction, and for defense
activities of the Department of Energy,
to prescribe military personnel
strengths for such fiscal year, and for
other purposes; which was ordered to lie on the table; as follows:

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

(a) Definitions.—In this section:

(b) Department.

(c) Certification.

(d) Reporting.

SA 6459. Mr. REED (for Mr. VAN HOL-
LAN (for himself and Mr. TILLIS)) sub-
mitted an amendment intended to be
proposed to amendment SA 5499 pro-
based on Mr. REED (for himself and Mr.
INHOFE) to the bill H.R. 7900, to author-
ize appropriations for fiscal year 2023 for
military activities of the Department of Defense and for
military construction, and for defense
activities of the Department of Energy,
to prescribe military personnel
strengths for such fiscal year, and for
other purposes; which was ordered to lie on the table; as follows:

At the end of subtitl G of title X, add the follow-

SEC. 1077. OUTREACH TO HISTORICALLY BLACK
Colleges and Universities and Minority Serving Institutions.

(1) Program.

(a) Definitions.—In this section:

(b) Department.

(c) Certification.

(d) Reporting.

SA 6460. Mr. REED (for Mr. OSSPFF
(forth and Mr. SCOTT of South Caro-
lina)) submitted an amendment in-
tended to be proposed to amendment
SA 5499 proposed by Mr. REED (for him-
self and Mr. INHOFE) to the bill H.R.
7900, to authorize appropriations for
fiscal year 2023 for military activities
of the Department of Defense and for
military construction, and for defense
activities of the Department of Energy,
to prescribe military personnel
strengths for such fiscal year, and for
other purposes; which was ordered to lie on the table; as follows:

At the end of subtitl G of title X, add the follow-

SEC. 1077. OUTREACH TO HISTORICALLY BLACK
Colleges and Universities and Minority Serving Institutions.

(1) Program.

(a) Definitions.—In this section:

(b) Department.

(c) Certification.

(d) Reporting.

SA 6461. Mr. REED (for Mr. OSSPFF
(forth and Mr. SCOTT of South Caro-
lina)) submitted an amendment in-
tended to be proposed to amendment
SA 5499 proposed by Mr. REED (for him-
self and Mr. INHOFE) to the bill H.R.
7900, to authorize appropriations for
fiscal year 2023 for military activities
of the Department of Defense and for
military construction, and for defense
activities of the Department of Energy,
to prescribe military personnel
strengths for such fiscal year, and for
other purposes; which was ordered to lie on the table; as follows:

At the end of subtitl G of title X, add the follow-

SEC. 1077. OUTREACH TO HISTORICALLY BLACK
Colleges and Universities and Minority Serving Institutions.

(1) Program.

(a) Definitions.—In this section:

(b) Department.

(c) Certification.

(d) Reporting.

SA 6462. Mr. REED (for Mr. OSSPFF
(forth and Mr. SCOTT of South Caro-
lina)) submitted an amendment in-
tended to be proposed to amendment
SA 5499 proposed by Mr. REED (for him-
self and Mr. INHOFE) to the bill H.R.
7900, to authorize appropriations for
fiscal year 2023 for military activities
of the Department of Defense and for
military construction, and for defense
activities of the Department of Energy,
to prescribe military personnel
strengths for such fiscal year, and for
other purposes; which was ordered to lie on the table; as follows:

At the end of subtitl G of title X, add the follow-

SEC. 1077. OUTREACH TO HISTORICALLY BLACK
Colleges and Universities and Minority Serving Institutions.

(1) Program.

(a) Definitions.—In this section:

(b) Department.

(c) Certification.

(d) Reporting.

SA 6463. Mr. REED (for Mr. OSSPFF
(forth and Mr. SCOTT of South Caro-
lina)) submitted an amendment in-
tended to be proposed to amendment
SA 5499 proposed by Mr. REED (for him-
self and Mr. INHOFE) to the bill H.R.
7900, to authorize appropriations for
fiscal year 2023 for military activities
of the Department of Defense and for
military construction, and for defense
activities of the Department of Energy,
to prescribe military personnel
strengths for such fiscal year, and for
other purposes; which was ordered to lie on the table; as follows:

At the end of subtitl G of title X, add the follow-

SEC. 1077. OUTREACH TO HISTORICALLY BLACK
Colleges and Universities and Minority Serving Institutions.

(1) Program.

(a) Definitions.—In this section:

(b) Department.

(c) Certification.

(d) Reporting.

SA 6464. Mr. REED (for Mr. OSSPFF
(forth and Mr. SCOTT of South Caro-
lina)) submitted an amendment in-
tended to be proposed to amendment
SA 5499 proposed by Mr. REED (for him-
self and Mr. INHOFE) to the bill H.R.
7900, to authorize appropriations for
fiscal year 2023 for military activities
of the Department of Defense and for
military construction, and for defense
activities of the Department of Energy,
to prescribe military personnel
strengths for such fiscal year, and for
other purposes; which was ordered to lie on the table; as follows:

At the end of subtitl G of title X, add the follow-

SEC. 1077. OUTREACH TO HISTORICALLY BLACK
Colleges and Universities and Minority Serving Institutions.

(1) Program.

(a) Definitions.—In this section:

(b) Department.

(c) Certification.

(d) Reporting.

SA 6465. Mr. REED (for Mrs. FEIN
STEIN) submitted an amendment in

tended to be proposed to amendment
SA 5499 proposed by Mr. REED (for him-
self and Mr. INHOFE) to the bill H.R.
7900, to authorize appropriations for
fiscal year 2023 for military activities
of the Department of Defense and for
military construction, and for defense
activities of the Department of Energy,
to prescribe military personnel
strengths for such fiscal year, and for
other purposes; which was ordered to lie on the table; as follows:

At the end of subtitl G of title X, add the follow-

SEC. 1077. OUTREACH TO HISTORICALLY BLACK
Colleges and Universities and Minority Serving Institutions.

(1) Program.

(a) Definitions.—In this section:

(b) Department.

(c) Certification.

(d) Reporting.
(d) TERMINATION.—The program established by this section shall terminate 10 years after the date on which the Secretary establishes such program.

(e) REPORT TO CONGRESS.—Not later than 180 days after the termination of the program under subsection (d), the Secretary shall prepare and submit to the Committees on Armed Services of the Senate and the House of Representatives on the program that includes the following:

(1) An analysis of the growth in very high research activity status indicators of eligible institutions that participated in the program under this section.

(2) An evaluation on the effectiveness of the program in increasing the research capacity of eligible institutions that participated in the program under this section.

(3) A description of how institutions that have achieved very high research activity status plan to sustain that status beyond the duration of the program.

(4) An evaluation of the maintenance of very high research status by eligible institutions that participated in the program under this section.

(5) An evaluation of the effectiveness of the program in increasing the diversity of students conducting high quality research in unique areas.

(6) Recommendations with respect to additional activities and investments necessary to elevate the research status of historically Black colleges and universities and other minority-serving institutions.

(7) Recommendations on whether the program established under this section should be renewed or expanded.

SA 6459. Mr. REED (for Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitie C of title XII, add the following:

SEC. 1203. BRIEFING ON SUPPORTING GOVERNMENT OF UKRAINE TO MITIGATE, TREAT, AND REHABILITATE TRAUMATIC EXTREMITY INJURIES AND TRAUMATIC BRAIN INJURIES OF UKRAINIAN SOLDIERS.

(a) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the treatment and rehabilitation of severely wounded Ukrainian soldiers is of paramount importance to the United States and Ukraine as a means to continue to fully repel an unprovoked invasion of its sovereignty by the Russian Federation;

(2) the Senate applauds efforts by the Secretary of Defense to provide treatment in medical facilities of the United States Armed Forces through the Secretarial Designee Program; and

(3) the Senate encourages the Secretary to continue working with defense officials of Ukraine, and as necessary with other governmental and private sources, to fund transportation, lodging, meals, caretakers, and any other nonmedical expenses necessary in connection with treatment for severely wounded Ukrainian soldiers.

(b) BRIEFING.—(1) In GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall assess, and provide a briefing to the Committees on Armed Services of the Senate and the House of Representatives on, whether there is an appropriate and effective Extremity Trauma and Amputation Center of Excellence or the National Intrepid Center of Excellence of the Department of Defense in helping the Government of Ukraine in the mitigation, treatment, and rehabilitation of traumatic extremity injuries and traumatic brain injuries sustained in Ukraine.

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

(A) An assessment of the extent to which the Extremity Trauma and Amputation Center of Excellence or the National Intrepid Center of Excellence of the Department of Defense can facilitate relevant scientific research aimed at saving injured extremities, for military activities of the Department, preserving and restoring the function of injured extremities for the purpose of addressing the current medical needs of Ukraine.

(B) An identification of specific activities such Centers could feasibly undertake to improve and enhance the efforts of the Government of Ukraine in the mitigation, treatment, and rehabilitation of traumatic extremity injuries and traumatic brain injuries.

(C) A determination whether there are other overseas agencies, institutions of higher education, or public or private entities, including international entities, with which such Centers could partner for the purpose of supporting the Government of Ukraine in such efforts.

SA 6460. Mr. REED (for Mr. KELLY) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1205 and insert the following:

SEC. 1205. MODIFICATION OF REGIONAL DEFENSE COMBATING TERRORISM AND IRREGULAR WARFARE FELLOWSHIP PROGRAM AND PLAN FOR IRREGULAR WARFARE FELLOWSHIP PROGRAM.

(a) MODIFICATION OF REGIONAL DEFENSE COMBATING TERRORISM AND IRREGULAR WARFARE FELLOWSHIP PROGRAM.—

(1) In general.—Section 345 of title 10, United States Code, is amended—

(A) in the section heading, by striking "Regional Defense Combating Terrorism and Irregular Warfare Center" and inserting "Irregular Warfare Education";

(B) in subsection (a)—

(i) in the section heading, by striking "PROGRAM AUTHORIZED" and inserting "AUTHORITY";

(ii) in paragraph (1), in the matter preceding subparagraph (A), by inserting "operate and administer a Center for Security Studies in Irregular Warfare and" after "The Secretary of Defense may";

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

(1) COVERED COSTS.—

(A) IN GENERAL.—Costs for which payment may be made under this section include the costs—

(i) transportation, travel, and subsistence costs of foreign national personnel and United States government personnel necessary for administration and execution of the authority granted to the Secretary of Defense under this section;

(ii) strategic engagement with alumni of the program referred to in paragraph (1) to address Department of Defense objectives and planning on irregular warfare and combating terrorism topics; and

(iii) administration and operation of the Irregular Warfare Center, including expenses associated with—

(II) research, communication, the exchange of ideas, curriculum development and review, and training of military and civilian participants of the United States and other countries, as the Secretary considers necessary; and

(B) PROGRAM.—The program authorized by this section shall be known as the Irregular Warfare Center.

(c) DESIGNATIONS.—

(1) CENTER.—The center authorized by this section shall be known as the Irregular Warfare Center.

(d) PROGRAM.—The program authorized by this section shall be known as the Regional Defense Combating Terrorism and Irregular Warfare Fellowship Program.

(e) FELLOWS.—(1) REQUIREMENTS.—With respect to the Irregular Warfare Center—

(A) the Secretary of Defense may employ a Director, a Deputy Director, and such other officers, employees, and agents, as the Secretary considers necessary; and

(B) compensation of individuals employed under this paragraph shall be as prescribed by the Secretary.
“(3) PARTNERSHIP WITH INSTITUTION OF HIGHER EDUCATION.—
“(A) IN GENERAL.—In operating the Irregular Warfare Center, to promote integration throughout the United States Government and civil society across the full spectrum of Irregular Warfare competition and conflict challenges, the Secretary of Defense may partner with an institution of higher education in a Government-owned, contractor-operated partnership, such as the partner-operated partnership used by the Department of Defense to establish the Affiliated Research Centers, for meeting the mission requirements of the Irregular Warfare Center.
“(4) ROLES AND RESPONSIBILITIES.—The Secretary shall provide guidance for the roles and responsibilities of the relevant components of the Department of Defense in the administration, operation, and oversight of the Irregular Warfare Center, which shall include the roles and responsibilities of the following:
“(A) The Under Secretary of Defense for Policy;
“(B) The Assistant Secretary of Defense for Special Operations and Low Intensity Conflict;
“(C) The Director of the Defense Security Cooperation Agency;
“(D) Any other official of the Department of Defense, as determined by the Secretary;*’

*’E in subsection (d), as so redesignated, in the first sentence, by striking “$35,000,000” and inserting “$40,000,000”; and
*’F in the second sentence of subsection (e), as so redesignated, the following new subsection:
“(1) ANNUAL REVIEW.—The Secretary of Defense—
“(i) shall conduct an annual review of the structure and activities of the Irregular Warfare Center and the program referred to in subsection (a) to determine whether such structure and activities are appropriately aligned with the strategic priorities of the Department of Defense and the applicable combatant commands; and
“(ii) may, after an annual review under paragraph (1), revise the relevant structure and activities so as to more appropriately align such structure and activities with the strategic priorities of the combatant commands.”

(2) CIRCULAR AMENDMENT.—The table of sections at the beginning of subchapter V of chapter 16 of title 10, United States Code, is amended by striking the item relating to section 545 and inserting the following: “545. Homeland Procurement Reform Act.”

(3) REQUIREMENTS TO BUY CERTAIN ITEMS RELATED TO NATIONAL SECURITY.—

(a) DEFINITIONS.—In this section:
“(1) COVERED ITEM.—The term ‘covered item’ means any of the following:
“(A) Footwear provided as part of a uniform.
“(B) Uniforms.
“(C) Holsters and tactical pouches.
“(D) Patches, insignia, and embellishments.
“(E) Chemical, biological, radiological, and nuclear protective gear.
“(F) Body armor components intended to provide ballistic protection for an individual, consisting of 1 or more of the following:
“(i) Soft ballistic panels.
“(ii) Hard ballistic plates.
“(iii) Concealed armor carriers worn under a uniform.
“(iv) External armor carriers worn over a uniform.
“(G) Any other item of clothing or protective equipment as determined appropriate by the Secretary.
“(2) FRONTLINE OPERATIONAL COMPONENT.—The term ‘frontline operational component’ means any of the following organizations of the Department:
“(A) U.S. Forces and Border Protection.
“(B) U.S. Immigration and Customs Enforcement.
“(C) The United States Secret Service.
“(D) The Transportation Security Administration.
“(H) The Cybersecurity and Infrastructure Security Agency.

(b) REQUIREMENTS.—In general.—The Secretary shall ensure that any procurement of a covered item for a frontline operational component meets the following criteria:
“(i) To the maximum extent possible, not less than one-third of funds obligated in a specific fiscal year for the procurement of such covered items shall be covered items that are manufactured or supplied in the United States by entities that qualify as small business concerns, as such term is described under section 3 of the Small Business Act (15 U.S.C. 632).
“(ii) Covered items may only be supplied pursuant to subparagraph (A) to the extent that United States entities that qualify as small business concerns, as such term is described under section 3 of the Small Business Act (15 U.S.C. 632),”
Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate and the Committee on Homeland Security, the Committee on Oversight and Government Reform, and the Committee on Appropriations of the House of Representatives.

(2) CONTENTS.—The report required under paragraph (1) shall include the following:


(B) An assessment of the capacity of the Department of Homeland Security to procure the following items:

(i) Personal protective equipment and other items related to pandemics such as that caused by COVID-19.

(ii) Helmets that provide ballistic protection and other head protection and components.

(iii) Rain gear, cold weather gear, and other environmental and flame resistant clothing.

(C) A report with recommendations on how the Secretary intends to issue the waiver; and

(D) A report that covers items purchased at a fair and reasonable price, consistent with the procedures and guidelines specified in the Federal Acquisition Regulation.

(d) REPORT.—Not later than 1 year after the date of enactment of this section and annually thereafter, the Secretary shall provide to the Committee on Homeland Security, the Committee on Oversight and Governmental Affairs and the Committee on Appropriations of the House of Representatives, and the Committees on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate a briefing on instances in which vendors have failed to meet deadlines or meet any of covered item and corrective actions taken by the Department in response to such instances.

§ 8462. REQUIREMENTS.—The study conducted under paragraph (1) shall:

(A) Be informed by a Department-wide survey of employees from across the Department of Homeland Security who receive uniform allowances that seeks to ascertain what, if any, improvements could be made to the current uniform allowances and what, if any, improvements the Secretaries have had on employee morale and retention;

(B) Consider increasing by 50 percent, at a fair and reasonable price, consistent with the procedures and guidelines specified in the Federal Acquisition Regulation.

§ 8463. ADDITIONAL REPORT.—Not later than three years after the date of enactment of this Act, the Secretary of Homeland Security shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a study of the adequacy of uniform allowances provided to employees of frontline operational components (as defined in section 836 of the Homeland Security Act of 2002, as added by subsection (a)).

§ 8464. REQUIREMENTS.—The study conducted under paragraph (1) shall:

(A) Be informed by a Department-wide survey of employees from across the Department of Homeland Security who receive uniform allowances that seeks to ascertain what, if any, improvements could be made to the current uniform allowances and what, if any, improvements the Secretaries have had on employee morale and retention;

(B) Consider increasing by 50 percent, at a fair and reasonable price, consistent with the procedures and guidelines specified in the Federal Acquisition Regulation.

§ 8465. REQUIREMENTS.—The study conducted under paragraph (1) shall:

(A) Be informed by a Department-wide survey of employees from across the Department of Homeland Security who receive uniform allowances that seeks to ascertain what, if any, improvements could be made to the current uniform allowances and what, if any, improvements the Secretaries have had on employee morale and retention;

(B) Consider increasing by 50 percent, at a fair and reasonable price, consistent with the procedures and guidelines specified in the Federal Acquisition Regulation.

§ 8466. REQUIREMENTS.—The study conducted under paragraph (1) shall:

(A) Be informed by a Department-wide survey of employees from across the Department of Homeland Security who receive uniform allowances that seeks to ascertain what, if any, improvements could be made to the current uniform allowances and what, if any, improvements the Secretaries have had on employee morale and retention;

(B) Consider increasing by 50 percent, at a fair and reasonable price, consistent with the procedures and guidelines specified in the Federal Acquisition Regulation.
to be appropriated to the Secretary to carry out this subsection $30,000,000 for each of fiscal years 2023 through 2027.”.

(b) STATE AVERAGE COST PER UNIT.—(1) GENERAL.—Section 415(c) of the Energy Conservation and Production Act (42 U.S.C. 6865(c)) is amended—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A)—

(I) in the first sentence, by striking "$6,500" and inserting "$12,000"; and

(ii) by striking “(c)(1)” and inserting as provided in paragraphs (3) and (4) and inserting the following:

“(c) FINANCIAL ASSISTANCE.—

“(1) IN GENERAL.—Except as provided in paragraphs (3), (4), and (6);”

(ii) by conforming the margins of subparagraphs (A) through (D) to the margin of subparagraph (E); and

(iii) in subparagraph (D), by striking “,” and inserting “;” and “;” and

(iv) in subparagraph (E), by adding a period at the end;

(B) in paragraph (2), in the first sentence, by striking “weatherized (including dwelling units partially weatherized) and inserting “fully weatherized”;

(C) in paragraph (4), by striking “$3,000” and inserting “$6,000”;

(D) in paragraph (5)—

(i) in subparagraph (A), by striking “(6)(A)(i)(I)” and inserting “(7)(A)(i)(I)”;

(ii) by striking “(6)(A)(ii)” and inserting “(7)(A)(ii)”;

(iii) by striking “$6,000” and inserting “$6,500”;

(iv) in subparagraph (E), by adding a period at the end;

(E) by redesignating paragraph (6) as paragraph (7); and

(F) by inserting after paragraph (5) the following:

“(6) LIMIT INCREASE.—The Secretary may increase the amount of financial assistance provided per dwelling unit under this part beyond the limit specified in paragraph (1) if the Secretary determines that market conditions require such an increase to achieve the purposes of this part.”.

(2) CONFORMING AMENDMENT.—Section 414D(b)(1)(C) of the Energy Conservation and Production Act (42 U.S.C. 6864d(b)(1)(C)) is amended by striking “415(c)(6)(A)” and inserting “415(c)(7)”.

SA 6464. Mr. REED (for Mr. PETERS (for himself and Mr. PORTMAN)) submitted an amendment intended to be proposed by amendment SA 5499, proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION E—HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS MATTERS

SEC. 5001. TABLE OF CONTENTS.

The table of contents for this division is as follows:

DIVISION E—HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS MATTERS

Sec. 5001. Table of contents.

TITLE LI—HOMELAND SECURITY

Subtitle A—Global Catastrophic Risk Management Act of 2022

Sec. 5001. Short title.

Sec. 5002. Definitions.

Sec. 5003. Assessment of global catastrophic risk.
(3) Critical Infrastructure.—The term “critical infrastructure” has the meaning given the term in section 101(e) of the Critical Infrastructure Protection Act of 2001 (42 U.S.C. 13601), as amended by section 10206 of the Post-Katrina Emergency Management Reform Act of 2006 (42 U.S.C. 748(b)).

(4) Existential Risk.—The term “existential risk” means the potential for an outcome that would result in human extinction.

(5) Global Catastrophic Risk.—The term “global catastrophic risk” means the risk of events or incidents consequential enough to result in significant harm, set back, or destroy human civilization at the global scale.

(6) Global Catastrophic and Existential Threats.—The term “global catastrophic and existential threats” means those threats that with varying likelihood can produce consequences severe enough to result in significant harm or destruction of human civilization at the global scale, or lead to human extinction. Examples of global catastrophic and existential threats include severe global pandemics, nuclear war, asteroid and comet impacts, supervolcanoes, sudden and severe changes to the climate, and intentional or accidental threats arising from the use and development of emerging technologies.

(7) Local Government.—The term “local government” has the meaning given the term “local government” in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

(8) Local Government; State.—The terms “local government” and “State” have the meanings given those terms in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

(9) National Exercise Program.—The term “national exercise program” means activities carried out to test and evaluate the national preparedness goal and related plans and strategies as described in section 648(b) of the Post-Katrina Emergency Management Reform Act of 2006 (42 U.S.C. 748(b)).

(10) Secretary.—The term “Secretary” means the Secretary of Homeland Security.

SEC. 5106. ASSESSMENT OF GLOBAL CATASTROPHIC RISK.

(a) In General.—The Secretary shall conduct an assessment of global catastrophic risk.

(b) Consultation.—When conducting the assessment under subsection (a), the Secretary shall consult with senior representatives of—

(1) the Assistant to the President for National Security Affairs; 
(2) the Director of the Office of Science and Technology Policy; 
(3) the Administrator of the Federal Emergency Management Agency; 
(4) the Secretary of State and the Under Secretary of State for Arms Control and International Security; 
(5) the Attorney General and the Director of the Federal Bureau of Investigation; 
(6) the Secretary of Energy, the Under Secretary of Energy for Nuclear Security, and the Director of the National Nuclear Security Administration; 
(7) the Secretary of Health and Human Services, the Assistant Secretary for Preparedness and Response, and the Assistant Secretary of Global Affairs; 
(8) the Secretary of Commerce, the Under Secretary of Commerce for Oceans and Atmosphere, and the Under Secretary of Commerce for Standards and Technology; 
(9) the Secretary of the Interior and the Director of the United States Geological Survey; 
(10) the Administrator of the Environmental Protection Agency and the Assistant Administrator for Water; 
(11) the Administrator of the National Aeronautics and Space Administration; and 
(12) the Director of the National Science Foundation.

(13) the Secretary of the Treasury; 
(14) the Chair of the Board of Governors of the Federal Reserve System; 
(15) the Secretary of Defense, the Assistant Secretary of Defense for Civil Readiness, and the Chief of Engineers and Commanding General of the Army Corps of Engineers; 
(16) the Chairman of the Joint Chiefs of Staff; 
(17) the Administrator of the United States Agency for International Development; 
(18) the Secretary of Transportation; and 
(19) other Members of the Council that the Secretary determines appropriate.

SEC. 5104. REPORT REQUIRED.

(a) In General.—Not later than 1 year after the date of enactment of this Act and every 10 years thereafter, the Secretary shall submit to Congress a report containing a detailed assessment of global catastrophic and existential risk.

(b) Matters Covered.—Each report required under subsection (a) shall include—

(1) expert estimates of cumulative global catastrophic and existential risk in the next 30 years, including separate estimates for the likelihood of occurrence and potential consequences; 
(2) expert-informed analyses of the risk of the most concerning specific global catastrophic and existential threats, including separate estimates, where reasonably feasible and credible, for the likelihood of occurrence and its potential consequences, as well as associated uncertainties; 
(3) a comprehensive list of potential catastrophic or existential threats, including even those that may have very low likelihood; 
(4) technical assessments and lay explanations of the analyzed global catastrophic and existential risks, including their qualitative character and key factors affecting their likelihood of occurrence and potential consequences; 
(5) an explanation of any factors that limit the ability of the Secretary to assess the risk both cumulatively and for particular threats, and how those limitations may be overcome through future research or with additional resources, programs, or authorities; 
(6) a review of the effectiveness of intelligence collection, early warning and detection systems, or other functions and programs necessary to evaluate the risk of particular global catastrophic and existential threats, if any exist and as applicable for particular threats; 
(7) a foreword, if and why global catastrophic and existential risk is likely to increase or decrease significantly in the next 30 years, both qualitatively and quantitatively, as well as a description of associated uncertainties; 
(8) proposals for how the Federal Government may more adequately assess global catastrophic and existential risk on an ongoing basis in future years; 
(9) recommendations for legislative actions, as appropriate, to support the evaluation and assessment of global catastrophic and existential risk; and 
(10) other matters deemed appropriate by the Secretary.

(c) CONSULTATION REQUIREMENT.—In producing the report required under subsection (a), the Secretary shall regularly consult with experts on global catastrophic and existential risk in the United States, including—

(1) representatives of—
(A) State and local governments; 
(B) Indian Tribal governments; 
(C) State disaster relief agencies; 
(D) State and local disaster relief managers; 
(E) State National Guards; 
(F) law enforcement and first response entities; and 
(G) nonprofit relief services; 
(2) how the Federal Government should take to enhance individual resiliency to the effects of a catastrophic incident, which action may include—
(A) readiness alerts to the public during periods of elevated threat; 
(B) efforts to enhance domestic supply and availability of critical goods and basic necessities; and 
(C) information campaigns to ensure the public is aware of response plans and services that will be activated when necessary; 
(3) how the Federal Government should coordinate with non-Federal entities to multiply resources and enhance relief capabilities, including—
(A) State and local governments; 
(B) Indian Tribal governments; 
(C) State disaster relief agencies; 
(D) State and local disaster relief managers; 
(E) State National Guards; 
(F) law enforcement and first response entities; and 
(G) nonprofit relief services; 
(4) actions the Federal Government should coordinate with non-Federal entities to coordinate with non-Federal entities to multiply resources and enhance relief capabilities, including—
(A) State and local governments; 
(B) Indian Tribal governments; 
(C) State disaster relief agencies; 
(D) State and local disaster relief managers; 
(E) State National Guards; 
(F) law enforcement and first response entities; and 
(G) nonprofit relief services; 
(5) the strategy required under subsection (a) shall include a description of—
(A) actions the Federal Government should take to ensure the basic needs of the civilian population of the United States in a catastrophic incident are met; 
(B) how the Federal Government should coordinate with non-Federal entities to mitigate resources and enhance relief capabilities, including—
(A) State and local governments; 
(B) Indian Tribal governments; 
(C) State disaster relief agencies; 
(D) State and local disaster relief managers; 
(E) State National Guards; 
(F) law enforcement and first response entities; and 
(G) nonprofit relief services; 
(6) how the Federal Government should take to enhance individual resiliency to the effects of a catastrophic incident, which action may include—
(A) readiness alerts to the public during periods of elevated threat; 
(B) efforts to enhance domestic supply and availability of critical goods and basic necessities; and 
(C) information campaigns to ensure the public is aware of response plans and services that will be activated when necessary; 
(7) how the Federal Government may more adequately assess global catastrophic and existential risk on an ongoing basis in future years; 
(8) recommendations for legislative actions, as appropriate, to support the evaluation and assessment of global catastrophic and existential risk; and 
(9) other matters deemed appropriate by the Secretary.

(6) the Secretary shall supplement each Federal Interagency Operational Plan to include an annex containing a strategy to ensure the health, safety, and general welfare of the civilian population affected by catastrophic incidents by—

(1) identifying the critical needs of the civilian population of the United States that is impacted by catastrophic incidents in the United States; 
(2) coordinating response efforts with State, local, and Indian Tribal governments, the private sector, and nonprofit relief organizations; 
(3) promoting personal and local readiness and non-reliance on government relief during periods of heightened tension or after catastrophic incidents; and 
(4) developing international partnerships with allied nations for the provision of relief services and goods.

ELEMENTS OF THE STRATEGY.—The strategy required under subsection (a) shall include a description of—

(1) actions the Federal Government should take to ensure the basic needs of the civilian population of the United States in a catastrophic incident are met; 
(2) how the Federal Government should coordinate with non-Federal entities to multiply resources and enhance relief capabilities, including—
(A) State and local governments; 
(B) Indian Tribal governments; 
(C) State disaster relief agencies; 
(D) State and local disaster relief managers; 
(E) State National Guards; 
(F) law enforcement and first response entities; and 
(G) nonprofit relief services; 
(3) how the Federal Government should coordinate with non-Federal entities to multiply resources and enhance relief capabilities, including—
(A) State and local governments; 
(B) Indian Tribal governments; 
(C) State disaster relief agencies; 
(D) State and local disaster relief managers; 
(E) State National Guards; 
(F) law enforcement and first response entities; and 
(G) nonprofit relief services; 
(4) actions the Federal Government should take to enhance individual resiliency to the effects of a catastrophic incident, which action may include—
(A) readiness alerts to the public during periods of elevated threat; 
(B) efforts to enhance domestic supply and availability of critical goods and basic necessities; and 
(C) information campaigns to ensure the public is aware of response plans and services that will be activated when necessary; 
(5) how the strategy will be implemented should multiple levels of critical infrastructure be destroyed or offline for an extended period of time; and 
(6) the authorities the Federal Government should implicate in responding to a catastrophic incident.

(p) Consultations.—In designing the strategy under subsection (a), the Secretary shall consult with certain Federal entities to make the strategy operationally viable, including the assumption that—

(1) multiple levels of critical infrastructure have been taken offline or destroyed by catastrophic incidents or the effects of catastrophic incidents; 
(2) impacted sectors may include—
(A) the transportation sector; 
(B) the communication sector; 
(C) the energy sector; 
(D) the healthcare and public health sector; 
(E) the water and wastewater sector; and 
(F) the financial sector; 
(3) State, local, Indian Tribal, and territorial governments have equally been affected or made largely inoperable by catastrophic incidents or the effects of catastrophic incidents; 
(4) the emergency has exceeded the response capabilities of State, local, and Indian Tribal governments under the Robert T.
as described in paragraph (2), the Council shall provide to the Secretary advice and recommendations on matters of 1 security, including—

(1) identifying concentrated risks for trade and economic security;

(2) setting priorities for securing the trade and economic security of the United States;

(C) conducting research on trade and economic security matters;

(3) DUTIES OF THE COUNCIL.—Pursuant to such authority the Secretary shall be responsible for policy formulation regarding matters relating to economic security and trade, as such matters relate to the mission and operations of the Department.

(3) ADDITIONAL RESPONSIBILITIES.—In addition to the duties specified in paragraph (2), the Under Secretary for Economic Security, at the direction of the Under Secretary for Strategy, Policy, and Plans, may—

(A) oversee—

(i) coordination of supply chain policy; and

(ii) assessments and reports to Congress related to critical economic security domains;

(B) serve as the representative of the Under Secretary for Strategy, Policy, and Plans for the purposes of representing the Department on—

(i) the Committee on Foreign Investment in the United States; and

(ii) the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector;

(C) coordinate with stakeholders in other Federal departments and agencies and non-governmental entities with trade and economic security interests, authorities, and responsibilities; and

(D) perform such additional duties as the Secretary or the Under Secretary for Strategy, Policy, and Plans may prescribe.

DEFINITIONS.—In this subsection:

(1) CRITICAL ECONOMIC SECURITY DOMAIN.—The term ‘critical economic security domain’ means any infrastructure, industry, technology, or intellectual property (or combinations thereof) that is essential for the economic security of the United States.

(2) ECONOMIC SECURITY.—The term ‘economic security’ has the meaning given that term in section 5105(c)(2).

(c) RULE OF CONSTRUCTION.—Nothing in this section or the amendments made by this section shall be construed to affect or diminish the authority of any other officer of the Department of Homeland Security.

Subtitle C—Transnational Criminal Investigative Units

SEC. 5121. SHORT TITLE.

This subtitle may be cited as the ‘‘Transnational Criminal Investigative Unit Stipend Act’’.

SEC. 5122. STIPENDS FOR TRANSTIONAL CRIMINAL INVESTIGATIVE UNITS.

(a) IN GENERAL.—Subtitle H of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 451 et seq.) is amended by adding at the end the following:

‘‘(b) COMPOSITION.—Each Transnational Criminal Investigative Unit shall be composed of trained foreign law enforcement officials who shall collaborate with Homeland Security Investigations to investigate and prosecute individuals involved in transnational criminal activity.

(‘‘c) VETTING REQUIREMENT.—

(1) IN GENERAL.—Before entry into a Transnational Criminal Investigative Unit, and at periodic intervals while serving in such a unit, foreign law enforcement officials shall be required to pass certain security clearances including a background check, a polygraph examination, a urinalysis test, or other measures that the Secretary determines to be appropriate.

(2) STATUTORY AUTHORITY.—Any member of a foreign law enforcement unit may join a Transnational Criminal Investigative Unit if the Secretary, in coordination with the Secretary of State, has determined that such foreign law enforcement unit has committed a gross violation of human rights, consistent with the limitations set forth in section 520M of the Foreign Assistance Act of 1961 (22 U.S.C. 2378d).

(3) APPROVAL AND CONCURRENCE.—The establishment and continued support of the Transnational Criminal Investigative Units who are assigned under paragraph (1)—

(A) shall be performed with the approval of the chief of mission to the foreign country to which the personnel are assigned;

(B) shall be consistent with the duties and powers of the Secretary of State and the chief of mission of a foreign country under section 103 of the Omnibus Proliferation Units, section 6(c)(2)(B) of the Homeland Security Act of 2002 (6 U.S.C. 512(c)(2));

(C) coordinate with stakeholders in other Federal departments and agencies and non-governmental organizations with trade and economic security interests, authorities, and responsibilities; and

(D) perform such additional duties as the Secretary or the Under Secretary for Strategy, Policy, and Plans may prescribe.

SEC. 5123. CONGRESSIONAL RECORD — SENATE

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CONGRESSIONAL RECORD — SENATE

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SEC. 5106. VALIDATION OF THE STRATEGY THROUGH AN EXERCISE.

Not later than 1 year after the addition of the exercising under section 5105, the Department of Homeland Security shall lead an exercise as part of the national exercise program to test and enhance the operational readiness of the strategy required under section 5105.

SEC. 5107. RECOMMENDATIONS.

(a) IN GENERAL.—The Secretary shall provide recommendations to Congress:

(1) that the United States military is sufficiently engaged in armed or cyber conflict with State or non-State adversaries, or is otherwise unable to augment domestic response capabilities in a significant manner due to other incidents;

(2) additional authorities that should be considered for Federal agencies to more effectively implement the strategy required under section 5105;

(b) INCLUSION IN REPORTS.—The Secretary may require the recommendations required under subsection (a) in a report submitted under section 5108.

SEC. 5108. REPORTING REQUIREMENTS.

Not later than 1 year after the date on which the Secretary leads the exercise under section 5106, the Secretary shall submit to Congress a report that includes—

(1) a description of the efforts of the Secretary to develop and update the strategy required under section 5105; and

(2) an after-action report following the conduct of the exercise described in section 5106.

SEC. 5109. RULE OF CONSTRUCTION.

Nothing in this subtitle shall be construed to supersede the civilian emergency management authority of the Administrator of the Federal Emergency Management Agency under the Robert T. Stafford Disaster Relief and Emergency Management Act (6 U.S.C. 701 et seq.) or the Post Katrina Emergency Management Reform Act (6 U.S.C. 701 et seq.).
SEC. 5132. ASSISTANCE AND TRAINING FOR COMMUNITIES WITH TECHNOLOGICAL HAZARDS AND RELATED EMERGING THREATS.

(a) IN GENERAL.—The Administrator shall maintain the capacity to provide States, local, and Tribal governments with technological hazards and related emerging threats technical assistance, training, and other preparedness programming to build community resilience to technological hazards and related emerging threats.

(b) AUTHORITIES.—The Administrator shall carry out subsection (a) in accordance with—

(1) the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.);

(2) section 1236 of the Disaster Recovery Reform Act of 2018 (42 U.S.C. 5196e); and


(c) ASSESSMENT AND NOTIFICATION.—In carrying out subsection (a), the Administrator shall—

(1) use any available and appropriate multi-hazard risk assessment and mapping tools and capabilities to identify the communities that have the highest risk of and vulnerability to a technological hazard in each State; and

(2) ensure each State and Indian Tribal government is aware of—

(A) the communities identified under paragraph (1); and

(B) the availability of programming under this section for—

(i) technological hazards and related emerging threats preparedness; and

(ii) building community capability.

(d) REPORT.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Administrator shall submit to Congress a report that—

(A) describes the communities identified under paragraph (1) and the availability of programming under this section for—

(i) the full completion of federally-led vulnerability assessments that involve identifying the communities with the highest risk of and vulnerability to a technological hazard in each State; and

(ii) building community capability; and

(B) provides an assessment of the activities and accomplishments carried out under this section during the 5-year period preceding the date of submission of the report.

(e) ANNUAL BRIEFING.—The Executive Associate Director of Homeland Security Investigations is authorized to pay stipends to vetted members of a Transnational Criminal Investigative Unit a monetary stipend in an amount associated with their duties dedicated to unit activities.

(f) CONTENTS.—This section may be cited as the “Security, Technology, and Other Related Emerging Threats Preparedness Act of 2022.”

Title VIII: Offices of Countering Weapons of Mass Destruction and Health Security

SECTION 890B. OFFICES OF COUNTERING WEAPONS OF MASS DESTRUCTION AND HEALTH SECURITY


Title IX: Counting Weapons of Mass Destruction and Health Security

SECTION 9411. OFFICE OF THE ASST. SECRETARY OF PUBLIC SAFETY AND COUNTERING WEAPONS OF MASS DESTRUCTION AND HEALTH SECURITY

SEC. 9412. OFFICE OF THE ASSISTANT SECRETARY OF PUBLIC SAFETY AND COUNTERING WEAPONS OF MASS DESTRUCTION AND HEALTH SECURITY.

(a) HOMELAND SECURITY ACT OF 2002.—Title XIX of the Homeland Security Act of 2002 (6 U.S.C. 590 et seq.) is amended—

(1) in section 1901 (6 U.S.C. 591)—

(A) in subsection (c), by amending paragraphs (1) and (2) to read as follows:

"(1) matters and strategies pertaining to—

(A) weapons of mass destruction; and

(B) chemical, biological, radiological, nuclear, and other related emerging threats; and

(2) coordinating the efforts of the Department to counter—

(A) weapons of mass destruction; and

(B) chemical, biological, radiological, nuclear, and other related emerging threats;".

and

(B) by striking subsection (e); and

(2) by amending section 1921 (6 U.S.C. 591g) to read as follows:

"SEC. 1921. MISSION OF THE OFFICE.

The Office shall be responsible for—

(1) coordinating the efforts of the Department to counter—

(A) weapons of mass destruction; and

(B) chemical, biological, radiological, nuclear, and other related emerging threats; and

(2) enhancing the ability of Federal, State, local, Tribal, and territorial partners to prevent, detect, protect against, and mitigate the impacts of attacks using—

(A) weapons of mass destruction against the United States; and

(B) chemical, biological, radiological, nuclear, and other related emerging threats against the United States.

"(3) in section 1922 (6 U.S.C. 591h)—

(A) by striking subsection (b); and

(B) by redesignating subsection (c) as subsection (b);

(4) in section 1923 (6 U.S.C. 592)—

(A) by redesignating subsections (a) and (b) as subsections (b) and (c) respectively;

(B) by inserting before subsection (b), as so redesignated, the following:

"(c) OFFICE RESPONSIBILITIES.—

"(1) IN GENERAL.—For the purposes of coordinating the efforts of the Department to counter weapons of mass destruction and chemical, biological, radiological, nuclear, and other related emerging threats, the Office shall—

(A) provide expertise and guidance to Department leaderships and missions on chemical, biological, radiological, nuclear, and other related emerging threats, subject to the research, development, testing, and evaluation coordination requirement described in subparagraph (G); and

(B) in coordination with the Office for Strategy, Policy, and Plans, lead development of policies and strategies to counter weapons of mass destruction and chemical, biological, radiological, nuclear, and other related emerging threats on behalf of the Department;

(2) identify, assess, and prioritize capability gaps relating to the strategic and mission objectives of the Department for weapons of mass destruction and chemical, biological, radiological, nuclear, and other related emerging threats;".

"(2) any transitional activities or other community assistance incidental to the completion of the missions described in paragraph (1).

SEC. 5141. SHORT TITLE. This subtitle may be cited as the “Counting Weapons of Mass Destruction and Health Security Act of 2022.”

CHAPTER 1—COUNTERING WEAPONS OF MASS DESTRUCTION OFFICE

SEC. 5142. COUNTERING WEAPONS OF MASS DESTRUCTION OFFICE.

SEC. 5143. PERSONNEL OF THE COUNTERING WEAPONS OF MASS DESTRUCTION OFFICE.
“(D) in coordination with the Office of Intelligence and Analysis, support components of the Department, and Federal, State, local, Tribal, and territorial partners, provide intelligence analysis and production to support efforts to counter weapons of mass destruction and related emerging threats.

“(E) in coordination with the Science and Technology Directorate, assess risk to the United States from weapons of mass destruction and chemical, biological, radiological, nuclear, and other related emerging threats.

“(F) lead development and prioritization of Department requirements to counter weapons of mass destruction and chemical, biological, radiological, nuclear, and other related emerging threats.

“(G) before carrying out operational testing under subparagraph (A), develop a testing and evaluation plan that articulates the requirements for the user and describes how these capabilities will be tested in developmental test and evaluation and operational test and evaluation;

“(H) support and enhance the effective sharing and appropriate information on weapons of mass destruction and chemical, biological, radiological, nuclear, and other related emerging threats weapons or unauthorized material, and coordinate with the Under Secretary for Science and Technology (as directed by the Secretary) to support engagements and efforts with international partners to counter weapons of mass destruction and chemical, biological, radiological, nuclear, and other related emerging threats.

“(J) in coordination with the Office of Health Security, support components of the Department, and Federal, State, local, Tribal, and territorial partners on chemical, biological, radiological, nuclear, and other related emerging threats.

“(K) carry out any other duties assigned to the Department.

“(L) in coordination with the Office of Health Security, support components of the Department, and Federal, State, local, Tribal, and territorial partners on chemical, biological, radiological, nuclear, and other related emerging threats.

“(M) perform other duties as assigned by the Secretary.

“(N) in subsection (a), as so redesignated—

“(O) in the matter preceding item (aa), by striking ‘‘MISSION’’ and inserting ‘‘RADIOLOGICAL AND NUCLEAR RESPONSIBILITIES’’;

“(P) in paragraph (i), by striking ‘‘deploy,’’ after ‘‘acquire,’’ and

“(Q) by striking ‘‘deployment and inserting ‘‘operations’’;

“(R) by striking paragraphs (6) through (10);

“(S) redesigning paragraphs (11) and (12) as paragraphs (6) and (7), respectively;

“(T) in paragraph (7)(C)(vi), as so redesignated—

“(U) in the matter preceding subclause (I), by inserting ‘‘except as otherwise provided,’’ before ‘‘require’’;

“(V) in subclause (II)—

“(aa) in the matter preceding item (aa), by striking ‘‘death, disability, or a finding of good cause’’ and inserting ‘‘death, disability, or a finding of good cause as determined by the Assistant Secretary (including extreme hardship, extreme need, or the moral or physical condition for which the Assistant Secretary may grant a waiver of the repayment obligation);’’

“(bb) in item (bb), by adding ‘‘and’’ at the end;

“(cc) by striking paragraph (13); and

“(dd) by redesigning paragraph (14) as paragraph (8); and

“(ee) by inserting after subsection (b), as so redesignated, the following:

‘‘(C) CHEMICAL AND BIOLOGICAL RESPONSIBILITIES.—The Office—

“(I) shall be responsible for coordinating with other Federal efforts to enhance the ability of Federal, State, local, and Tribal governments to prevent, detect, protect against, and respond to chemical and biological threats against the United States; and

“(II) shall—

“(aa) serve as a primary entity of the Federal Government to further develop, acquire, deploy, and support the operations of a national biosurveillance system in support of Federal, State, local, Tribal, and territorial governments, and improve that system over time;

“(bb) enhance the chemical and biological detection efforts of Federal, State, local, Tribal, and territorial governments and provide guidance, tools, and training to help ensure a managed, coordinated response; and

“(cc) collaborate with the Biomedical Advanced Research and Development Authority, the Office of Health Security, the Defense Advanced Research Projects Agency, and the National Aeronautics and Space Administration, and other relevant Federal stakeholders, and receive input from industry, academia, and the national laboratories on chemical and biological surveillance efforts.

“(5) in section 1924 (6 U.S.C. 596), by striking ‘‘(D) by inserting after subsection 1923 (6 U.S.C. 596a), as so redesignated—

“(A) in clause (i), by striking ‘‘required under section 1923 (6 U.S.C. 596a), as so redesignated—

“(B) in clause (ii), by striking ‘‘and’’ at the end; and

“(C) in clause (iii), by striking the period at the end and inserting ‘‘; and’’;

“(D) by adding at the end the following:

‘‘(iv) includes any other information regarding national technical nuclear forensics activities carried out under section 1923;’’;

“(6) in section 1926 (6 U.S.C. 596b)—

“(A) in subsection (c)(1), by striking ‘‘from August 5, 2003, under section 1926 (6 U.S.C. 596b), as so redesignated—

“(B) by striking subsection (d) and inserting the following:

‘‘SEC. 1929. ACCOUNTABILITY.

‘(a) DEPARTMENTWIDE STRATEGY.—

‘(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Offices of Countering Weapons of Mass Destruction and Health Security Act of 2022, the Secretary shall create a Departmentwide strategy and implementation plan to counter weapons of mass destruction and chemical, biological, radiological, nuclear, and other related emerging threats, which should—

‘(A) have clearly identified authorities, specified roles, objectives, benchmarks, accountability, and timelines; and

‘(B) incorporate the perspectives of non-Federal and private sector partners; and

‘(2) APPLICABILITY.—The Departmentwide strategy and implementation plan required by paragraph (1) shall apply to—

‘(A) the roll out of the strategy and implementation plan; and

‘(B) any subsequent roll out of the strategy and implementation plan;’’;

“(7) in section 1928 (6 U.S.C. 596c)—

“(A) in subsection (c), by striking ‘‘countering weapons of mass destruction and health security Act of 2022, the Secretary shall create a Departmentwide strategy and implementation plan to counter weapons of mass destruction and chemical, biological, radiological, or nuclear material in support of Federal, State, local, and Tribal, and territorial governments and provide guidance, tools, and training to help ensure a managed, coordinated response; and

“(B) by striking subsection (d) and inserting the following:

‘‘(d) REPORT.—Not later than 2 years after the date of enactment of the Offices of Countering Weapons of Mass Destruction and Health Security Act of 2022, the Secretary shall submit to the appropriate congressional committees an update on the STC program and activities carried out under section 1923;’’;

“(8) in section 1929 (6 U.S.C. 596d)—

“(A) in subsection (c)(1), by striking ‘‘from August 5, 2003, under section 1929 (6 U.S.C. 596d), as so redesignated—

“(B) by striking subsection (d) and inserting the following:

‘‘(d) REPORT.—Not later than 2 years after the date of enactment of the Offices of Countering Weapons of Mass Destruction and Health Security Act of 2022, the Secretary shall create a Departmentwide strategy and implementation plan to counter weapons of mass destruction and chemical, biological, radiological, nuclear, and other related emerging threats, which should—

‘(A) have clearly identified authorities, specified roles, objectives, benchmarks, accountability, and timelines; and

‘(B) incorporate the perspectives of non-Federal and private sector partners; and

‘(2) APPLICABILITY.—The Departmentwide strategy and implementation plan required by paragraph (1) shall apply to—

‘(A) the roll out of the strategy and implementation plan; and

‘(B) any subsequent roll out of the strategy and implementation plan;’’;
"(C) articulate how the Department will contribute to relevant national-level strategies and work with other Federal agencies.

(2) CONSIDERATION.—The Secretary shall approve the updated Departmentwide strategy and implementation plan required under paragraph (1).

(3) REPORT.—The Office shall submit to the appropriate congressional committees a report that includes an overview of the biodefense strategy and implementation plan required under paragraph (1).

(4) DEPARTMENTWIDE BIODENNCE REVIEW AND STRATEGY.—

"(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Offices of Countering Weapons of Mass Destruction and Health Security Act of 2022, the Secretary, in consultation with appropriate stakeholders representing Federal, State, Tribal, territorial, local, private sector, and nongovernmental entities, shall conduct a Departmentwide review of biodefense activities and strategies.

"(2) REVIEW.—The review required under paragraph (1) shall—

"(A) identify with specificity the biodefense strategy of the Department including relating to biodefense roles, responsibilities, and capabilities of components and offices of the Department;

"(B) assess whether components and offices coordinate internally and with public and private partners in the biodefense enterprise;

"(C) identify any policy, resource, capability, or other gaps in the Department's ability to assess, prevent, protect against, and respond to biological threats; and

"(D) recommend any organizational changes or reforms necessary for the Department to effectively execute its biodefense mission and role, including with respect to public and private partners in the biodefense enterprise.

"(3) STRATEGY.—Not later than 1 year after completion of the review required under paragraph (1), the Secretary shall issue a biodefense strategy for the Department that—

"(A) is informed by such review and is aligned with section 1086 of the National Defense Authorization Act for Fiscal Year 2017 (6 U.S.C. 104; relating to the development of a national biodefense strategy and associated implementation plan, including a review and assessment of biodefense policies, practices, programs, and initiatives) or any successor strategy; and

"(B) shall—

"(i) describe the biodefense mission and role of the Department, as well as how such mission and role relates to the biodefense lines of effort of the Department;

"(ii) clarify, as necessary, biodefense roles, responsibilities, and capabilities of the components of the Department involved in the biodefense lines of effort of the Department;

"(iii) establish how biodefense lines of effort of the Department are to be coordinated within the Department;

"(iv) establish how the Department engages with public and private partners in the biodefense enterprise, including other Federal agencies, national laboratories and sites, and State, local, Tribal, and territorial entities, with specificity regarding the frequency and manner of such engagement by Department components and offices with State, local, Tribal and territorial entities; and

"(v) include information relating to—

"(I) milestones and performance metrics that are specific to the biodefense mission and role of the Department described in clause (i); and

"(II) implementation of any operational changes necessary to carry out clauses (iii) and (iv).

"(4) PERIODIC UPDATE.—Beginning not later than 5 years after the issuance of the biodefense strategy and implementation plans required under paragraph (3), and not less often than once every 5 years thereafter, the Secretary shall review and update, as necessary, such strategy and plans.

"(5) CONGRESSIONAL OVERSIGHT.—Not later than 30 days after the issuance of the biodefense strategy and implementation plans required under paragraph (3), the Secretary shall brief the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives regarding such strategy and plans.

"(6) EMPLOYEE MORALE.—Not later than 180 days after the date of enactment of the Offices of Countering Weapons of Mass Destruction and Health Security Act of 2022, the Office shall submit to and brief the appropriate congressional committees on—

"(A) the successes of the Office to prioritize and manage the lifecycle of research and development;

"(B) the consistency and effectiveness of stakeholder coordination across the mission of the Office, including operational and support components of the Department and State and local entities; and

"(C) the efforts of the Office to manage and coordinate the Office's contributions to and activities within the Office, including research and development.

"(7) REVIEW.—The Secretary shall establish an advisory council on the administration of Federal assistance provided by the Department, including, as appropriate—

"(A) be appointed by the Assistant Secretary; and

"(B) to the extent practicable, represent a geographical (including urban and rural) and substantive cross section of officials, from State, local, and Tribal governments, academia, the private sector, national laboratories, and nongovernmental organizations, including, as appropriate—

"(i) members selected from the emergency management field and emergency response programs.

"(ii) State, local, and Tribal government officials;

"(iii) experts in the public and private sectors with expertise in chemical, biological, radiological, and nuclear agents and weapons (including, as appropriate—

"(iv) representatives from the national laboratories; and

"(v) other individuals as the Assistant Secretary determines to be appropriate.

"(8) RESPONSIBILITIES.—The Advisory Council shall—

"(A) advise the Assistant Secretary on all aspects of countermeasures to weapons of mass destruction; and

"(B) incorporate State, local, and Tribal government, national laboratories, and private sector input in the development of the strategy and implementation plan of the Department for countering weapons of mass destruction; and

"(C) establish performance criteria for national biological detection system and review the testing protocol for biological detection prototypes.

"(9) CONSULTATION.—To ensure input from and coordination with State, local, and Tribal governments, the Assistant Secretary shall regularly consult and work with the Advisory Council on the administration of Federal assistance provided by the Department, including with respect to the development of requirements for countering weapons of mass destruction programs, as appropriate.

"(10) VOLUNTARY SERVICE.—The members of the Advisory Council shall serve on the Advisory Council on a voluntary basis.


"(b) COUNTERING WEAPONS OF MASS DESTRUCTION ACT OF 2018.—Section 2 of the Countering Weapons of Mass Destruction Act of 2018 (Public Law 115–387; 132 Stat. 5162) is amended—

"(1) in subsection (b)(2) (6 U.S.C. 591 note), by striking “1927” and inserting “1926”; and

"(2) in subsection (g) (6 U.S.C. 591 note)—

"(A) in the matter preceding paragraph (1), by striking “one year” after the date of enactment of this Act, and annually thereafter, and inserting “June 30 of each year”;

"(B) in paragraph (2), by striking “Security, including research and development activities” and inserting “Security”;

"(C) SECURITY AND ACCOUNTABILITY FOR EVERY PORT ACT OF 2006.—The Security and Accountability for Every Port Act of 2006 (6 U.S.C. 901 et seq.) is amended—

"(1) in section 1086 of the National Academies of Sciences, Engineering, and Medicine—

"(A) STUDY.—The Secretary shall enter into an agreement with the National Academies of Sciences, Engineering, and Medicine to conduct a consensus study and report to the Secretary and the appropriate congressional committees on—

"(A) the role of the Department in preparing, detecting, and responding to biological and health security threats to the homeland;

"(B) recommendations to improve departmental biosurveillance efforts against biological threats, including any relevant biological detection methods and technologies; and

"(C) the feasibility of different technological advances for biodetection compared to the cost, risk, reduction, and timeliness of those advances.

"(B) BRIEFING.—Not later than 1 year after the date on which the Secretary receives the report required under paragraph (1), the Secretary shall brief the appropriate congressional committees on—

"(A) the implementation of the recommendations included in the report; and

"(B) the status of biological detection at the Department, and, if applicable, timelines for the transition from BioWatch to updated technologies.

"(1) ADVISORY COUNCIL.—

"(1) ESTABLISHMENT.—Not later than 180 days after the date of enactment of the Offices of Countering Weapons of Mass Destruction and Health Security Act of 2022, the Secretary shall establish an advisory body to advise on the ongoing coordination of the efforts of the Department to countering weapons of mass destruction, to be known as the Advisory Council for Countering Weaponss of Mass Destruction and Chemical, Biological, Radiological, and Nuclear Agents and Weapons (referred to as the ‘Advisory Council’).

"(2) MEMBERSHIP.—The members of the Advisory Council shall—

"(A) be appointed by the Assistant Secretary; and

"(B) to the extent practicable, represent a geographical (including urban and rural) and substantive cross section of officials, from State, local, and Tribal governments, academia, the private sector, national laboratories, and nongovernmental organizations, including, as appropriate—

"(i) members selected from the emergency management field and emergency response programs.

"(ii) State, local, and Tribal government officials;

"(iii) experts in the public and private sectors with expertise in chemical, biological, radiological, and nuclear agents and weapons; and

"(iv) representatives from the national laboratories; and

"(v) other individuals as the Assistant Secretary determines to be appropriate.

"(3) RESPONSIBILITIES.—The Advisory Council—

"(A) advise the Advisory Council on all aspects of countering weapons of mass destruction; and

"(B) establish performance criteria for national biological detection system and review the testing protocol for biological detection prototypes.

"(4) CONSULTATION.—To ensure input from and coordination with State, local, and Tribal governments, the Assistant Secretary shall regularly consult and work with the Advisory Council on the administration of Federal assistance provided by the Department, including with respect to the development of requirements for countering weapons of mass destruction programs, as appropriate.

"(5) VOLUNTARY SERVICE.—The members of the Advisory Council shall serve on the Advisory Council on a voluntary basis.


SEC. 5143. RULE OF CONSTRUCTION.

Nothing in this chapter or the amendments made by this chapter shall be construed to
CHAPTER 2—OFFICE OF HEALTH SECURITY

SEC. 2114. OFFICE OF HEALTH SECURITY.

(a) ESTABLISHMENT.—The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended—

(1) in section 103 (6 U.S.C. 113)—

(A) in subsection (a)(2)—

(i) by striking “the Assistant Secretary for Health Affairs,”; and

(ii) by striking “Affairs,” or and inserting “Affairs”,

(B) in subsection (d), by adding at the end the following:

“(6) A Chief Medical Officer.”;

(2) by adding at the end the following:

“TITLE XXIII—OFFICE OF HEALTH SECURITY;

(3) by redesigning section 1931 (6 U.S.C. 597) as section 2301 and transferring such section to appear after the heading for title XXIII, as added by paragraph (2); and

(4) in section 2301, as so redesignated—

(A) in the section heading, by striking “CHIEF MEDICAL OFFICER” and inserting “OFFICE OF HEALTH SECURITY”;

(B) by striking subsections (a) and (b) and inserting the following:

“(a) An Office of Health Security is established in the Department an Office of Health Security.  

(b) HEAD OF OFFICE OF HEALTH SECURITY.—The Office of Health Security shall be headed by a chief medical officer, who shall—

(1) be the Assistant Secretary for Health Security and the Chief Medical Officer of the Department;

(2) be a licensed physician possessing a demonstrated ability in and knowledge of medicine and public health;

(3) be appointed by the President; and

(4) report directly to the Secretary.”;

(C) in subsection (c)—

(1) in the matter preceding paragraph (1), by striking “medical issues related to natural disasters, acts of terrorism, and other man-made disasters” and inserting “oversight of all medical, public health, and workforce health and safety matters of the Department”;

(ii) in paragraph (1), by striking “, the Administrator of the Federal Emergency Management Agency, the Assistant Secretary for Management, and other Department officials” and inserting “all other Department officials”;

(C) in paragraph (4), by striking “at the end of the preceding paragraph” and inserting “at the end”;

(iv) by redesigning paragraph (5) as paragraph (15); and

(v) by inserting after paragraph (4) the following:

“(5) overseeing all medical and public health activities of the Department, including the delivery, advisement, and oversight of direct patient care and the organization, management, and staffing of component operations that deliver direct patient care;

(6) advising the head of each component of the Department that delivers direct patient care regarding the recruitment and appointment of a component chief medical officer and deputy chief medical officer or the employment of functions in the capacity of chief medical officer and deputy chief medical officer;

(7) advising the Secretary and the head of each component of the Department that delivers direct patient care regarding knowledge and skills standards for medical personnel and the assessment of that knowledge and skills;

(8) advising the Secretary and the head of each component of the Department that delivers direct patient care regarding the collection, storage, and oversight of medical records;

(9) with respect to any psychological health counseling or assistance program of the Department, provide a program to a law enforcement, operational, or support component of the Department, advising the head of such each such component with such a program and providing such counseling or assistance;

(A) ensuring such program includes safeguards against adverse action, including automatic referrals for a fitness for duty examination by such component with respect to any employee solely because such employee self-identifies a need for psychological health counseling or assistance or receives such counseling or assistance;

(B) increasing the availability and number of local psychological health professionals with experience providing psychological support services to personnel;

(C) establishing a behavioral health curriculum for employees at the beginning of their careers to provide resources early regarding the importance of psychological health;

(D) establishing periodic management training on crisis intervention and such component’s psychological health counseling or assistance program;

(E) improve any associated existing employee peer support programs, including by making additional training and resources available for peer support personnel in the workplace across the Department;

(F) developing and implementing a voluntary alcohol treatment program that includes a safe harbor for employees who seek treatment;

(G) including, when appropriate, collaborating and partnering with key employee stakeholders and, for those components with employees who are represented by the exclusive representative with respect to such a program;

(H) in consultation with the Chief Information Officer of the Department—

(1) identifying methods and technologies for managing, updating, and overseeing patient records; and

(B) setting standards for technology used by the components of the Department regarding the collection, storage, and oversight of medical records;

(11) advising the Secretary and the head of each component of the Department that delivers direct patient care regarding contracts for the delivery of direct patient care, other medical supplies, and instructional materials;

(12) coordinating with the Countering Weapons of Mass Destruction Office and other components of the Department as directed by the Secretary to enhance the ability of Federal, State, local, Tribal, and territorial governments to prevent, detect, protect against, and mitigate the health effects of chemical, biological, radiological, and nuclear issues; and”; and

(4) by adding at the end the following:

“(d) ASSISTANCE AND AGREEMENTS.—The Secretary, acting through the Chief Medical Officer, in support of the medical and public health activities of the Department, may—

(1) provide technical assistance, training, and information and distribute funds through grants and cooperative agreements to State, local, Tribal, and territorial governments and nongovernmental organizations;

(2) enter into other transactions;

(3) enter into agreements with other Federal agencies and Federal financial assistance;

(4) accept services from personnel of components of the Department and other Federal agencies on a reimbursable or nonreimbursable basis.

(e) OFFICE OF HEALTH SECURITY PRIVACY OFFICER.—There shall be a Privacy Officer in the Office of Health Security with primary responsibility for policy and compliance within the Office, who shall—

(1) report directly to the Chief Medical Officer;

(2) ensure privacy protections are integrated into all Office of Health Security activities, subject to the review and approval of the Secretary, and that the Secretary shall maintain a Departmentwide strategy and implementation plan to address health threats.

(b) TRANSFER.—Not later than 180 days after the date of enactment of this section, the Secretary shall brief the appropriate congressional committees on the organizational transformations of the Office of Health Security, including how best practices were used in the creation of the Office of Health Security.”;

(5) by redesigning section 710 (6 U.S.C. 350) as section 2302 and transferring such section to appear after section 2301, as so redesignated;

(6) in section 2302, as so redesignated—

(A) in the section heading, by striking “MEDICAL SUPPORT” and inserting “SAFETY”;

(B) by adding after the heading “Secretary for Management” each place that term appears and inserting “Chief Medical Officer”;

(C) in paragraph (3), by striking “as deemed appropriate by the Under Secretary”;

(7) by redesigning section 528 (6 U.S.C. 321q) as section 2303 and transferring such section to appear after section 2302, as so redesignated;

(8) in section 2303(a), as so redesignated, by striking “Assistant Secretary for the Countering Weapons of Mass Destruction Office” and inserting “Chief Medical Officer”.

(b) TRANSITION AND TRANSFERS.—

(1) TRANSITION.—The individual appointed pursuant to section 1931 of the Homeland Security Act of 2002 (6 U.S.C. 597) of the Department of Homeland Security, as in effect on the day before the date of enactment of this Act, and serving as the Assistant Secretary for the Office of the Department of Homeland Security on the day before the date of enactment of this Act shall, continue to serve as the Chief Medical Officer of the Department on and after the date of enactment of this Act without the need for reappointment.

(2) RULE OF CONSTRUCTION.—The rule of construction described in section 2(hh) of the Presidential Appointment Efficiency and Streamlining Act of 2011 (5 U.S.C. 3132 note) shall not apply to the Chief Medical Officer of the Department of Homeland Security, including the incumbent who holds the position on the day before the date of enactment of this Act, and such officer shall be paid at the rate of $186,500 (as determined by section 5555 of title 5, United States Code).

(3) TRANSFER.—The Secretary of Homeland Security shall transfer to the Chief Medical Officer of the Department of Homeland Security—

(A) all functions, personnel, budget authority, and assets of the Under Secretary for Management relating to health and safety, as in existence on the day before the date of enactment of this Act;
SEC. 2305. CONFIDENTIALITY OF MEDICAL QUALITY ASSURANCE RECORDS.

Title XXIII of the Homeland Security Act of 2002, as added by this chapter, is amended by adding at the end the following:

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SEC. 5145. MEDICAL COUNTERMEASURES PROGRAM.

The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended by redesignating section 1923 (6 U.S.C. 597a) as section 2304 and transferring such section to appear after section 2303, as so redesignated by section 5144 of this subtitle.

SEC. 5146. CONFIDENTIALITY OF MEDICAL QUALITY ASSURANCE RECORDS.

Title XXIII of the Homeland Security Act of 2002, as added by this chapter, is amended by adding at the end the following:

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SEC. 2305. CONFIDENTIALITY OF MEDICAL QUALITY ASSURANCE RECORDS.

(a) Definitions.—In this section:

(1) HEALTH CARE PROVIDER.—The term ‘health care provider’ means an individual who—

(A) is—

(i) an employee of the Department;

(ii) a detail to the Department from another agency; or

(iii) a personal services contractor of the Department;

(B) is hired under a contract for services;

(C) performs health care services as part of duties of the individual in that capacity; and

(D) has a current, valid, and unrestricted license or certification—

(i) that is issued by a State, the District of Columbia, or a commonwealth, territory, or possession of the United States; and

(ii) the professional qualifications of any health care provider who is or was a health care provider by the Department, or any other location authorized by the Secretary for the performance of health care services.

(2) MEDICAL QUALITY ASSURANCE PROGRAM.—The term ‘medical quality assurance program’ means any activity carried out by the Department to assess the quality of medical care, including activities conducted by individuals, committees, or other review bodies responsible for quality assurance, credentials, infection control, incident reporting, the delivery, advisement, and oversight of direct patient care and assessment (including treatment procedures, blood, drugs, and therapeutics), medical records, health resource allocation review, and identification and prevention of medical, mental health, or dental incidents and risks.

(3) MEDICAL QUALITY ASSURANCE RECORD OF THE DEPARTMENT.—The term ‘medical quality assurance record of the Department’ means all information, including the proceedings, records (including patient records that the Department creates and maintains as part of a system of records), minutes, and reports that—

(A) emanate from quality assurance program activities described in paragraph (2); and

(B) are produced or compiled by the Department as part of a medical quality assurance program.

(b) Confidentiality of Records.—A medical quality assurance record of the Department that is created as part of a medical quality assurance program—

(1) is confidential and privileged; and

(2) except as provided in subsection (d), may not be disclosed by any entity.

(c) Prohibition on Disclosure and Testimony.—Except as otherwise provided in this section—

(1) no part of any medical quality assurance record of the Department may be subject to discovery or admitted into evidence in any judicial or administrative proceeding;

and

(2) an individual who reviews or creates a medical quality assurance record of the Department or who participates in any proceeding concerning an adverse action related to a medical quality assurance record of the Department may not be permitted or required to testify in any judicial or administrative proceeding with respect to the record or with respect to any finding, recommendation, evaluation, opinion, or action taken by that individual in connection with the record.

(d) Authorized Disclosure and Testimony.—

(1) In general.—Subject to paragraph (2), a medical quality assurance record of the Department may be disclosed, and a person described in subsection (a) may give testimony in connection with the record, only as follows:

(A) To a Federal agency or private organization, if the medical quality assurance record of the Department or testimony is needed by the Federal agency or private organization—

(i) to perform licensing or accreditation functions related to Department health care facilities, a facility affiliated with the Department, or any other location authorized by the Secretary for the performance of health care services;

(ii) to perform monitoring, required by law, of Department entities, a facility affiliated with the Department, or any other location authorized by the Secretary for the performance of health care services;

(iii) to perform monitoring, required by law, of non-Degartment entities, a facility affiliated with the Department, or any other location authorized by the Secretary for the performance of health care services;

(iv) to a governmental board or agency or a professional health care society or organization, if the medical quality assurance record of the Department or testimony is needed by the board, agency, society, or organization to perform licensing, credentialing, or the monitoring of professionals standards with respect to any health care provider who is or was a health care provider for the Department.

(B) To a hospital, medical center, or other institution that provides health care services, if the medical quality assurance record of the Department or testimony is needed by the institution to assess the professional standards of any health care provider who is or was a health care provider for the Department and who has applied for or been granted authority or employment to provide health care services in or on behalf of the institution.

(C) To an employee, a detailee, or a contractor of the Department who has a need for the medical quality assurance record of the Department or testimony to perform official duties or duties within the scope of their contract.

(D) To a criminal or civil law enforcement agency or instrumentality charged under applicable law with the protection of the public health or safety, if a qualified representative of the agency or instrumentality makes a written request that the medical quality assurance record of the Department or testimony be provided for a purpose authorized by law.

(E) In an administrative or judicial proceeding commenced by a criminal or civil law enforcement agency or instrumentality described in subparagraph (F), but only with respect to the subject of the proceeding.

(2) Personally identifiable information.—

(A) In general.—With the exception of the subject of a quality assurance action, personally identifiable information of any individual identified by the Department in a medical quality assurance record of the Department from that record before any disclosure of the record is made outside the Department.

(B) Application.—The requirement under subparagraph (A) shall not apply to the release of information that is permissible under section 552a of title 5, United States Code (commonly known as the ‘Privacy Act of 1974’).

(C) Disclosure for Certain Purposes.—Nothing in this section shall be construed to—

(i) to authorize or require the withholding from any person or entity de-identified aggregate statistical information regarding the results of medical quality assurance programs, under de-identification standards developed by the Secretary in consultation with the Secretary of Health and Human Services, as soon as is released in a manner in accordance with all other applicable legal requirements; or

(ii) to authorize the withholding of any medical quality assurance record of the Department from a committee of either House of Congress, any joint committee of Congress, or the Comptroller General of the United States if the disclosure may be reasonably necessary for any matter within their respective jurisdictions.

(D) Prohibition on Disclosure of Information, Record, or Testimony.—A person or an entity having possession of or access to a medical quality assurance record of the Department or testimony described in this section may not disclose the contents of the record or testimony in any manner or for any purpose except as provided in this section.

(E) Exemption From Freedom of Information Act.—A medical quality assurance record of the Department shall be exempt from disclosure under section 552(b)(3) of title 5, United States Code (commonly known as the ‘Freedom of Information Act’).

(F) Limitation on Civil Liability.—A person who participates in the review or creation of, or provides information to a person or body that reviews or creates, a medical quality assurance record of the Department shall not be civilly liable under this section for the participation or for providing that information if the participation or provision of information was—

(i) provided in good faith based on prevailing professional standards at the time the medical quality assurance program activity took place; and

(ii) made in accordance with any other applicable legal requirement, including Federal privacy laws and regulations.

(G) Application to Information in Certain Records.—This section shall be construed as limiting access to the information in a record created and maintained outside a medical quality assurance program, including a record of a patient, on the grounds that the information was presented during meetings of a review body that are part of a medical quality assurance program.

(H) Penalty.—Any person who willfully discloses a medical quality assurance record
of the Department other than as provided in this section, knowing that the record is a medical quality assurance record of the Department shall be fined not more than $3,000 in the case of a first offense and not more than $20,000 in the case of a subsequent offense.

"(k) RELATIONSHIP TO COAST GUARD.—The requirements of this section shall not apply to any medical quality assurance record of the Department that is created by or for the Coast Guard as part of a medical quality assurance program.

"(l) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to supersede the requirements—

"(1) the Health Insurance Portability and Accountability Act of 1996 (Public Law 104–191; 110 Stat. 1938) and its implementing regulations;

"(2) the Health Information Technology for Economic and Clinical Health Act (42 U.S.C. 17931 et seq.) and its implementing regulations; or

"(3) sections 921 through 926 of the Public Health Service Act (42 U.S.C. 299b–21 through 299b–26) and their implementing regulations.

SEC. 5147. TECHNICAL AND CONFORMING AMENDMENTS.


(B) by striking "Hawaiian native-serving'' and inserting "HAWAIIAN NATIVE-SERVING'' and (C) by inserting after the item relating to title C of title XIX and sections 1931 and 1932;

(b) by inserting after the item relating to title C of title XIX.

(c) by inserting after the item relating to title C of title XIX.

(d) as determined appropriate by the Comptroller General of the United States shall be developed and maintained under subsection 5154(b)(1).

(2) COMMERCIAL SATELLITE SYSTEM.—The term "commercial satellite system"—

(A) means a system that—

(i) is owned or operated by a non-Federal entity based in the United States; and

(ii) is composed of not less than 1 earth satellite; and

(B) includes—

(i) any ground support infrastructure for each satellite; and

(ii) any transmission link among and between any satellite in the system and any ground support infrastructure in the system.

(3) CRITICAL INFRASTRUCTURE.—The term "critical infrastructure'' has the meaning given the term in subsection (e) of the Critical Infrastructure Protection Act of 2002 (42 U.S.C. 5195c).

(4) CYBERSECURITY RISK.—The term "cybersecurity risk'' has the meaning given the term in section 2300 of the Homeland Security Act of 2002, as added by section 5191 of this division.

(5) CYBERSECURITY THREAT.—The term "cybersecurity threat'' has the meaning given the term in section 2300 of the Homeland Security Act of 2002, as added by section 5191 of this division.

SEC. 5153. REPORT ON COMMERCIAL SATELLITE CYBERSECURITY.

(a) STUDY.—The Comptroller General of the United States shall conduct a study on the actions the Federal Government has taken or plans to take to address the cybersecurity of commercial satellite systems, including as part of any action to address the cybersecurity of critical infrastructure sectors.

(b) REPORT.—Not fewer than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall report to the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Homeland Security and the Committee on Space, Science, and Competitiveness of the House of Representatives on the study conducted under subsection (a), which shall include information on—

(1) efforts of the Federal Government to—

(A) address or improve the cybersecurity of commercial satellite systems; and

(B) support related efforts with international entities or sectors;

(2) the resources made available to the public by Federal agencies to address cybersecurity risks and threats to commercial satellite systems, including resources made available through the clearinghouse;

(3) the extent to which commercial satellite systems and the cybersecurity threats to such systems addressed in Federal and non-Federal critical infrastructure risk analyses and protection plans;

(4) the extent to which Federal agencies are reliant on satellite systems owned wholly or in part or controlled by foreign entities, and how Federal agencies mitigate associated cybersecurity risks;

(5) the extent to which Federal agencies coordinate or duplicate authorities and take other actions focused on the cybersecurity of commercial satellite systems; and

(6) as determined appropriate by the Comptroller General of the United States, recommendations for further Federal action to support the cybersecurity of commercial satellite systems.

(c) CONSULTATION.—In carrying out subsections (a) and (b), the Comptroller General of the United States shall coordinate with appropriate Federal agencies and organizations, including—

(1) the Department of Homeland Security;

(2) the Department of Commerce;

(3) the Department of Defense;

(4) the Department of Transportation;

(5) the Federal Communications Commission;

(6) the National Aeronautics and Space Administration;

(7) the National Executive Committee for Space-Based Positioning, Navigation, and Timing; and

(8) the National Space Council.

(d) BRIEFING.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall provide a briefing to the appropriate congressional committees on the study conducted under subsection (a).

(e) CLASSIFICATION.—The report made under subsection (b) shall be unclassified but may include a classified annex.

SEC. 5154. RESPONSIBILITIES OF THE CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY.

(a) DEFINITIONS.—In this section:

(1) DIRECTOR.—The term "Director'' means the Director of the Cybersecurity and Infrastructure Security Agency.

(2) SMALL BUSINESS CONCERN.—The term "small business concern'' has the meaning given the term in section 3 of the Small Business Act (15 U.S.C. 632).

(3) ESTABLISHMENT OF COMMERCIAL SATELLITE SYSTEM CYBERSECURITY CLEARINGHOUSE.—

(1) IN GENERAL.—Subject to the availability of appropriations, not later than 180 days after the date of enactment of this Act, the Director shall develop and maintain a commercial satellite system cybersecurity clearinghouse.

(2) REQUIREMENTS.—The clearinghouse—

(A) shall be publicly available online; and

(B) shall contain publicly available commercial satellite system cybersecurity resources, including the voluntary recommendations consolidated under subsection (c).

(C) shall contain appropriate materials for reference by entities that develop, operate, or maintain commercial satellite systems;

(D) shall contain information specifically aimed at assisting small business concerns with the secure development, operation, and maintenance of commercial satellite systems; and

(E) may contain controlled unclassified information distributed to commercial entities through a process determined appropriate by the Director.

(3) CONTENT MAINTENANCE.—The Director shall maintain current and relevant cybersecurity information on the clearinghouse.

(4) EXISTING PLATFORM OR WEBSITE.—To the extent practicable, the Director shall establish and maintain the clearinghouse using an existing platform or website that is in existence as of the date of enactment of this Act.

(5) CONSOLIDATION OF COMMERCIAL SATELLITE SYSTEM CYBERSECURITY RECOMMENDATIONS.—

(1) IN GENERAL.—The Director shall consolidate voluntary cybersecurity recommendations designed to assist in the development, maintenance, and operation of commercial satellite systems.

(2) REQUIREMENTS.—The recommendations consolidated under paragraph (1) shall include materials appropriate for a public resource addressing the following:

(A) Risk-based, cyber-informed engineering, including continuous monitoring and resiliency.

SEC. 5155. SHORT TITLE.

This subtitle may be cited as the "Satellite Cybersecurity Act".
(B) Planning for retention or recovery of positive control of commercial satellite systems in the event of a cybersecurity incident.

(C) Protection against unauthorized access to vital commercial satellite system functions.

(D) Physical protection measures designed to reduce the vulnerability of a commercial satellite system’s command, control, and telemetry receiver systems.

(E) Protection against jamming, eavesdropping, hijacking, computer network exploitation, spoofing, threats to optical satellite communications, and electromagnetic pulse.

(F) Security against threats throughout a commercial satellite system’s mission lifetime.

(G) Management of supply chain risks that affect the cybersecurity of commercial satellite systems.

(H) Protection against vulnerabilities posed by ownership of commercial satellite systems or commercial satellite system companies by foreign entities.

(I) Protection against vulnerabilities posed by locating physical infrastructure, such as satellite ground control systems, in foreign countries.

(J) As appropriate, and as applicable pursuant to the maintenance requirement under subsection (b), consult with non-Federal entities described in subsection (d)(3); and consult with the entity described in subsection (d)(1).

(K) Any other recommendations to ensure the confidentiality, availability, and integrity of data residing on or in transit through commercial satellite systems.

SEC. 5156. STRATEGY.

In implementing this section, the Director shall—

(1) to the extent practicable, carry out the implementation in partnership with the private sector;

(2) coordinate with—

(A) the National Space Council and the head of any other agency determined appropriate by the National Space Council; and

(B) the heads of appropriate Federal agencies with expertise and experience in satellite operations, including the entities described in subsection (d)(1);

(3) consult with non-Federal entities described in subsection (d)(2);

(4) identify and prevent safety and security risks.

SEC. 5161. SHORT TITLE.

This subtitle may be cited as the "Pray Safe Act".

SEC. 5162. DEFINITIONS.

In this subtitle—

(1) the term ‘Clearinghouse’ means the Federal Clearinghouse on Safety Best Practices for Faith-Based Organizations and Houses of Worship established under section 2220E of the Homeland Security Act of 2002, as added by section 5163 of this subtitle;

(2) the term ‘Department’ means the Department of Homeland Security;

(3) the terms ‘faith-based organization’ and ‘houses of worship’ have the meanings given such terms under section 2220E of the Homeland Security Act of 2002, as added by section 5163 of this subtitle;

(4) the term ‘Secretary’ means the Secretary of Homeland Security.

SEC. 5163. FEDERAL CLEA RINGHOUSE ON SAFETY AND SECURITY BEST PRACTICES FOR FAITH-BASED ORGANIZATIONS AND HOUSES OF WORSHIP.

(A) IN GENERAL.—Subtitle A of title XXII of the Homeland Security Act of 2002 (6 U.S.C. 651 et seq.) is amended by adding at the end the following:

"SEC. 2220E. FEDERAL CLEARINGHOUSE ON SAFETY AND SECURITY BEST PRACTICES FOR FAITH-BASED ORGANIZATIONS AND HOUSES OF WORSHIP.

(A) DEFINITIONS.—In this section—

(1) the term ‘Clearinghouse’ means the Federal Clearinghouse on Safety and Security Best Practices for Faith-Based Organizations and Houses of Worship established under section (b)(1);

(2) the term ‘faith-based organization’ means a group, center, or nongovernmental organization with a religious, ideological, or spiritual motivation, character, affiliation, or purpose;

(3) the term ‘house of worship’ means a place or building, including synagogues, mosques, temples, and churches, in which congregants practice their religious or spiritual beliefs; and

(4) the term ‘security for the purpose of the Clearinghouse’, means prevention of, protection against, or recovery from threats, including manmade disasters, natural disasters, or violent attacks.

(B) ESTABLISHMENT.—

(1) IN GENERAL.—Not later than 720 days after the date of enactment of the Pray Safe Act, the Secretary, in consultation with the Executive Director of the White House Office of Faith-Based and Neighborhood Partnerships, and the head of any other agency that the Secretary determines appropriate, shall establish the Federal Clearinghouse on Safety and Security Best Practices for Faith-Based Organizations and Houses of Worship within the Department.

(C) PURPOSE.—The Clearinghouse shall be the primary resource of the Federal Government—

(A) to educate and publish online best practices and recommendations for safety and security for faith-based organizations and houses of worship; and

(B) to provide information relating to Federal grant programs available to faith-based organizations and houses of worship.

(D) PERSONNEL.—

(A) ASSIGNMENTS.—The Clearinghouse shall be staffed by such personnel and resources as the Secretary determines appropriate to carry out this section.

(B) DETAILING.—The Secretary may coordinate the detail of personnel as required for the Clearinghouse.

(C) DESIGNATED POINT OF CONTACT.—There shall be a designated point of contact for such personnel or detailed to the Clearinghouse who shall be the designated point of contact to provide information and assistance to faith-based organizations and houses of worship, and assist in coordinating the program established under section 5163 of the Pray Safe Act. The contact information of the designated point of contact shall be made available on the website of the Clearinghouse.

(D) QUALIFICATION.—To the maximum extent practical, any personnel assigned or detailed to the Clearinghouse under this paragraph should be familiar with faith-based organizations and houses of worship and with physical and online security measures to identify and prevent safety and security risks.

(E) CLEARINGHOUSE CONTENTS.—

(A) IN GENERAL.—The Clearinghouse shall be available at the White House Office of Faith-Based and Neighborhood Partnerships.

(B) REQUIREMENTS.—The Clearinghouse shall include—

(i) a summary of evidence-based promising practices for the prevention of violent attacks;

(ii) information on how to contact the Clearinghouse for assistance relating to the grant program established under section 5163 of the Pray Safe Act.

(F) REPORTS.—The Clearinghouse shall report—

(1) on the success of the Clearinghouse, including how the Clearinghouse has helped faith-based organizations and houses of worship improve security;

(2) on the impact of the Clearinghouse’s work on improving safety or security, or both, for faith-based organizations and houses of worship.
checklists, facility hardening, tabletop exercise resources, and other resilience measures;

(‘‘B’’ involve comprehensive safety measures, including preparedness, protection, mitigation, incident response, and recovery to improve the safety posture of faith-based organizations and houses of worship; and

(‘‘C’’ involve comprehensive safety measures, including preparedness, protection, mitigation, incident response, and recovery to improve the safety posture of faith-based organizations and houses of worship.

(ii) other supportive evidence or findings relied upon by the Clearinghouse in determining best practices and recommendations to improve the safety security posture of a faith-based organization or house of worship upon implementation; and

(b) include an overview of the available resources the Clearinghouse can provide for faith-based organizations and houses of worship.

(3) ADDITIONAL INFORMATION.—The Clearinghouse shall maintain and make available a comprehensive index of all Federal grant programs for which faith-based organizations and houses of worship are eligible, which shall include the performance metrics for each grant management that the recipient will be required to provide.

(4) PAST RECOMMENDATIONS.—To the greatest extent practicable, the Clearinghouse shall identify and present, as appropriate, best practices and recommendations issued by Federal, State, local, Tribal, territorial, or nongovernmental organization research centers relating to safety, security, and targeted violence at faith-based organizations and houses of worship.

(5) Assistance and Training.—The Secretary may produce and publish materials on the Clearinghouse to assist and train faith-based organizations and houses of worship to the Secretary or the appropriate point of contact for the Clearinghouse.

(6) Terrorist attack, or in carrying out the best practices and recommendations of the clearinghouse, including—

SEC. 5163. NOTIFICATION OF CLEARINGHOUSE.

The Secretary shall provide written notification of the establishment of the Clearinghouse, with an overview of the resources required as described in section 2220E of the Homeland Security Act of 2002, as added by section 5165 of this subtitle, and section 5165 of this subtitle to the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary of the Senate.

SEC. 5164. NOTIFICATION OF CLEARINGHOUSE.

(a) DHS Grants and Resources.—The Secretary shall include a grants program overview on the website of the Clearinghouse that shall—

(b) OTHER FEDERAL GRANTS AND RESOURCES.—Each Federal agency notified under section 5164(a) shall provide necessary information on any Federal grant programs or resources of the Federal agency that are available for faith-based organizations and houses of worship to the Clearinghouse or the appropriate point of contact for the Clearinghouse.

(c) STATE GRANTS AND RESOURCES.—(1) IN GENERAL.—Any State notified under paragraph (1), (2), or (6) of section 5164 may provide necessary information on any grant programs or resources of the State that are available for faith-based organizations and houses of worship to the Secretary or the appropriate point of contact for the Clearinghouse.

(2) INCLUSION.—The Clearinghouse shall, to the extent practicable, identify, for each State—

SEC. 5165. GRANT PROGRAM OVERVIEW.

(a) DHS Grants and Resources.—The Secretary shall include a grants program overview on the website of the Clearinghouse that shall—

(b) OTHER FEDERAL GRANTS AND RESOURCES.—Each Federal agency notified under section 5164(a) shall provide necessary information on any Federal grant programs or resources of the Federal agency that are available for faith-based organizations and houses of worship to the Secretary or the appropriate point of contact for the Clearinghouse.

(c) STATE GRANTS AND RESOURCES.—(1) IN GENERAL.—Any State notified under paragraph (1), (2), or (6) of section 5164 may provide necessary information on any grant programs or resources of the State that are available for faith-based organizations and houses of worship to the Secretary or the appropriate point of contact for the Clearinghouse.

(2) INCLUSION.—The Clearinghouse shall, to the extent practicable, identify, for each State—

SEC. 5166. OTHER RESOURCES.

(a) The Secretary shall include a comprehensive list of all available points of contact to assist in targeted violence and terrorism prevention.

(b) The applicable Cybersecurity and Infrastructure Security Agency contact information to connect houses of worship with Protective Security Advisors; and

(c) information on the If you See Something Say Something Campaign of the Department; and

SEC. 5167. PREFERENCE FOR UNITED STATES INDUSTRY.

Nothing in this subtitle or the amendments made by this subtitle shall be construed to create, sustain, or require under Federal civil rights laws, including—

SEC. 308 of the Homeland Security Act of 1990 (42 U.S.C. 2135) is amended—

SEC. 5171. SHORT TITLE.

This subtitle may be cited as the ‘‘Invent Here, Make Here for Homeland Security Act’’.SEC. 5172. PREFERENCE FOR UNITED STATES INDUSTRY.

(a) The Secretary shall include in the grants program overview—

(b) Other Federal Grants and Resources.

(c) Federal, State, local, Tribal, territorial, or nongovernmental organization research centers relating to safety, security, and targeted violence at faith-based organizations and houses of worship.

(d) Assistance and Training.

(e) Continuous Improvement.

(f) In General.—The Secretary shall—

(1) DHS Grants and Resources.

(2) Information on the If you See Something Say Something Campaign of the Department.

(3) Any other appropriate contacts.

(4) Other Federal Grants and Resources.

(5) Any other appropriate contacts.

(1) DHS Grants and Resources—The Secretary shall include grants program overview on the website of the Clearinghouse that shall—

(i) assure that the right people and the right resources are available to help faith-based Federal Government programs for implementation;

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

(iii) identify all security, protection, mitigation, incident response, and recovery best practices included in the best practices and recommendations of the Clearinghouse; and

(i) collect for the purpose of continuous improvement of the Clearinghouse—

(1) Clearinghouse data analytics;

(2) any evaluations conducted on implementation of resources, best practices, and recommendations identified by the Clearinghouse; and

(3) Proposed Additional Recommendations.

(b) in coordination with the Faith-Based Security Advisory Council of the Department, the Department of Justice, the Executive Director of the White House Office of Faith-Based and Neighborhood Partnerships, and any other agency that the Secretary determines appropriate—

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

(2) make available the performance metrics for each grant management that the recipient will be required to provide.

(3) include written notification of the Clearinghouse, with an overview of the resources required as described in section 2220E of the Homeland Security Act of 2002, as added by section 5165 of this subtitle, and section 5165 of this subtitle to the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary of the Senate.

(4) include an overview of the available resources the Clearinghouse can provide for faith-based organizations and houses of worship.

(5) include written notification of the Clearinghouse, with an overview of the resources required as described in section 2220E of the Homeland Security Act of 2002, as added by section 5165 of this subtitle, and section 5165 of this subtitle to the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary of the Senate.

(6) shall include performance measures for the implementation of best practices and recommendations of the Clearinghouse; and

(7) provide a comprehensive index of all Federal grant programs for which faith-based organizations and houses of worship are eligible; and

(8) shall include the performance metrics for each grant management that the recipient will be required to provide.

(2) Assistance and Training.

(3) Proposed Additional Recommendations.

(4) Other Federal Grants and Resources.

(5) Any other appropriate contacts.

(6) Assistance and Training.

(7) Proposed Additional Recommendations.

(8) Other Federal Grants and Resources.

(9) Any other appropriate contacts.

Nothing in this subtitle or the amendments made by this subtitle shall be construed to create, sustain, or require under Federal civil rights laws, including—

(1) title II of the Americans With Disabilities Act of 1990 (42 U.S.C. 12111 et seq.); or

(2) title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.).
improve coordination and response to the number of encounters and amount of seizures of illicit narcotics along the southwest border.

Section 708(b) of the Homeland Security Act of 2002 (6 U.S.C. 348(b)) is amended—
(1) by striking paragraph (b) and inserting the following:

"(b) JOINT TASK FORCE STAFF.—"(A) IN GENERAL.—Each Joint Task Force shall have a staff, composed of officials from relevant components and offices of the Department, to assist the Director of that Joint Task Force in the mission and responsibilities of that Joint Task Force.

"(B) REPORT.—The Secretary shall include in the report submitted under paragraph (6)(F)—

"(1) the number of personnel permanently assigned to each Joint Task Force by each component and office; and

"(2) the number of personnel assigned on a temporary basis to each Joint Task Force by each component and office.";

(2) in paragraph (9), by striking "before the date of enactment of this section" and inserting "during the period at the end and inserting "; and

(3) in subparagraph (B)—

"(i) the definition of each Joint Task Force in accordance with the Joint Task Force's mission; and

"(ii) the number of personnel assigned to each Joint Task Force by each component and office.";

(4) in paragraph (12)—

"(i) the definition of "rural," as that term is defined in section 4872(d) of title 10, United States Code; and

"(ii) the number of personnel assigned to each Joint Task Force by each component and office.";

(5) in paragraph (13), by striking "2022" and inserting "2023".

Subtitle J—Other Provisions

CHAPTER I—CISA TECHNICAL CORRECTIONS AND IMPROVEMENTS

SEC. 5191. CISA TECHNICAL CORRECTIONS AND IMPROVEMENTS.

(a) TECHNICAL AMENDMENT RELATING TO DOTGOV ACT OF 2020.
(1) AMENDMENT.—Section 904(b)(1) of the DOTGOV Act of 2020 (title IX of division U of Public Law 116-260) is amended, in the matter preceding subparagraph (A), by striking "Homeland Security Act" and inserting "Homeland Security Act of 2002".

(2) EFFECTIVE DATE.—The amendment made by this subsection shall take effect as if enacted as part of the DOTGOV Act of 2020 (title IX of division U of Public Law 116-260).

(b) CONSOLIDATION OF JOINT TASK FORCES.
(1) IN GENERAL.—Title XXII of the Homeland Security Act of 2002 (6 U.S.C. 651 et seq.) is amended by inserting before the subtitle A heading the following:

"SEC. 2200. DEFINITION.—"Except as otherwise specifically provided, in this title:

"(1) AGENCY.—The term 'agency' means the Cybersecurity and Infrastructure Security Agency.

"(2) AGENCY INFORMATION.—The term 'agency information' means information collected or maintained by or on behalf of an agency.

"(3) AGENCY INFORMATION SYSTEM.—The term 'agency information system' means an information system used or operated by an agency or by another entity on behalf of an agency.

"(4) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means—

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

"(B) the Committee on Homeland Security and Governmental Affairs of the House of Representatives.

"(5) CRITICAL INFRASTRUCTURE INFORMATION.—The term 'critical infrastructure information' means information not customarily in the public domain and related to the security of critical infrastructure or protected systems—

"(A) actual, potential, or threatened interference with, attack on, compromise of, or incapacitation of critical infrastructure or protected systems by either physical or computer-based attack or other similar conduct (including the misuse of or unauthorized access to all types of communications and data transmission systems) that violates Federal, State, or local law, harms interstate commerce of the United States, or threatens public health or safety;

"(B) the ability of any critical infrastructure or protected system to resist such interference, compromise, or incapacitation, including any planned or past assessment, projection, or estimate of the vulnerability of critical infrastructure or protected systems, including security testing, risk evaluation thereto, risk management planning, or risk audit; or

"(C) an actual, planned or past operational problem or solution regarding critical infrastructure or protected systems, including repair,
recovery, reconstruction, insurance, or continuity, to the extent it is related to such interference, compromise, or incapacitation. 

(6) CYBER THREAT INDICATION.—The term ‘cyber threat indication’ means information that is necessary to describe or identify—

(A) malicious reconnaissance, including anomalous patterns of communications that appear to be transmitted for the purpose of gathering technical information related to a cybersecurity threat or security vulnerability;

(B) a method of defeating a security control or exploitation of a security vulnerability;

(C) a security vulnerability, including anomalous activity that appears to indicate the existence of a security vulnerability;

(D) a method of causing a user with legitimate access to an information system or information that is stored on, processed by, or transiting an information system to unwittingly enable the defeat of a security control or exploitation of a security vulnerability;

(E) malicious cyber command and control;

(F) the actual or potential harm caused by an incident, including a description of the information exfiltrated as a result of a particular cybersecurity threat;

(G) any other attribute of a cybersecurity threat, if disclosure of such attribute is not otherwise prohibited by law; or

(H) any combination thereof.

(7) CYBERSECURITY PURPOSE.—The term ‘cybersecurity purpose’ means the purpose of protecting an information system or information that is stored on, processed by, or transiting an information system from a cybersecurity threat or security vulnerability.

(8) CYBERSECURITY RISK.—The term ‘cybersecurity risk’ means—

(A) threats to and vulnerabilities of information or information systems and any related consequences caused by or resulting from unauthorized access, use, disclosure, degradation, disruption, modification, or destruction of such information systems, including such related consequences caused by an act of terrorism and

(B) does not include any action that solely involves a violation of a consumer term of service or a consumer licensing agreement.

(9) CYBERSECURITY THREAT.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term ‘cybersecurity threat’ means an action, not protected by the First Amendment to the Constitution of the United States, on or through an information system that result in an unauthorized effort to adversely impact the security, availability, confidentiality, or integrity of an information system or information that is stored on, processed by, or transiting an information system.

(B) EXCLUSION.—The term ‘cybersecurity threat’ does not include any action that solely involves—

(i) theviolation of a consumer term of service or a consumer licensing agreement.

(C) DEFENSIVE MEASURE.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term ‘defensive measure’ means an action, device, procedure, signature, technique, or other measure applied to an information system or information that is stored on, processed by, or transiting an information system that detects, prevents, or mitigates a known or suspected cybersecurity threat or security vulnerability.

(B) The term ‘defensive measure’ does not include a measure that destroys, renders unusable, provides unauthorized access to, or substantially harms an information system or information that is stored on, processed by, or transiting an information system without any step to protect, mitigate, or otherwise address the damage.

(i) the entity operating the information system or information stored on, processed by, or transiting an information system;

(ii) another entity or Federal entity that is authorized to provide consent and has provided consent to that private entity for operation of such information system or information;

(iii) the term ‘Director’ means the Director of the Agency.

(12) HOMELAND SECURITY ENTERPRISE.—The term ‘Homeland Security Enterprise’ means relevant governmental and non-governmental entities involved in homeland security, including Federal, State, local, and Tribal government officials, private sector representatives, academics, and other policy experts.

(13) INCIDENT.—The term ‘incident’ means an occurrence, event, or activity that imperils or imminently jeopardizes, without lawful authority, the confidentiality, integrity, or availability of information on an information system, or actually or imminently jeopardizes, with lawful authority, an information system.

(14) INFORMATION SHARING AND ANALYSIS ORGANIZATION.—The term ‘Information Sharing and Analysis Organization’ means any formal or informal entity or collaboration created or employed by public or private sector organizations, for purposes of—

(A) gathering and analyzing critical infrastructure information related to cybersecurity risks and incidents, in order to better understand security problems and issues related to critical infrastructure, including cybersecurity risks and incidents, and protected systems, so as to ensure the availability, integrity, and reliability of the systems;

(B) communicating or disclosing critical infrastructure information, including cybersecurity risks and incidents, to help prevent, detect, mitigate, or recover from the effects of an unauthorized information system or system;

(C) voluntarily disseminating critical infrastructure information, including cybersecurity risks and incidents, to its members, State, local, and Federal Governments, or any other entities that may be of assistance in carrying out the purposes specified in subparagraphs (A) and (B); and

(15) INFORMATION SYSTEM.—The term ‘information system’ has the meaning given the term in section 3902 of title 44, United States Code.

(16) INTELLIGENCE COMMUNITY.—The term ‘intelligence community’ has the meaning given in the term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4));

(17) INTELLIGENCE COMMUNITY REPRESENTATIVE.—The term ‘intelligence community representative’ means an intelligence community official, or an intelligence community entity, authorized by the Director of the National Intelligence to act on behalf of the intelligence community.

(18) INFORMATION ASSET RESPONSE ACTIVITIES.—The term ‘national cybersecurity asset response activities’ means—

(A) furnishing cybersecurity technical assistance to entities affected by cybersecurity risks to protect assets, mitigate vulnerabilities, and reduce impacts of cyber incidents;

(B) identifying other entities that may be at risk of an incident and assessing risk to the same or similar vulnerabilities;

(C) advising on the development or acquisition of cybersecurity assets to a sector or region, including potential cascading effects, and developing courses of action to mitigate such risks;

(D) facilitating sharing and operational coordination with threat response; and

(E) providing guidance on how best to utilize information capabilities in a timely, effective manner to speed recovery from cybersecurity risks.

(19) NATIONAL SECURITY SYSTEM.—The term ‘national security system’ has the meaning given the term in section 11103 of title 40, United States Code.

SEC. 2101. DEFINITIONS.—In this subtitle, the term ‘Cybersecurity Advisory Committees’ means the advisory committees established under section 2219(a).

SEC. 2201. CYBERSECURITY RISK MANAGEMENT.—In this subtitle, the term ‘cybersecurity risk management’ includes—

(A) the implementation of a cyber risk management framework that—

(i) establishes cybersecurity risk management governance, policies, and procedures;

(ii) identifies cybersecurity risks and ensures that actions are taken to manage such risks; and

(iii) provides for the ongoing monitoring and assessment of the effectiveness of cybersecurity risk management activities;

(B) the development and implementation of cybersecurity risk management strategies and plans; and

(C) the coordination of cybersecurity risk management activities across sectors, and the sharing of cybersecurity risk information.

SEC. 2202. CYBERSECURITY RISK MANAGEMENT—IN GENERAL.—In this subtitle, the term ‘cybersecurity risk management’ means the management, operational, and technical controls used to protect against an unauthorized effort to adversely affect the confidentiality, integrity, and availability of an information system or its information.

SEC. 2203. CYBERSECURITY RISK MANAGEMENT—DIAGNOSIS.—The term ‘cybersecurity risk management—diagnosis’ means—

(A) the process of identifying, assessing, and prioritizing cybersecurity risks; and

(B) the development of cybersecurity risk management strategies and plans.

SEC. 2204. CYBERSECURITY RISK MANAGEMENT—RESPONSE.—In this subtitle, the term ‘cybersecurity risk management—response’ means—

(A) the development and implementation of cybersecurity risk management strategies and plans; and

(B) the coordination of cybersecurity risk management activities across sectors, and the sharing of cybersecurity risk information.
(D) in section 2210 (6 U.S.C. 660)—
(ii) by striking subsection (a); and
(iii) in paragraph (2), as so redesignated, by striking "(enacted as division N of the Consolidated Appropriations Act, 2016 (Public Law 114–113; 12 U.S. 1501(9))" and inserting "(as defined in section 2213(c)(5))"; and
(L) in section 2222 (6 U.S.C. 671)—
(i) by striking paragraphs (3), (5), and (8); and
(ii) by redesignating paragraph (4) as paragraph (5) and paragraphs (6) and (7) as paragraphs (4) and (5), respectively.
(3) TABLE OF CONTENTS AMENDMENTS.—The final table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended—
(A) by inserting before the item relating to subsection (e) the following:
"Sec. 2200. Definitions.; and
(B) by striking the item relating to section 2201 and inserting the following:
"Sec. 2200. Definitions.; and
(4) CYBERSECURITY ACT OF 2015 DEFINITIONS.—Section 102 of the Cybersecurity Act of 2015 (6 U.S.C. 1501) is amended—
(A) by striking paragraphs (4) through (7) and inserting the following:
"(4) CYBERSECURITY PURPOSE.—The term ‘cybersecurity purpose’ means the meaning given the term in section 2200 of the Homeland Security Act of 2002.
(5) CYBERSECURITY THREAT.—The term ‘cybersecurity threat’ means the meaning given the term in section 2200 of the Homeland Security Act of 2002.
(6) CYBER THREAT INDICATOR.—The term ‘cyber threat indicator’ means the meaning given the term in section 2200 of the Homeland Security Act of 2002.
(7) DEFENSIVE MEASURE.—The term ‘defensive measure’ means the meaning given the term in section 2200 of the Homeland Security Act of 2002.
(8) SECURITY VULNERABILITY.—The term ‘security vulnerability’ has the meaning given the term in section 2200 of the Homeland Security Act of 2002.
(9) MONITOR.—The term ‘monitor’ has the meaning given the term in section 2200 of the Homeland Security Act of 2002.
(10) SECURE CYBER SPACE.—The term ‘secure cyber space’ means the meaning given the term in section 2200 of the Homeland Security Act of 2002.
(12) SECURITY DATA.—The term ‘security data’ means the meaning given the term in section 2200 of the Homeland Security Act of 2002.
(c) ADDITIONAL TECHNICAL AND CONFORMING AMENDMENTS.—
(A) in section 222 (6 U.S.C. 1521)—
(i) in paragraph (2), by striking “section 2110” and inserting “section 2220” and “section 2200”;
(ii) in paragraph (4), by striking “section 2202” and inserting “section 2205”;
(iii) in section 2221 (6 U.S.C. 1520), by striking “section 2213(c)(5)” and inserting “section 2213(c)(6)”; and
(2) PUBLIC HEALTH SERVICE ACT.—Section 202 of the Public Health Service Act (42 U.S.C. 300h–10(b)(4)(D)) is amended by striking “section 228(c) of the Homeland Security Act of 2002 (6 U.S.C. 150(4))” and inserting “section 228(c) of the Homeland Security Act of 2002 (6 U.S.C. 150(6))”.
(A) in subsection (a)—
(i) by striking paragraph (5); and
(ii) by redesignating paragraphs (6) and (7) as paragraphs (5) and (6), respectively;
(iii) by amending paragraph (7) to read as follows:
“(7) SECTOR RISK MANAGEMENT AGENCY.—The term ‘Sector Risk Management Agency’ has the meaning given the term in section 2200 of the Homeland Security Act of 2002.”;
(B) in subsection (c)(3)(B), by striking “section 2201(5)” and inserting “section 2200”;
(C) in subsection (d), by striking “section 2215 of the Homeland Security Act of 2002, as added by this section” and inserting “section 2208 of the Homeland Security Act of 2002 (6 U.S.C. 665)”.
(6) SMALL BUSINESS ACT.—Section 21(a)(8)(B) of the Small Business Act (15 U.S.C. 65(a)(8)(B)) is amended by striking “section 2209(a)” and inserting “section 2200”.
CHAPTER 2—POST-DISASTER MENTAL HEALTH RESPONSE ACT
SEC. 5101. POST-DISASTER MENTAL HEALTH RESPONSE
(a) SHORT TITLE.—This section may be cited as the “Post-Disaster Mental Health Response Act”.
(b) CRISIS COUNSELING ASSISTANCE AND TRAINING.—Section 502(a)(6) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172(a)(6)) is amended by inserting “and section 416” after “section 408”.
TITLE LII—GOVERNMENTAL AFFAIRS
Subtitle A—Intragovernmental Cybersecurity Information Sharing Act
SEC. 5201. REQUIREMENT FOR INFORMATION SHARING AGREEMENTS.
(a) SHORT TITLE.—This section may be cited as the “Intragovernmental Cybersecurity and Counterintelligence Information Sharing Act”.
(b) CONGRESSIONAL LEADERSHIP DEFINED.—In this section, the term “congressional leadership” means—
(1) the Majority and Minority Leader of the Senate with respect to an agreement
with the Sergeant at Arms and Doorkeeper of the Senate or the Secretary of the Senate; and
(2) the Speaker and Minority Leader of the House of Representatives with respect to counterintelligence, in consultation with congressional leadership; and
(b) the Speaker and Minority Leader of the House of Representatives with respect to cybersecurity, in consultation with appropriate Executive agencies (as defined in section 105 of title 5, United States Code, including the Executive Office of the President) and appropriate officers in the executive branch in exercising any agreement described in paragraph (1).
(c) ELEMENTS.—The parties to an information sharing agreement under subsection (a) shall jointly develop such elements of the agreement as the parties find appropriate, which may include—
(1) direct and timely sharing of technical indicators and contextual information on cyber threats and vulnerabilities, and the means for such sharing;
(2) considered sharing of classified and unclassified reports on cyber threats and activities and targeting of Senators, Members of the House of Representatives, or congressional leadership, with the protection of sources and methods;
(3) a cyber security personnel of the Office of the Sergeant at Arms and Doorkeeper of the Senate or the Office of the Chief Administrative Officer of the House of Representatives at cybersecurity operations centers; and
(a) the consideration of elements the parties find appropriate.
(b) BRIEFING TO CONGRESS.—Not later than 180 days after the date of enactment of this Act, the President shall enter into 1 or more information sharing agreements to enhance collaboration between the executive branch and congressional leadership and the oversight committees of House; and
(c) REQUIREMENT.—
(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the President shall enter into 1 or more information sharing agreements to enhance collaboration between the executive branch and congressional leadership and the oversight committees of House; and
(2) with respect to the annual letters sent by the Comptroller General to individual agencies regarding counterintelligence issues, the Comptroller General shall include a statement on the status of unimplemented priority recommendations, identify any additional congressional oversight actions that can help agencies implement such priority recommendations and address any underlying issues relating to such implementation;
(b) does not include any common commercial product within which artificial intelligence is embedded, such as a word processor or map navigation system.
(c) ELEMENTS.—The parties to an information sharing agreement under subsection (a) shall jointly develop such elements of the agreement as the parties find appropriate, which may include—
(1) direct and timely sharing of technical indicators and contextual information on cyber threats and vulnerabilities, and the means for such sharing;
(2) considered sharing of classified and unclassified reports on cyber threats and activities and targeting of Senators, Members of the House of Representatives, or congressional leadership, with the protection of sources and methods;
(3) a cyber security personnel of the Office of the Sergeant at Arms and Doorkeeper of the Senate or the Office of the Chief Administrative Officer of the House of Representatives at cybersecurity operations centers; and
(a) the consideration of elements the parties find appropriate.
(b) BRIEFING TO CONGRESS.—Not later than 180 days after the date of enactment of this Act, the President shall enter into 1 or more information sharing agreements to enhance collaboration between the executive branch and congressional leadership and the oversight committees of House; and
(c) REQUIREMENT.—
(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the President shall enter into 1 or more information sharing agreements to enhance collaboration between the executive branch and congressional leadership and the oversight committees of House; and
(2) with respect to the annual letters sent by the Comptroller General to individual agencies regarding counterintelligence issues, the Comptroller General shall include a statement on the status of unimplemented priority recommendations, identify any additional congressional oversight actions that can help agencies implement such priority recommendations and address any underlying issues relating to such implementation;
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(1) direct and timely sharing of technical indicators and contextual information on cyber threats and vulnerabilities, and the means for such sharing;
(2) considered sharing of classified and unclassified reports on cyber threats and activities and targeting of Senators, Members of the House of Representatives, or congressional leadership, with the protection of sources and methods;
(3) a cyber security personnel of the Office of the Sergeant at Arms and Doorkeeper of the Senate or the Office of the Chief Administrative Officer of the House of Representatives at cybersecurity operations centers; and
(a) the consideration of elements the parties find appropriate.
(b) BRIEFING TO CONGRESS.—Not later than 180 days after the date of enactment of this Act, the President shall enter into 1 or more information sharing agreements to enhance collaboration between the executive branch and congressional leadership and the oversight committees of House; and
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(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the President shall enter into 1 or more information sharing agreements to enhance collaboration between the executive branch and congressional leadership and the oversight committees of House; and
(2) with respect to the annual letters sent by the Comptroller General to individual agencies regarding counterintelligence issues, the Comptroller General shall include a statement on the status of unimplemented priority recommendations, identify any additional congressional oversight actions that can help agencies implement such priority recommendations and address any underlying issues relating to such implementation;
(b) does not include any common commercial product within which artificial intelligence is embedded, such as a word processor or map navigation system.
(c) ELEMENTS.—The parties to an information sharing agreement under subsection (a) shall jointly develop such elements of the agreement as the parties find appropriate, which may include—
(1) direct and timely sharing of technical indicators and contextual information on cyber threats and vulnerabilities, and the means for such sharing;
(2) considered sharing of classified and unclassified reports on cyber threats and activities and targeting of Senators, Members of the House of Representatives, or congressional leadership, with the protection of sources and methods;
B) guard against bias in the selection and conduct of audits and investigations.
(d) ARTIFICIAL INTELLIGENCE HYGIENE AND PROTECTION OF GOVERNMENT INFORMATION, PRIVACY, CIVIL RIGHTS, AND CIVIL LIBERTIES.—
(1) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Director, in consultation with a working group consisting of members selected by the Director from appropriate interagency councils, shall develop an initial means by which to—
(A) ensure that contracts for the acquisition of an artificial intelligence system or services—
(i) align with the guidance issued to the head of each agency under section 109(a) of the AI in Government Act of 2020 (title I of division B of Pub. L. 116–260); and
(ii) address protection of privacy, civil rights, and civil liberties;
(B) address any other issue or concern determined by the Director to be necessary to ensure appropriate use and protection of privacy and Government data and other information.
(2) CONSULTATION.—In developing the consideration under paragraph (1)(A)(iv), the Director shall consult with the Secretary of Homeland Security, the Secretary of Energy, the Director of the National Institute of Standards and Technology, and the Director of National Intelligence.
(3) REVIEW.—The Director—
(A) should continuously update the means developed under paragraph (1); and
B) not later than 2 years after the date of enactment of this Act and not less frequently than every 2 years thereafter, shall update the means developed under paragraph (1).
(4) BRIEFING.—The Director shall brief the appropriate congressional committees—
(A) not later than 90 days after the date of enactment of this Act and thereafter on a quarterly basis until the Director first implements the means developed under paragraph (1); and
(B) annually thereafter on the implementation of this subsection.
SEC. 5225. AGENCY INVENTORIES AND ARTIFICIAL INTELLIGENCE USE CASES.
(a) INVENTORY.—Not later than 60 days after the date of enactment of this Act, and continuously thereafter for a period of 5 years thereafter, the Director, in consultation with the Chief Information Officers Council, the Chief Data Officers Council, and other interagency bodies as determined by the Director, shall require the head of each agency to—
(1) prepare and maintain an inventory of the artificial intelligence use cases of the agency, including current and planned uses;
(2) share agency inventories with other agencies, to the extent practicable and consistent with applicable law and policy, including those concerning protection of privacy and of sensitive law enforcement, national security, and other protected information; and
(3) make agency inventories available to the public, in a manner determined by the Director, and to the extent practicable and in accordance with applicable law and policy, including those concerning the protection of privacy and of sensitive law enforcement, national security, and other protected information.
(b) CENTRAL INVENTORY.—The Director shall consult with the Secretary of Defense to—
(1) make agency artificial intelligence use case information available to the public and those wishing to do business with the Federal Government; and
(2) identify common use cases across agencies.
(c) SHARING.—The sharing of agency inventories described in subsection (a)(2) may be coordinated through the Chief Information Officers Council, the Chief Data Officers Council, the Chief Financial Officers Council, the Chief Acquisition Officers Council, or other interagency bodies to improve interagency coordination and information sharing for common use cases.
(d) DEPARTMENT OF DEFENSE.—Nothing in this section shall apply to the Department of Defense.
SEC. 5226. RAPID PILOT, DEPLOYMENT AND SCALE OF APPLIED ARTIFICIAL INTELLIGENCE CAPABILITIES TO DECONSTRIBUTE MODERNIZATION ACTIVITIES RELATED TO USE CASES.
(a) IDENTIFICATION OF USE CASES.—Not later than 60 days after the date of enactment of this Act, the Director, in consultation with the Chief Information Officers Council, the Chief Data Officers Council, and other interagency bodies as determined by the Director, shall identify 4 new use cases for the application of artificial intelligence-enabled systems to support the creation and modernization initiatives that require linking multiple siloed internal and external data sources, consistent with applicable laws and policies, including those relating to the protection of privacy and of sensitive law enforcement, national security, and other protected information.
(b) PILOT PROGRAM.—
(1) PURPOSES.—The purposes of the pilot program under this subsection include—
(A) to enable agencies to operate across organizational boundaries, coordinating between existing established programs and silos to improve delivery of the agency mission; and
(B) to demonstrate the circumstances under which artificial intelligence can be used to modernize or assist in modernizing legacy agency systems.
(2) DEPLOYMENT AND PILOT.—Not later than 1 year after the date of enactment of this Act, the Director, in coordination with the heads of the agencies and other officials as the Director determines to be appropriate, shall ensure the initiation of the piloting of the 4 new artificial intelligence use case applications identified under subsection (a), leveraging commercially available technologies and systems to demonstrate scalable artificial intelligence-enabled capabilities to support the use cases identified under subsection (a).
(c) RISK EVALUATION AND MITIGATION PLAN.—In carrying out paragraph (2), the Director shall prepare a risk mitigation plan to address those risks, including consideration of—
(i) the artificial intelligence system not performing as expected;
(ii) the lack of sufficient or quality training data; and
(iii) the vulnerability of a utilized artificial intelligence system to unauthorized manipulation or misuse.
(d) PRIORITIZATION.—In carrying out paragraphs (a) and (b), the Director shall prioritize modernization projects that—
(A) would benefit from commercially available privacy-preserving techniques, such as using differential and homomorphic learning, and secure multiparty computing; and
(B) otherwise take into account considerations of civil rights and civil liberties.
SEC. 5227. USE CASE MODERNIZATION AREAS.—Use case modernization application areas described in paragraph (2) shall include not less than 1 each of the following categories:
(A) Applied artificial intelligence to drive agency productivity efficiencies in predictive supply chain and logistics, such as—
(i) predictive food demand and optimized supply;
(ii) predictive medical supplies and equipment demand and optimized supply; or
(iii) predictive logistics to accelerate disaster preparedness, response, and recovery.
(B) Applied artificial intelligence to accelerate agency investment return and address mission-oriented challenges in near real-time to help identify new patterns and predict trends, to the extent possible, to help agency personnel to make better decisions and take faster action.
(C) Organizes data for meaningful data visualization and analysis so the Government has predictive transparency for situational awareness to improve outcomes.
(D) Is rapidly configurable to support multiple applications and automatically adapts to dynamic conditions and evolving use case requirements, to the extent possible.
(E) Enables knowledge transfer and collaboration across agencies; and
(F) Preserves intellectual property rights to the data and output for benefit of the Federal Government and agencies.
(c) BRIEFING.—Not earlier than 270 days but not later than 1 year after the date of enactment of this Act, and annually thereafter for 4 years, the Director shall brief the appropriate congressional committees on the activities carried out under this section and results of those activities.
(d) SUNSET.—The section shall cease to be effective on the date that is 5 years after the date of enactment of this Act.
SEC. 5227. ENABLING ENTREPRENEURS AND AGENCY MISSIONS.
(a) INNOVATIVE COMMERCIAL ITEMS.—Section 880 of the National Defense Authorization Act for Fiscal Year 2017 (41 U.S.C. 3301 note) is amended—
(1) in subsection (c), by striking $10,000,000 and inserting $25,000,000;
(2) by amending subsection (f) to read as follows: “(f) Definitions.—In this section—
(1) the term ‘commercial product’—
(A) means any given the term ‘commercial item’ in section 2,101 of the Federal Acquisition Regulation; and
(B) includes a commercial product or a commercial item, as defined in sections 101 and 103a, respectively, of title 41, United States Code; and
(2) the term ‘innovative means—
(A) any given the technology, process, or method, including research and development; or
(B) any new application of an existing technology, process, or method.;
(3) in subsection (g), by striking ‘2022’ and insert ‘2024’.

(b) DHS OTHER TRANSACTION AUTHORITY.—
Section 831 of the Homeland Security Act of 2002 (6 U.S.C. 391) is amended—
(1) in subsection (a)—
(A) in the matter preceding paragraph (1), by striking “September 30, 2017” and inserting “September 30, 2024”;
and
(B) by amending paragraph (2) to read as follows:
(2) PROTOTYPE PROJECTS.—The Secretary—
(A) may, under the authority of paragraph (1), carry out prototype projects under section 4022 of title 10, United States Code; and
(B) in applying the authorities of such section 4022, the Secretary shall perform the functions of the Secretary of Defense as prescribed in such subsection by—
(1) C OMMERCIAL OFF THE SHELF SUPPLY CHAIN RISK MANAGEMENT TOOLS.—The General Services Administration is encouraged to pilot commercial off the shelf supply chain risk management tools to improve the ability of the Federal Government to characterize, monitor, predict, and respond to specific supply chain threats and vulnerabilities that could inhibit future Federal acquisition operations.

SEC. 5228. INTELLIGENCE COMMUNITY EXCEPTION.

Nothing in this subtitle shall apply to any element of the intelligence community, as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

Subtitle D—Strategic EV Management

SEC. 5231. SHORT TITLE.
This subtitle may be cited as the “Strategic EV Management Act of 2022”.

SEC. 5232. DEFINITIONS.
In this subtitle—
(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of General Services.
(2) AGENCY.—The term “agency” has the meaning given the term in section 551 of title 5, United States Code.
(3) APPROPRIATE CONGRESSIONAL COMMITTEE.—The term “appropriate congressional committees” means—
(A) the Committee on Homeland Security and Governmental Affairs of the Senate;
(B) the Committee on Oversight and Reform of the House of Representatives;
(C) the Committee on Environment and Public Works of the Senate; and
(D) the Committee on Energy and Commerce of the House of Representatives.
(4) DIRECTOR.—The term “Director” means the Director of the Office of Management and Budget.

SEC. 5233. STRATEGIC GUIDANCE.
(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Administrator, in consultation with the Director, shall develop a strategic plan required under subsection (a) shall—
(1) maximize both cost and environmental efficiencies; and
(2) incorporate—
(A) guidelines for optimal charging practices that will maximize battery longevity and prevent premature failure;
(B) guidelines for reusing and recycling the batteries of retired vehicles;
(C) guidelines for disposing electric vehicle batteries that cannot be reused or recycled; and
(D) any other considerations determined appropriate by the Administrator and Director.
(b) CONTENTS.—The strategic plan required under subsection (a) shall—
(1) describe the Federal Government’s strategic vision for Federal electric vehicle fleet battery management across agencies;
(2) by amending paragraph (2) to read as follows:
(2) EXISTING FUNCTIONALITY.—To the extent possible, the Director shall meet the requirement under paragraph (1) by using existing online portals and functionality under the authority of the Director in consultation with the Director of the Government Publishing Office.

(b) CONGRESSIONALLY MANDATED REPORTS.
Each of the following:
(1) R EQUIREMENT TO ESTABLISH ONLINE PORTAL.—
(b) CONGRESSIONALLY MANDATED REPORTS.
(1) R EQUIREMENT TO ESTABLISH ONLINE PORTAL.—
(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Director shall establish an online portal accessible by the public that allows the public to obtain electronic copies of congressionally mandated reports in one place.
(2) EXISTING FUNCTIONALITY.—To the extent possible, the Director shall meet the requirements under paragraph (1) by using existing online portals and functionality under the authority of the Director in consultation with the Director of National Intelligence.
(3) CONULTATION.—In carrying out this subtitle, the Director shall consult with congressional leadership, the Clerk of the House of Representatives, the Secretary of the Senate, and the Librarian of Congress regarding the requirements for and maintenance of congressionally mandated reports on the reports online portal.
(4) CONTENT AND FUNCTION.—The Director shall ensure that the reports online portal includes the following:
(1) Subject to subsection (c), with respect to each congressionally mandated report, each of the following:
(A) A citation to the statute requiring the report;
(B) An electronic copy of the report, including any transmittal letter associated with the report, that—
(1) is based on an underlying open data standard that is maintained by a standards committee; and
(2) allows the full text of the report to be searchable; and
(2) Contents.—The strategic plan required under subsection (a) shall—
(1) describe the Federal Government’s strategic vision for Federal electric vehicle fleet battery management across agencies;
(2) by amending paragraph (2) to read as follows:
(2) EXISTING FUNCTIONALITY.—To the extent possible, the Director shall meet the requirement under paragraph (1) by using existing online portals and functionality under the authority of the Director in consultation with the Director of the Government Publishing Office.

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(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Director shall establish an online portal accessible by the public that allows the public to obtain electronic copies of congressionally mandated reports in one place.
(2) EXISTING FUNCTIONALITY.—To the extent possible, the Director shall meet the requirements under paragraph (1) by using existing online portals and functionality under the authority of the Director in consultation with the Director of National Intelligence.
(3) CONULTATION.—In carrying out this subtitle, the Director shall consult with congressional leadership, the Clerk of the House of Representatives, the Secretary of the Senate, and the Librarian of Congress regarding the requirements for and maintenance of congressionally mandated reports on the reports online portal.
(4) CONTENT AND FUNCTION.—The Director shall ensure that the reports online portal including the following:
(1) Subject to subsection (c), with respect to each congressionally mandated report, each of the following:
(A) A citation to the statute requiring the report;
(B) An electronic copy of the report, including any transmittal letter associated with the report, that—

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(1) Exception Described.—A congressionally mandated report which is required by statute to be submitted to a committee of Congress or a subcommittee thereof, including any report submitted with the report, shall not be submitted to or published on the reports online portal if the chair of the committee or subcommittee to which the report is referred or the Director in writing that the report is to be withheld from submission and publication under this subtitle.

(2) Notice Required.—If a report is withheld from submission to or publication on the reports online portal under paragraph (1), the Director shall post on the portal—

(A) a statement that the report is withheld at the request of a committee or subcommittee involved; and

(B) the written notification provided by the chair of the committee or subcommittee specified in paragraph (1).

(f) Free Access.—The Director may not charge a fee, require registration, or impose any other limitation in exchange for access to the reports online portal.

(g) Upgrade Capability.—The reports online portal shall be enhanced and updated as necessary to carry out the purposes of this subtitle.

(h) Submission to Congress.—The submission of a congressionally mandated report to the reports online portal pursuant to this subtitle shall not be construed to satisfy any requirement to submit the congressionally mandated report to Congress, or a committee or subcommittee thereof.

SEC. 5244. FEDERAL AGENCY RESPONSIBILITIES.

(a) Submission of Electronic Copies of Reports.—Nothing in this subtitle shall be construed to—

(1) require the disclosure of information, records, or reports that are exempt from public disclosure under section 552 of title 5, United States Code, or that are required to be withheld under section 552a of title 5, United States Code; or

(2) impose any affirmative duty on the Director to review congressionally mandated reports submitted for publication to the reports online portal for the purpose of identifying and redacting such information or records.

(b) Withholding of Information.—

(1) In general.—Nothing in this subtitle shall be construed to—

(A) contain information that is—

(i) law enforcement sensitive; or

(ii) otherwise of any congressionally mandated report clipped to a particular committee of Congress or subcommittee thereof.

(2) Removal from the Portal.—Nothing in this subtitle shall be construed to—

(A) require withholding information pursuant to the United States Code; or

(B) require the removal of any congressionally mandated report clipped to a particular committee of Congress or subcommittee thereof.

(3) Law Enforcement Sensitive.—Nothing in this subtitle shall be construed to—

(A) contain information that is law enforcement sensitive; or

(B) require the removal of any congressionally mandated report clipped to a particular committee of Congress or subcommittee thereof.

(4) National Security.—Nothing in this subtitle shall be construed to—

(A) contain information that is national security sensitive; or

(B) require the removal of any congressionally mandated report clipped to a particular committee of Congress or subcommittee thereof.

(c) Structure of Submitted Report Data.—The head of each Federal agency shall ensure that each congressionally mandated report submitted to the Director complies with the structure and other requirements specified in this section.

(d) Point of Contact.—The head of each Federal agency shall designate a point of contact for congressionally mandated reports.

(e) Requirement for Submission.—The Director shall not publish any report through the reports online portal that is received from an agency other than the head of the applicable Federal agency, or an officer or employee of the Federal agency specifically designated by the head of the Federal agency.

SEC. 5245. CHANGING OR REMOVING REPORTS.

(a) In general.—The head of the Federal agency concerned may change or remove a congressionally mandated report submitted to be published on the reports online portal if—

(1) the head of the Federal agency consults with each committee of Congress or subcommittee thereof to which the report is required to be submitted or, in the case of a congressionally mandated report to Congress, or a committee or subcommittee thereof.

(2) the congressionally mandated report is not required to be submitted to a particular committee of Congress or subcommittee thereof, to each committee with jurisdiction over the agency, as determined by the head of the agency in consultation with the Speaker of the House of Representatives and the President pro tempore of the Senate prior to changing or removing the report.

(3) A joint resolution is enacted to authorize the change in or removal of the report.

(b) Exceptions.—Notwithstanding subsection (a), the head of the Federal agency concerned may change or remove a congressionally mandated report submitted to be published on the reports online portal if—

(1) the head of the Federal agency consults with each committee of Congress or subcommittee thereof to which the report is required to be submitted or, in the case of a congressionally mandated report to Congress, or a committee or subcommittee thereof.

(2) the congressionally mandated report is not required to be submitted to a particular committee of Congress or subcommittee thereof, to each committee with jurisdiction over the agency, as determined by the head of the agency in consultation with the Speaker of the House of Representatives and the President pro tempore of the Senate prior to changing or removing the report.

SEC. 5247. IMPLEMENTATION.

(a) Reports Submitted to Congress.—

(1) In general.—The head of each Federal agency shall—

(A) apply with respect to any congressionally mandated report which—
(a) is required by statute to be submitted to the House of Representatives, or the Speaker thereof, or the Senate, or the President or President Pro Tempore thereof, at any time on or after the date of the enactment of this Act; or

(b) is included by the Clerk of the House of Representatives or the Secretary of the Senate (as the case may be) at any time on or after the date of the enactment of this Act.

(2) TRANSITION RULE FOR PREVIOUSLY SUBMITTED REPORTS.—To the extent practicable, the Director shall ensure that any congressional mandate required to be submitted by a statute enacted before the date of the enactment of this Act is published on the reports online portal.

(c) REQUIRED COMMITTEE REPORTS.—The reports required to be submitted by a statute which is enacted on or after the date of the enactment of this Act shall apply with respect to—

(1) a such report which was required to be submitted by a statute which is enacted on or after the date of the enactment of this Act unless—

(A) the chair of the committee, or subcommittee thereof, to which the report was ordered to lie on the table; or

(B) the Director publishes the notification on the reports online portal.

(d) ACCESS FOR CONGRESSIONAL LEADERS.—Notwithstanding any provision of this subtitle or any other provision of law, congressional leadership shall have access to any congressionally mandated report.

SEC. 5.24. BUDGETARY DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this subtitle, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by the Director in consultation with the Secretary of the Treasury and the Director of the Office of Management and Budget, and the budgetary effects of this subtitle or any other provision of law, congressional leadership shall have access to any congressionally mandated report.

Mr. REED (for Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and 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:

SA 6465. Mr. REED (for Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the United States – Israel Artificial Intelligence Center (referred to in this section as “Israel”)

The table of contents for this division is as follows:

SEC. 5001. TABLE OF CONTENTS.

The purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by the Director in consultation with the Secretary of the Treasury and the Director of the Office of Management and Budget, and the budgetary effects of this subtitle or any other provision of law, congressional leadership shall have access to any congressionally mandated report.
TITLE LVII—WILDFIRE AND FIRE WEATHER PREPAREDNESS

Sec. 5701. Short title.
Sec. 5702. Definitions.
Sec. 5703. Establishment of fire weather services program.
Sec. 5704. National Oceanic and Atmospheric Administration data management.
Sec. 5705. Digital fire weather services and data management.
Sec. 5706. High-performance computing.
Sec. 5707. Government Accountability Office report on fire weather services program.
Sec. 5708. Fire weather testing.
Sec. 5709. Fire weather surveys and assessments.
Sec. 5710. Incident Meteorologist Service.
Sec. 5711. Automated surface observing system.
Sec. 5712. Emergency response activities.
Sec. 5713. Government Accountability Office report on interagency wildfire forecasting, prevention, planning, and management bodies.
Sec. 5714. Amendments to Infrastructure Investment and Jobs Act relating to wildfire mitigation.
Sec. 5715. Wildfire technology modernization amendments.
Sec. 5716. Cooperation; coordination; support to non-Federal entities.
Sec. 5717. International coordination.
Sec. 5718. Submissions to Congress regarding the fire weather services program, incident meteorologist workforce needs, and National Weather Service workforce support.
Sec. 5720. Fire weather rating system.
Sec. 5721. Avoidance of duplication.
Sec. 5722. Authorization of appropriations.

TITLE LVIII—LEARNING EXCELLENCE AND GOOD EXAMPLES FROM NEW DEVELOPERS

Sec. 5801. Short title.
Sec. 5802. Definitions.
Sec. 5803. Purposes.
Sec. 5804. Plans to implement of plan to make certain models and data available to the public.
Sec. 5805. Requirement to review models and leverage appropriations.
Sec. 5806. Report on implementation.
Sec. 5807. Protection of national security interests.
Sec. 5808. Authorization of appropriations.

TITLE LX—CORAL REEF CONSERVATION

Sec. 5101. Short title.
This title may be cited as the “Restoring Resilient Reefs Act of 2022”.


(a) In General.—The Coral Reef Conservation Act of 2000 (16 U.S.C. 6401 et seq.) is amended—

(1) by redesignating sections 209 and 210 as sections 217 and 218, respectively;
(2) by striking section 202 through 208 and inserting the following:

SEC. 202. PURPOSES.
The purposes of this title are—

(1) to conserve and restore the condition of United States coral reef ecosystems challenged by natural and human-accelerated changes, including increasing ocean temperatures, ocean acidification, coral bleaching, coral diseases, water quality degradation, invasive species, and illegal, unreported, and unregulated fishing;
(2) to promote the science-based management and sustainable use of coral reef ecosystems to benefit local communities and the Nation, including through improved integration and coordination of Federal and non-Federal stakeholders with coral reef ecologies;
(3) to develop sound scientific information on the condition of coral reef ecosystems, continuing and emerging threats to such ecosystems, and the efficacy of innovative tools, technologies, and strategies to mitigate stressors to such ecosystems, including evaluation criteria to determine the effectiveness of management interventions, and accurate mapping for coral reef restoration;
(4) to assist in the preservation of coral reefs by supporting science-based, consensus-driven, and community-based coral reef management by covered States and covered Native entities, including monitoring, conservation, and restoration projects that empower local communities, small businesses, and nongovernmental organizations;
(5) to provide financial resources, technical assistance, and scientific expertise to supplement, complement, and strengthen community-based management programs and conservation and restoration projects of non-Federal reefs;
(6) to establish a formal mechanism for collecting and allocating monetary donations from the private sector to be used for coral reef conservation and restoration projects;
(7) to support the rapid and effective, science-based assessment and response to exigent circumstances that pose immediate and long-term threats to coral reefs, such as coral disease, invasive or nuisance species, coral bleaching, natural disasters, and industrial or mechanical disasters, such as vessel groundings, hazardous spills, or coastal construction accidents; and
(8) to serve as a model for advancing similar international efforts to monitor, conserve, and restore coral reef ecosystems.

(b) Activities Described.—Activities described in this subsection are activities to conserve, research, monitor, assess, and restore coral reefs and coral reef ecosystems in waters managed under the jurisdiction of a Federal agency specified in subsection (c) or in coordination with a State in waters managed under the jurisdiction of such State, including—

(1) developing, including through the collection of requisite in situ and remotely sensed data, high-quality and digitized maps reflecting—
(A) current and historical live coral cover data;
(B) coral reef habitat quality data;
(C) priority areas for coral reef conservation, and non-Federal stakeholders with coral reef ecosystems;
(D) priority areas for coral reef restoration; to enhance biodiversity and ecosystem structure and function, including the reef matrix, that benefit coastal communities and living marine resources;
(E) areas of concern that may require enhanced monitoring of coral health and cover;
(2) enhancing compliance with Federal laws that prohibit or regulate—
(A) the taking of coral products or species associated with coral reefs; or
(B) the use and management of coral reef ecosystems; to enhance recreational access while preventing or minimizing the likelihood of vessel impacts or other physical damage to coral reefs; to prevent and respond to severe bleaching or mortality events, disease outbreaks, invasive species outbreaks, and significant atmospheric or oceanographic conditions, such as chemical spill cleanup and the removal of grounded vessels;
(3) conducting scientific research that contributes to the understanding, sustainable use, and long-term conservation of coral reefs;
(4) enhancing public awareness, understanding, and appreciation of coral reefs and coral reef ecosystems; and
(5) centrally archiving, managing, and distributing data sets and coral reef ecosystem models and assessments, and such information on publicly available internet websites, by means such as leveraging and
partnering with existing data repositories, of—

“(A) the Coral Reef Conservation Program of the National Oceanic and Atmospheric Administration; and

“(B) the Task Force.

“(c) FEDERAL AGENCIES SPECIFIED.—A Federal agency specified in this subsection is one of the following:

“(1) The National Oceanic and Atmospheric Administration.

“(2) The National Park Service.

“(3) The United States Fish and Wildlife Service.

“(4) The Office of Insular Affairs.

“SEC. 204. NATIONAL CORAL REEF RESILIENCE STRATEGY.

“(a) IN GENERAL.—The Administrator shall—

“(1) not later than 2 years after the date of the enactment of the Restoring Resilient Reefs Act of 2022, develop a national coral reef resilience strategy; and

“(2) periodically thereafter, but not less frequently than once every 5 years (and not less frequently than once every 3 years, in the case of guidance on best practices under subsection (b)(4)), review and revise the strategy as appropriate.

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

“(1) A discussion addressing—

“(A) continuing and emerging threats to the resilience of United States coral reef ecosystems;

“(B) remaining gaps in coral reef ecosystem research, monitoring, and assessment;

“(C) the status of management cooperation and integration among Federal reef managers and covered reef managers;

“(D) the status of efforts to manage and disseminate critical information, and enhance interjurisdictional data sharing, related to research, reports, datasets, and maps;

“(E) areas of special focus, which may include—

“(i) improving natural coral recruitment;

“(ii) preventing avoidable losses of corals and their habitats;

“(iii) enhancing the resilience of coral populations;

“(iv) supporting a resilience-based management approach;

“(v) developing, coordinating, and implementing watershed management plans;

“(vi) obtaining and maintaining watershed management capacity at the local level;

“(vii) providing data essential for coral reef fisheries management;

“(viii) building capacity for coral reef fisheries management;

“(ix) increasing understanding of coral reef ecosystem services;

“(x) publicly making available the importance of coral reefs, threats and solutions; and

“(xi) evaluating intervention efficacy.

“(F) Contingencies for response to and recovery from emergencies and disasters.


“(2) A statement of national goals and objectives designed to guide management and restoration activities that can be leveraged for coral reef research and restoration objectives within the jurisdiction of the manager.

“(3) A designation of priority areas for conservation, and priority areas for restoration, to support the review and approval of grants under section 214, including guidance on the best science-based practices to respond to coral reef emergencies that can be included in coral reef action plans.

“(4) General templates for use by covered reef managers and Federal reef managers to guide the development of coral reef action plans under section 205, including guidance on the best science-based practices to respond to coral reef emergencies that can be included in coral reef action plans.

“(c) CONSULTATION.—In developing all elements of the strategy required by subsection (a), the Administrator shall—

“(1) consult with the Secretary of the Interior, the Task Force, covered States, and covered Native entities;

“(2) consult with the Secretary of Defense, as appropriate;

“(3) engage stakeholders, including covered States, coral reef stewardship partnerships, reef research coordination institutes and research centers designated under section 214, and recipients of grants under section 213; and

“(4) solicit public review and comment regarding the scope and development of the strategy.

“(d) SUBMISSION AND PUBLICATION.—The Administrator shall—

“(1) submit the strategy required by subsection (a) and any revisions to the strategy to the appropriate congressional committees; and

“(2) publish the strategy and any such revisions on publicly available internet websites of—

“(A) the Coral Reef Conservation Program of the National Oceanic and Atmospheric Administration; and

“(B) the Task Force.

“SEC. 205. CORAL REEF ACTION PLANS.

“(a) PLANS PREPARED BY FEDERAL REEF MANAGERS.—

“(1) IN GENERAL.—Not later than 3 years after the date of the enactment of the Restoring Resilient Reefs Act of 2022, each Federal reef manager shall—

“(A) prepare a coral reef action plan to guide management and restoration activities to be undertaken within the responsibilities and jurisdiction of the manager; or

“(B) in total, under the jurisdiction of a Federal reef manager for which there is a management plan in effect as of such date of enactment, update that plan to comply with the requirements of this subsection.

“(2) ELEMENTS.—A plan prepared under paragraph (1) by a Federal reef manager shall include the following:

“(A) Short- and mid-term coral reef conservation and restoration objectives within the jurisdiction of the manager.

“(B) A current and adaptive management framework to inform research, monitoring, and assessment needs.

“(C) Tools, strategies, and partnerships necessary to identify, monitor, and address pollution and water quality impacts to coral reef ecosystems within the jurisdiction of the manager.

“(D) The status of efforts to improve coral reef ecosystem management cooperation and integration between Federal reef managers and covered reef managers, including the identification of existing research and monitoring activities that can be leveraged for coral reef status and trends assessments within the jurisdiction of the manager.

“(E) estimated budgetary and resource considerations necessary to carry out the plan.

“(F) Contingencies for response to and recovery from emergencies and disasters.

“(G) In the case of an updated plan, annual records of significant management and restoration actions taken under the previous plan, cash and non-cash resources used to undertake the actions, and the source of such resources.

“(H) The status of efforts to improve coral reef ecosystem management cooperation and integration between Federal reef managers and covered reef managers, including the identification of existing research and monitoring activities that can be leveraged for coral reef status and trends assessments within the jurisdiction of the manager.

“(I) Development of—

“(a) a coral reef action plan under this section.

“(b) A data management plan to ensure data, assessments, and accompanying information are appropriately preserved, curated, publicly accessible, and broadly reusable.

“(c) tools, strategies, and partnerships necessary to identify, monitor, and address pollution and water quality impacts to coral reef ecosystems within the jurisdiction of the manager; and

“(d) a data management plan to ensure data, assessments, and accompanying information are appropriately preserved, curated, publicly accessible, and broadly reusable.

“(e) a data management plan to ensure data, assessments, and accompanying information are appropriately preserved, curated, publicly accessible, and broadly reusable.

“(2) EFFECTIVE PERIOD.—A plan prepared under this subsection shall be in effect for 5 years, or until an updated plan is submitted to the Task Force, whichever occurs first.

“(3) ELEMENTS.—A plan prepared under paragraph (1) by a covered reef manager—

“(A) shall contain a discussion of—

“(i) short- and mid-term coral reef conservation and restoration objectives within the jurisdiction of the manager.

“(ii) estimated budgetary and resource considerations necessary to carry out the plan; and

“(iii) the status of efforts to improve coral reef ecosystem management cooperation and integration between Federal reef managers and covered reef managers, including the identification of existing research and monitoring activities that can be leveraged for coral reef status and trends assessments within the jurisdiction of the manager.

“(B) may contain a discussion of—

“(i) the status of efforts to improve coral reef ecosystem management cooperation and integration between Federal reef managers and covered reef managers, including the identification of existing research and monitoring activities that can be leveraged for coral reef status and trends assessments within the jurisdiction of the manager.

“(ii) a current adaptive management framework to inform research, monitoring, and assessment needs.

“(iii) tools, strategies, and partnerships necessary to identify, monitor, and address pollution and water quality impacts to coral reef ecosystems within the jurisdiction of the manager.

“(iv) estimated budgetary and resource considerations necessary to carry out the plan.
“SEC. 206. CORAL REEF STEWARDSHIP PARTNER- SHIPS.

(a) IN GENERAL.—To further the community-based stewardship of coral reefs, coral reef stewardship partnerships for Federal and non-Federal coral reefs may be established in accordance with this section.

(b) STANDARDS AND PROCEDURES.—The Administrator shall develop and adopt—

(1) standards for identifying individual coral reefs and ecologically significant units of a reef to ensure no geographic overlap in representation among stewardship partnerships authorized by this section.

(c) MEMBERSHIP FOR FEDERAL CORAL REEFS.—A coral reef stewardship partnership that has identified, as the subject of its stewardship activities, a coral reef or ecologically significant component of a coral reef that is fully or partially under the management jurisdiction of any Federal agency specified in section 203(c) shall, at a minimum, include the following:

(A) A State or county’s resource management agency.

(B) A coral reef research center designated under section 214(b).

(C) A nongovernmental organization.

(D) Such other members as the partnership considers appropriate, such as interested stakeholder groups and covered Native entities.

(d) MEMBERSHIP FOR NON-FEDERAL CORAL REEFS.—

(1) IN GENERAL.—A coral reef stewardship partnership that has identified, as the subject of its stewardship activities, a coral reef or ecologically significant component of a coral reef that is not under the management jurisdiction of any Federal agency specified in section 203(c) shall, at a minimum, include the following:

(A) A State or county’s resource management agency or a covered Native entity, a representative of which shall serve as chairperson of the coral reef stewardship partnership.

(B) A coral reef research center designated under section 214(b).

(C) A nongovernmental organization.

(D) Such other members as the partnership considers appropriate, such as interested stakeholder groups and covered Native entities.

(2) ADDITIONAL MEMBERS.—

(A) IN GENERAL.—Subject to subparagraph (B), a coral reef stewardship partnership described in paragraph (1) may also include representatives of one or more Federal agencies.

(B) REQUESTS; APPROVAL.—A representative of a Federal agency described in subparagraph (A) may become a member of a coral reef stewardship partnership described in paragraph (1) if—

(i) the representative submits a request to become a member of the partnership referred to in paragraph (1)(A) and

(ii) the chairperson consents to the request.

SEC. 207. BLOCK GRANTS.

(a) IN GENERAL.—The Administrator shall provide block grants of financial assistance to covered States to support management and restoration activities and further the implementation of coral reef action plans in effect under section 205 by covered States and non-Federal coral reef stewardship partnerships in accordance with this section. The Administrator shall review each covered State’s application for block grant funding to ensure that the proposals are consistent with applicable action plans and the national coral reef resilience strategy in effect under section 204.

(b) ELIGIBILITY FOR ADDITIONAL AMOUNTS.—

(1) IN GENERAL.—A covered State shall qualify for and receive additional grant amounts beyond the base award specified in subsection (c)(1) if there is at least one coral reef action plan in effect within the jurisdiction of the covered State developed by that covered State or a non-Federal coral reef stewardship partnership.

(2) WAIVER FOR CERTAIN FISCAL YEARS.—The Administrator may waive the requirement under paragraph (1) during fiscal years 2023 and 2024.

(c) FUNDING FORMULA.—Subject to the availability of funds, the amount of each block grant awarded to a covered State under this section shall be the sum of—

(1) a base award of $100,000; and

(2) if the State is eligible under subsection (b)—

(A) an amount that is equal to non-Federal expenditures of up to $3,000,000 on coral reef management and restoration activities within the jurisdiction of the State, as reported within the previous fiscal year; and

(B) an additional amount, from any funds appropriated for block grants under this section that remain after distribution under subparagraph (A) and paragraph (1), based on the proportion of the State’s share of total non-Federal expenditures on coral reef management and restoration activities, as reported within the previous fiscal year, in excess of $3,000,000, relative to other covered States.

(d) EXCLUSIONS.—For the purposes of calculating block grant amounts under subsection (c), Federal funds provided to a covered State or a non-Federal coral reef stewardship partnership shall not be considered as qualifying non-Federal expenditures, but non-Federal matching funds used to leverage Federal awards shall be considered as qualifying non-Federal expenditures.

(e) RESPONSIBILITIES OF THE ADMINISTRATOR.—The Administrator is responsible for—

(1) providing guidance on qualifying non-Federal expenditures and the proper documentation thereof;

(2) issuing annual solicitations to covered States for awards under this section; and

(3) determining the appropriate allocation of funds among covered States in accordance with this section.

(f) RESPONSIBILITIES OF COVERED STATES.—Each covered State is responsible for documenting non-Federal expenditures within the jurisdiction of the State and formally reporting those expenditures for review in response to annual solicitations by the Administrator under subsection (e).

SEC. 208. COOPERATIVE AGREEMENTS.

(a) IN GENERAL.—The Administrator shall seek to enter into cooperative agreements with covered States for coral reef conservation and restoration activities in waters managed under the jurisdiction of those covered States that are consistent with the national coral reef resilience strategy in effect under section 204 and any applicable action plans under section 205.

(b) ALL ISLANDS COMMITTEE.—The Administrator may enter into a cooperative agreement with the All Islands Committee of the Task Force to provide support for its activities.

(c) FUNDING.—Cooperative agreements under subsection (a) shall provide not less than $500,000 to each covered State and are subject to any applicable Federal law.
matching, in whole or in part, contributions (whether in money, services, or property) made to the Foundation by private persons, State or local government agencies, or covered Native entities.

SEC. 210. EMERGENCY ASSISTANCE.

(a) In General.—Notwithstanding any other provision of law, from funds appropriated pursuant to an authorization of appropriations under section 217, the Administrator may provide emergency assistance to any coastal State or coastal reef stewardship partnership to respond to immediate harm to coral reefs or coral reef ecosystems arising from any of the exigent circumstances described in subsection (b).

(b) Coral Reef Exigent Circumstances.—The Administrator shall develop a list of, and criteria for, circumstances that pose an exigent threat to coral reefs, including—

(1) new and ongoing outbreaks of disease;

(2) new and ongoing outbreaks of invasive or nuisance species;

(3) new and ongoing coral bleaching events;

(4) natural disasters;

(5) industrial or mechanical incidents, such as vessel groundings, hazardous spills, or coastal construction accidents; and

(6) other circumstances that pose an exigent threat to coral reefs.

(c) Annual Report on Exigent Circumstances.—On February 1 of each year, the Administrator shall submit to appropriate congressional committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a report that—

(1) describes locations with exigent circumstances described in subsection (b) that were considered but declined for emergency assistance, and the rationale for the decision; and

(2) with respect to each instance in which emergency assistance under this section was provided—

(A) the location and a description of the exigent circumstances that prompted the emergency assistance, the entity that received the assistance, and the current and expected outcomes from the assistance;

(B) a description of activities of the National Oceanic and Atmospheric Administration and other Federal agencies, or State or local government agencies, or covered Native entities, designed as a result of providing the emergency assistance;

(C) in the case of an incident described in subsection (b)(5), a statement of whether legal action was commenced under section 1342 of title 31, United States Code, and the rationale for the decision; and

(D) an assessment of whether further action is needed to restore the affected coral reef, recommendations for such restoration, and a cost estimate to implement such recommendations.

SEC. 211. CORAL REEF DISASTER FUND.

(a) Agreements.—The Administrator shall seek to enter into an agreement with the National Fish and Wildlife Foundation (in the Foundation to as the ‘Foundation’), authorizing the Foundation to receive, hold, and administer funds received under this section.

(b) Fund.—

(1) In General.—The Foundation shall establish an account, to be known as the ‘Coral Reef Disaster Fund’ (in this section referred to as the ‘Fund’).

(2) Deposits.—The Foundation shall deposit funds received under this section into the Fund.

(3) Purposes.—The Fund shall be available solely to support the long-term recovery of coral reefs from exigent circumstances described in subsection (b).

(A) in partnership with non-Federal stakeholders; and

(B) in a manner that is consistent with—

(i) the national coral reef resilience strategy in effect under section 204; and

(ii) coral reef action plans in effect, if any, under section 218.

(d) Administration.—Under an agreement entered into under subsection (a), the Administrator may provide emergency assistance to any coastal State or coastal reef stewardship partnership to respond to immediate harm to coral reefs or coral reef ecosystems arising from any of the exigent circumstances described in this paragraph.

(4) Investment of Amounts.—

(A) Investment of Amounts.—The Foundation shall invest such portion of the Fund as is not required to meet current withdrawal obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.

(B) Interest and Proceeds.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to and form a part of the Fund.

(g) Review of Performance.—The Administrator shall conduct continuing reviews of all deposits into, and disbursements from, the Fund. Each such review shall include a written assessment concerning the extent to which the Foundation has implemented the goals and requirements of this section.

(3) Waiver.—The Administrator may waive all or part of the matching requirement under paragraph (1) if the Administrator determines that no reasonable means are available through which an applicant can meet the matching requirement with respect to a coral reef project and the probable benefit of the project outweighs the public interest in the matching requirement.

SEC. 212. VESSEL GROUNDING INVENTORY.

The Administrator, in coordination with the Commandant of the United States Coast Guard, the Administrator of the National Oceanic and Atmospheric Administration, and the heads of other Federal and State agencies as appropriate, shall establish and maintain an inventory of incidents involving United States coral reefs, including a description of—

(1) the location of each such incident;

(2) a succinct statement of the purposes and goals and requirements of this section.

(3) any response actions taken by the owner of the vessel, the Administrator, the Commandant, or representatives of other Federal or State agencies;

(4) the status of such response actions, including—

(A) when the grounded vessel was removed, the costs of removal, and the how the removal was resourced;

(B) a narrative and timeline of remediation or restoration activities undertaken by a Federal agency or agencies;

(C) any emergency or disaster assistance provided under section 216 or 217;

(D) any actions taken to prevent future grounding incidents; and

(E) any recommendations for additional navigational aids or other mechanisms for preventing future grounding incidents.

SEC. 213. RUTH D. GATES CORAL REEF CONSERVATION GRANT PROGRAM.

(a) In General.—Subject to the availability of appropriations, the Administrator shall establish a program (to be known as the ‘Ruth D. Gates Coral Reef Conservation Grant Program’) to provide grants for projects for the conservation and restoration of coral reefs. The Administrator may provide under subsection (a) a grant to a coral reef project and the probable benefit of the project outweighs the public interest in the matching requirement.

(b) Matching Requirements for Grants.

(1) In General.—Except as provided in paragraph (3), Federal funds for any coral reef project for which funds are provided under subsection (a) may not exceed 50 percent of the total cost of the project.

(2) Non-Federal Share.—The non-Federal share of the cost of a coral reef project may be provided by in-kind contributions and other noncash support.

(c) Waiver.—The Administrator may waive all or part of the matching requirement under paragraph (1) if the Administrator determines that no reasonable means are available through which an applicant can meet the matching requirement with respect to a coral reef project and the probable benefit of the project outweighs the public interest in the matching requirement.

SEC. 214. RUTH D. GATES CORAL REEF CONSERVATION GRANT PROGRAM.

(a) In General.—Pursuant to an agreement entered into under subsection (a), the Foundation may accept, receive, solicit, hold, administer, and use any gift (including, notwithstanding section 1342 of title 31, United States Code, any funds received as a gift) shall be deposited and maintained in the Fund.

(b) Administration.—Under an agreement entered into under subsection (a), and subject to the availability of appropriations, the Administrator may provide emergency assistance to any coastal State or coastal reef stewardship partnership to respond to immediate harm to coral reefs or coral reef ecosystems arising from any of the exigent circumstances described in this paragraph.

(A) the location and a description of the exigent circumstances that prompted the emergency assistance, the entity that received the assistance, and the current and expected outcomes from the assistance;

(B) a description of activities of the National Oceanic and Atmospheric Administration and other Federal agencies, or State or local government agencies, or covered Native entities designed as a result of providing the emergency assistance;

(C) in the case of a vessel grounding, a succinct statement of the purposes and goals and requirements of this section.

(3) Waiver.—The Administrator may waive all or part of the matching requirement under paragraph (1) if the Administrator determines that no reasonable means are available through which an applicant can meet the matching requirement with respect to a coral reef project and the probable benefit of the project outweighs the public interest in the matching requirement.

(4) Project Proposals.—Each proposal for a grant under this section shall include the following:

(A) the name of the individual or entity responsible for conducting the project;

(B) a succinct statement of the purposes of the project;

(C) an estimate of the funds and time required to complete the project;

(D) evidence of support for the project by appropriate representatives of States or other government jurisdictions in which the project will be conducted;

(E) information regarding the source and amount of matching funding available to the applicant;

(F) a description of how the project meets one or more of the criteria under subsection (f)(2).

(G) in the case of a proposal submitted by a coral reef stewardship partnership, a description of how the project aligns with the applicable coral reef action plan under section 205.
"(9) Any other information the Administrator considers to be necessary for evaluating the eligibility of the project for a grant under this subsection.

"(e) CRITERIA FOR APPROVAL.—

"(1) IN GENERAL.—The Administrator shall review each coral reef project proposal submitted under this section to determine if the project meets the criteria set forth in subsection (f).

"(2) PRIORITIZATION OF CONSERVATION PROJECTS.—The Administrator shall prioritize the awarding of funding for projects that meet the criteria for approval under subparagraphs (A) through (L) of subsection (d)(2) that are proposed to be conducted within priority areas identified for coral reef conservation by the Administrator under the national coral reef resilience strategy in effect under section 204.

"(3) PRIORITIZATION OF RESTORATION PROJECTS.—The Administrator shall prioritize the awarding of funding for projects that meet the criteria for approval under subparagraphs (E) through (L) of subsection (d)(2) that are proposed to be conducted within priority areas identified for coral reef conservation by the Administrator under the national coral reef resilience strategy in effect under section 204.

"(4) REVIEW; APPROVAL OR DISAPPROVAL.—Not later than 180 days after receiving a proposal for a project under this section, the Administrator shall—

"(A) request and consider written comments on the proposal from each Federal agency, State government, covered Native entity, or other government jurisdiction, including the relevant regional fishery management councils established under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), or any National Marine Sanctuary or Marine National Monument, with jurisdiction or management over coral reef ecosystems in the area where the project is to be conducted, including the extent to which the project is consistent with locally established priorities, unless such entities were directly involved in the development of the project proposal;

"(B) provide for the merit-based peer review of proposals submitted and require standardized documentation of that peer review;

"(C) after considering any written comments and recommendations based on the reviews conducted under paragraphs (A) and (B), approve or disapprove the proposal; and

"(D) provide written notification of that approval or disapproval, with summaries of all written comments, recommendations, and peer reviews, to the entity that submitted the proposal, and each of those States, covered Native entity, and other government jurisdictions that provided comments under subparagraph (A).

"(f) CRITERIA FOR APPROVAL.—The Administrator may not approve a proposal for a coral reef project under this section unless the proposal—

"(1) is consistent with—

"(A) the national coral reef resilience strategy in effect under section 204; and

"(B) any Federal or non-Federal coral reef action plans in effect under section 205 covering a coral reef or ecologically significant unit of a coral reef to be affected by the project; and

"(2) will enhance the conservation and restoration of coral reefs by—

"(A) preventing or reducing the loss of coral reefs arising from the use of environments near coral reefs or from the use of corals, species associated with coral reefs, and coral products, including supporting living resource management activities that contribute to community-based planning and management initiatives for the protection of coral reef ecosystems;

"(B) improving compliance with laws that prohibit or regulate the taking of coral products or species associated with coral reefs or regulate the use and management of coral reef ecosystems;

"(C) designing and implementing networks of real-time water quality monitoring along coral reefs, including data collection related to toxicant and nutrient impacts, such as algal blooms, and plankton assemblages, with an emphasis on coral reefs impacted by agriculture and urban development;

"(D) pursuing life history navigation and anchorage projects, including improving harbor boating systems to promote enhanced recreational access, near coral reefs;

"(E) furthering the goals and objectives of coral reef action plans in effect under section 205;

"(F) mapping the location and distribution of coral reefs and potential coral reef habitats;

"(G) stimulating innovation to advance the ability of the United States to understand, research, or monitor coral reef ecosystems;

"(H) implementing research to ensure the population viability of listed coral species in United States waters as detailed in the population-based recovery criteria included in the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

"(I) developing and implementing cost-effective methods to restore degraded coral reef ecosystems or to create geographically appropriate coral reef ecosystems in suitable waters, including by improving habitat or propagating coral species, with an emphasis on novel restoration strategies and techniques to advance coral reef recovery and growth near population centers threatened by rising sea levels and storm surge;

"(J) translating and applying coral genetic research to coral reef ecosystem restoration, including research related to traits that promote resilience to increasing ocean temperatures, ocean acidification, coral bleaching, coral diseases, and invasive species;

"(K) developing and maintaining situational assessments of coral propagation status; or

"(L) developing and maintaining ex situ coral propagation programs, nurseries, and land-based coral gene banks to—

"(i) conserve or augment genetic diversity of native coral populations; or

"(ii) support capture breeding of rare coral species; or

"(iii) enhance resilience of native coral populations to increasing ocean temperatures, ocean acidification, coral bleaching, and coral diseases through selective breeding, conditioning, or other approaches that target genes, gene expression, phenotypic traits, or phenotypic plasticity.

"(g) FUNDING REQUIREMENTS.—To the extent practicable based upon proposals for coral reef projects submitted to the Administrator, the Administrator shall ensure that funding for grants awarded under this section during a fiscal year is distributed as follows:

"(1) Not less than 40 percent of funds available shall be awarded for projects in the Pacific Ocean within the maritime areas and zones subject to the jurisdiction or control of the United States;

"(2) Not less than 40 percent of the funds available shall be awarded for projects in the Atlantic Ocean, the Gulf of Mexico, or the Caribbean Sea within the maritime areas and zones subject to the jurisdiction or control of the United States.

"(h) TASK FORCE.—The Administrator may establish a task force to study the effects of conservation and restoration activities funded by this title on promoting more effective coral reef management and restoration; and

"(i) through agreements—

"(1) collaborate directly with government resource management agencies, coral reef stewardship partnerships, nonprofit organizations, and other coral reef research centers designated under subsection (b) in the development and implementation of—

"(i) the national coral reef resilience strategy under section 204; and

"(ii) coral reef action plans under section 205;

"(iii) build capacity within non-Federal governmental resource management agencies to establish research priorities and translate and apply research findings to management and restoration practices; and

"(iv) conduct public education and awareness programs for policymakers, resource managers, and the general public on—

"(1) coral reefs and coral reef ecosystems;

"(ii) best practices for coral reef ecosystem management and restoration;

"(iii) the value of coral reefs; and

"(iv) the threats to the sustainability of coral reef ecosystems.

"(i) CORAL REEF RESEARCH CENTERS.—

"(a) REEF RESEARCH COORDINATION INSTITUTES.—

"(1) ESTABLISHMENT.—The Administrator shall designate 2 reef research coordination institute to support the institute's capacity and reach.

"(2) MEMBERSHIP.—Each institute designated under paragraph (1) shall be housed within a single coral reef research center designated by the Administrator under subsection (b) and may enter into contracts with other coral reef research centers designated under subsection (b) within the same sub basin to support the institute's capacity and reach.

"(3) FUNCTIONS.—The institutes designated under paragraph (1) shall—

"(A) conduct federally directed research to fill national and regional coral reef ecosystem research gaps and improve understanding of, and responses to, continuing and emerging threats to the resilience of United States coral reef ecosystems consistent with the national coral reef resilience strategy in effect under section 204; and

"(B) support ecological research and monitoring to study the effects of conservation and restoration activities funded by this title on improving the health of coral reef ecosystems and potential coral reef habitats.
"(A) periodically solicits applications for designation of qualifying institutions in covered States as coral reef research centers; and

"(B) designates all qualifying institutions in covered States as coral reef research centers.

"(2) QUALIFYING INSTITUTIONS.—For purposes of this section, an institution is a qualifying institution if the Administrator determines that the institution—

"(A) is operated by an institution of higher education or nonprofit marine research organization;

"(B) has established management-driven national or regional coral reef research or restoration partnerships;

"(C) has demonstrated abilities to coordinate closely with appropriate Federal and non-Federal contributions toward the costs of each project or activity funded, in full or in part, under the authority of this title.

"(3) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a report on the administration of this title during the 2-year period preceding submission of the report, including—

"(1) a description of all activities undertaken to implement the most recent national coral reef resilience strategy under section 204;

"(2) a statement of all funds obligated under the authorities of this title; and

"(3) a summary, disaggregated by State, of Federal and non-Federal contributions toward the costs of each project or activity funded, in full or in part, under the authorities of this title.

"(4) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives.

"(5) CONSERVATION.—The term ‘conservation’ means the use of methods and procedures necessary to preserve or sustain native corals and associated species as diverse, viable, and self-perpetuating coral reef ecosystems with minimal impacts from invasive species, including—

"(A) all activities associated with resource management, such as monitoring, assessment, protection, restoration, sustainable use, management of habitat, and maintenance or augmentation of genetic diversity;

"(B) mapping;

"(C) scientific expertise and technical assistance in the development and implementation of management strategies for coral reefs and marine reserves consistent with the National Coral Reef Sanc-

"(6) the Office of Insular Affairs.

"(7) CORAL REEF.—The term ‘coral reef’ means—

"(A) all species of the orders Antipatharia and Anthozoa, including coral, crustose coralline algae, and other associated marine communities that form a reef or a shoal, composed in whole or in part by coral, crustose coralline algae, and other associated species of coral reef ecosystems;

"(B) all species of the order Anthoathecata of the class Hydrozoa (fire corals and other hydrocorals) of the class Hydrozoa.

"(8) CORAL PRODUCTS.—The term ‘coral products’ means any living or dead specimens, parts, or derivatives, of any species referred to in paragraph (5).

"(9) COVERED ENTITY.—The term ‘covered entity’ means a covered State with jurisdiction over a coral reef ecosystem.

"(10) COVERED REEF MANAGER.—The term ‘covered reef manager’ means—

"(A) a management unit of a covered State with jurisdiction over a coral reef ecosystem;

"(B) a covered State;

"(C) a coral reef stewardship partnership under section 206(c).


"(12) FEDERAL REEF MANAGER.—

"(A) IN GENERAL.—The term ‘Federal reef manager’ means—

"(i) a management unit of a Federal agency with a representative serving on the United States Coral Reef Task Force established by Executive Order 13809 (16 U.S.C. 6401 note; relating to coral reef protection), may, individually or in cooperation with one or more agencies, carry out a program to award prizes competitively under section 24 of the Stevenson-Wyder Technology Innovation Act of 1980 (15 U.S.C. 3719).

"(ii) an agency that has been designated by the Secretary of Commerce to carry out under section 204 (section 204(b), (c), (d), (e), and (f));

"(iii) a Federal agency specified in this subparagraph is a Federal agency specified in this subparagraph.

"(B) in subsection (d), by striking ‘under section 207’ and inserting ‘under this title’; and

"(C) organic act the end of the following:

"(e) BLOCK GRANTS.—There is authorized to be appropriated to the Administrator $10,000,000 for each of fiscal years 2023 through 2027 for agreements with the research coordination institutes designated under section 214 and

"(f) COOPERATIVE AGREEMENTS.—There is authorized to be appropriated to the Administrator $10,000,000 for each of fiscal years 2023 through 2027 to carry out section 208.

"(g) NON-FEDERAL CORAL REEF SEARCH.—There is authorized to be appropriated to the Administrator $4,500,000 for each of fiscal years 2023 through 2027 for agreements with the research coordination institutes designated under section 214.

"(h) APPROPRIATION OF FEDERAL FUNDS.—There is authorized to be appropriated $10,000,000 for each of fiscal years 2023 through 2027 to carry out section 205.

"(i) DEVELOPMENT OF MEASURES.—There is authorized to be appropriated $10,000,000 for each of fiscal years 2023 through 2027 to carry out section 206.

"(j) REVIEW.—The Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives, in the fiscal year before fiscal year 2019, and in each fiscal year thereafter, shall submit a joint report to the House of Representatives and the Senate, as provided by section 211, which shall include an assessment of the effectiveness of any program under this title.

"(k) REPORTS.—The Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives, in the fiscal year before fiscal year 2019, and in each fiscal year thereafter, shall submit a joint report to the House of Representatives and the Senate, as provided by section 211, which shall include an assessment of the effectiveness of any program under this title.

"(1) DEVELOPMENT OF MEASURES.—There is authorized to be appropriated $10,000,000 for each of fiscal years 2023 through 2027 to carry out section 208.

"(m) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of the National Oceanic and Atmospheric Administration.

"(n) ALASKA NATIVE CORPORATION.—The term ‘Alaska Native Corporation’ has the meaning given that term in section 27(b) of the Native American Business Assistance Act (25 U.S.C. 5304).

"(o) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of the National Oceanic and Atmospheric Administration.

"(p) NATIVE CORPORATION.—The term ‘Native Corporation’ has the meaning given that term in section 16 of the Native American Business Assistance Act (25 U.S.C. 5304).

"(q) ALASKA Native CORPORATION.—The term ‘Alaska Native Corporation’ has the meaning given that term in section 27(b) of the Native American Business Assistance Act (25 U.S.C. 5304).

"(r) ADMINISTRATOR.—The term ‘Administrator’ has the meaning given that term in section 27(b) of the Native American Business Assistance Act (25 U.S.C. 5304).

"(s) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives.

"(t) CONSERVATION.—The term ‘conservation’ means the use of methods and procedures necessary to preserve or sustain native corals and associated species as diverse, viable, and self-perpetuating coral reef ecosystems with minimal impacts from invasive species, including—

"(A) all activities associated with resource management, such as monitoring, assessment, protection, restoration, sustainable use, management of habitat, and maintenance or augmentation of genetic diversity;

"(B) mapping;

"(C) scientific expertise and technical assistance in the development and implementation of management strategies for coral reef and marine reserves consistent with the National Coral Reef San-

"(D) The Department of Hawaiian Home Lands.

"(E) The Office of Hawaiian Affairs.

"(F) the Office of Insular Affairs.

"(G) The Office of Insular Affairs.

"(H) An Alaska Native Corporation.

"(I) The Department of Hawaiian Home Lands.

"(J) The Office of Insular Affairs.

"(K) A Native Hawaiian organization (as defined in section 214(b), (c), or (d));

"(L) a coral reef stewewardship partnership under section 206(c) of this Act;

"(M) a Federal agency specified in this subparagraph.

"(1) Terrestrial communities, including community members such as business, commercial, and recreational fishermen, other recreationalists, covered Native entities, Federal, State, and local government units with related jurisdiction, institutions of higher education, and non-governmental organizations.

"(m) Native entity.—The term ‘Native entity’ means any of the following:

"(A) an Indian Tribe (as defined in section 4 of the Indian Self-Determination and Edu-

"(B) an Alaska Native Corporation.

"(C) The Department of Hawaiian Home Lands.

"(D) The Office of Insular Affairs.

"(E) A Native Hawaiian organization (as defined in section 6207 of the Elementary and
Secondary Education Act of 1965 (20 U.S.C. 7517)).

(16) NONPROFIT ORGANIZATION.—The term 'nonprofit organization' means any corpora-
tion, trust, foundation, cooperative, or other organization, not including an institutions
of higher education, that—
(A) is operated primarily for scientific,
educational, cultural, charitable, or similar
purposes in the public interest;
(B) is not organized primarily for profit;
and
(C) uses net proceeds to maintain,
 improve, or expand the operations of the orga-
nization.

(17) RESTORATION.—The term ‘restoration’ means the use of methods and procedures
necessary to enhance, rehabilitate, recreate, or create a functioning coral reef or coral
reef ecosystem, in whole or in part, within
suitable waters of the historical geographic
range of such ecosystems, to provide ecologi-
cal, economic, cultural, or coastal resiliency
services associated with healthy coral reefs
and benefit native populations of coral reef
organisms.

(18) RESILIENCE.—The term ‘resilience’ means the capacity for corals within their
native range, ecosystems, or coral reef sys-
tems to resist and recover from natural
and human disturbances, and maintain
structure and function to provide ecosystem
services, as determined by clearly identifi-
able, measurable, and science-based standards.

(19) SECRETARY.—The term ‘Secretary’ means the Secretary of Commerce.

(20) STATE.—The term ‘State’ means—
(A) any State of the United States that
contains a coral reef ecosystem within its
seaward boundary;
(B) American Samoa, the Commonwealth
of the Northern Mariana Islands, Guam,
Puerto Rico, or the United States Virgin Is-
lands;
(21) STEWARDSHIP.—The term ‘stewardship’, with respect to a coral reef, includes
conservation, restoration, and public out-
reach and education.

(22) TASK FORCE.—The term ‘Task Force’ means the United States Coral Reef
Task Force established under section 201 of the
Restoring Resilient Reefs Act of 2022.

(b) CONFORMING AMENDMENT TO NATIONAL OCEANS SECURITY ACT.—Sec-
tion 905(a) of the National Oceans and Coast-
al Security Act (16 U.S.C. 7504(a)) is amended
by striking ‘‘coastal infrastructure’’ and
inserting ‘‘coastal infrastructure, and eco-
system services provided by natural systems
such as coral reefs’’.

Subtitle B—United States Coral Reef Task
Force

SEC. 5121. ESTABLISHMENT.

There is established a task force to lead,
coordinate, and strengthen Federal Govern-
ment actions to better preserve, conserve,
and restore coral reef ecosystems, to be
known as the ‘‘United States Coral Reef
Task Force’’ (in this subtitle referred to as
the ‘‘Task Force’’).

SEC. 5122. DUTIES.

The duties of the Task Force shall be—
(1) to coordinate, in cooperation with cov-
ered States, covered Native entities, Federal
reef managers, covered reef managers, coral
reef research centers designated under sec-
tion 214(b) of the Coral Reef Conservation
Act of 2000 (as amended by section 5111),
and other appropriate, including governmental
and academic partners as appropriate, activities regarding the
mapping, monitoring, research, conserva-
tion, mitigation, and restoration of coral
reefs and coral reef ecosystems;
(2) to monitor and advise regarding imple-
mentation of the policy and Federal agency
responsibilities set forth in—
(A) Executive Order 13089 (33 Fed. Reg.
32701; relating to coral reef protection); and
(B) the national coral reef resilience strat-
egy of the Coral Reef Conservation Act of 2000, as amended
by section 5111;
(3) to work, in coordination with the other
members of the Task Force—
(A) to assess the United States role in
international trade and protection of coral
species;
(B) to encourage implementation of approp-
riate strategies and actions to promote con-
servation and sustainable use of coral reef
resources worldwide; and
(C) to collaborate with international com-
munities successful in managing coral reefs;
(4) to provide technical assistance for the
development and implementation, as appro-
riate, of—
(A) the national coral reef resilience strat-
egy under section 204 of the Coral Reef
Conservation Act of 2000, as amended by section
5111; and
(B) coral reef action plans under section
205 of that Act; and
(5) to produce an annual report, each year,
for submission to the appropriate congressional
committees and publication on a publicly
available internet website of the Task Force,
highlighting the status of the coral reef equi-
ties of a covered State on a rotating basis,
including—
(A) a summary of recent coral reef man-
agement and restoration activities underway
in that State; and
(B) updated estimates of the direct and in-
direct economic benefits supported by, and
other benefits associated with, those coral
reef equities.

SEC. 5123. MEMBERSHIP.

(a) VOTING MEMBERS.—The voting mem-
bers of the Task Force shall be—
(1) the Under Secretary of Commerce for
Oceans and Atmosphere and the Secretary of
Interior, who shall be co-chairpersons of the
Task Force;
(2) such representatives from other Federal
agencies as the President, in consultation with
the Under Secretary, determines appropriate;
and
(3) the Governor, or a representative of the
Governor, of each covered State, the
Secretary of Commerce, the National Coral
Reef Task Force and the administrator of the
National Coral Reef Task Force.

(b) NONVOTING MEMBERS.

(1) The Governor of the Republic of the
Marshall Islands.

(2) The Governor of the Federated States of
Micronesia.

(3) The Governor of the Commonwealth of
the Northern Mariana Islands.

(4) The Governor of the Republic of Palau.

(5) A member appointed by the President of
the Governors of Puerto Rico and the United
States Virgin Islands shall, on an alter-
nating basis, take turns selecting the mem-
ber.

(6) A member appointed by the President of
the Senate, or the Secretaries of the Depts.

SEC. 5124. RESPONSIBILITIES OF FEDERAL AGEN-
CY MEMBERS.

(a) IN GENERAL.—A member of the Task
Force described in section 5123(a) shall—
(1) identify the actions of the agency that
member represents that may affect coral
reef ecosystems;
(2) utilize the programs and authorities of
that agency to protect and enhance the con-
ditions of such ecosystems, including
through the promotion of basic and applied
scientific research;
(3) collaborate with the Task Force to ap-
propriately reflect budgetary needs for coral
reef conservation and restoration activities
in agency budget planning and justifica-
tion documents and processes; and
(4) engage in any other coordinated efforts
approved by the Task Force.

(b) CO-CHAIRPERSONS.—In addition to their
responsibilities under subsection (a), the co-
chairpersons of the Task Force shall admin-
ister performance of the functions of the
Task Force and facilitate the coordination of
the members of the Task Force described in
section 5123(a).

SEC. 5125. WORKING GROUPS.

(a) IN GENERAL.—The co-chairpersons
of the Task Force may establish working
groups as necessary to meet the goals and
carry out the duties of the Task Force.

(b) REQUESTS FROM MEMBERS.—The mem-
bers of the Task Force may request that the
co-chairpersons establish a working group
under subsection (a).

(c) PARTICIPATION BY NONGOVERNMENTAL
ORGANIZATIONS.—The co-chairpersons may
allow nongovernmental organizations as ap-
propriate, including academic institutions,
conservation groups, and commercial and
recreational fishing associations, to partici-
pate in a working group established under
subsection (a).

(d) NONAPPLICABILITY OF FEDERAL ADVIS-
ORY COMMITTEE ACT.—The Federal Advisory
Committee Act (5 U.S.C. App.) shall not
apply to working groups established under
this section.

SEC. 5126. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE CONGRESSIONAL COMMIT-
TEES.—The term ‘‘appropriate congressional
committees’’ means—
(A) the Committee on Commerce, Science,
and Transportation of the Senate; and
(B) the Committee on Natural Resources of
the House of Representatives.

(2) CONSERVATION, CORAL, CORAL REEF,
ETC.—The terms ‘‘conservation’’, ‘‘coral’’,
‘‘coral reef’’, ‘‘coral reef ecosystem’’, ‘‘cov-
ered Native entity’’, ‘‘covered reef manager’’,
‘‘covered State’’, ‘‘Federal reef manager’’,
‘‘Native entity’’, ‘‘restoration’’, ‘‘resilience’’,
and ‘‘State’’ have the meanings given those
terms in section 218 of the Coral Reef Con-
servation Act of 2000, as amended by section
5111.
consult with the Secretary of Commerce to section 205 of that Act, as applicable. section 5111; and federal, State, and Tribal waters, including—
laws governing resource management in Fed-
coral reefs consistent with all applicable
r assistance for the conservation and restoration
terior may provide scientific expertise and
ation 203(c) of the Coral Reef Conservation
icies to conserve and restore coral reefs and
ttection regarding the conduct of any activi-
ior may consult with the Secretary of Com-
''Tribal'' refer to Indian Tribes (as defined in
EC. 1602).
(2) FELLOW.—The term “fellow” means a National Coral Reef Management Fellow.
(3) FELLOWSHIP.—The term “fellowship” means the National Coral Reef Management Fellowship established in section 5143.
(4) COVERED NATIVE ENTITY.—The term “covered Native entity” means a Native entity of a covered State with interests in a coral reef ecosystem.
(5) COVERED STATE.—The term “covered State” means Florida, Hawaii, and the terri-
tories of American Samoa, the Common-
wealth of the Northern Mariana Islands, Guam, Puerto Rico, and the United States Virgin Islands.
(6) NATIVE ENTITY.—The term “Native enti-
ty” means any of the following:
(A) An Indian Tribe (as defined in section 4 of the Indian Self-Determination and Edu-
cation Assistance Act (25 U.S.C. 5304)).
(B) An Alaska Native Corporation.
(C) The Department of Hawaiian Home Lands.
(D) The Office of Hawaiian Affairs.
(E) A Native Hawaiian organization (as de-

(7) SECRETARY.—The term “Secretary” means the Secretary of Commerce.
SEC. 5143. ESTABLISHMENT OF FELLOWSHIP PROGRAM.
(a) IN GENERAL.—There is established a Na-
tional Coral Reef Management Fellowship Program.
(b) PURPOSES.—The purposes of the fellow-
ship are:
(1) to encourage future leaders of the United States to develop additional coral reef management capacity in States and local communities with coral reefs;
(2) to provide fellowships to covered States or covered Native entities with highly qualified candidates whose education and work experience meet the specific needs of each covered State or covered Native entity; and
(3) to provide fellowships with professional experience in management of coastal and coral reef resources.
SEC. 5144. FELLOWSHIP AWARDS.
(a) IN GENERAL.—The Secretary, in part-
nership with the Secretary of the Interior, shall award fellowships in accordance with this section.
(b) TERM OF FELLOWSHIP.—A fellowship awarded under this section shall be for a term of not more than three years.
(c) QUALIFICATIONS.—The Secretary shall award the fellowship to individuals who have demonstrated:
(1) an intent to pursue a career in marine services and outstanding potential for such a career;
(2) leadership potential, actual leadership experience, or both;
(3) a college or graduate degree in biologi-
cal science, a resource management college or graduate degree with experience that con-
erates with aptitude and interest for marine management, or both;
(4) proficient writing and speaking skills; and
(5) such other attributes as the Secretary considers appropriate.
SEC. 5145. MATCHING REQUIREMENT.
(a) IN GENERAL.—Except as provided in subsection (b), the non-Federal share of the costs of a fellowship under this section shall be 25 percent of such costs.
(b) WAIVER OF REQUIREMENTS.—The Sec-
retary may waive the application of sub-
section (a) if the Secretary finds that such waiver is necessary to support a project that the Secretary has identified as a high pri-
TITLE LII—BOLSTERING LONG-TERM UNDER-
STANDING AND EXPLORATION OF THE GREAT LAKES, OCEANS, BAYS, AND ESTUARIES
SEC. 5201. SHORT TITLE.
This title may be cited as the “Bolstering Long-term Understanding and Exploration of the Great Lakes, Oceans, Bays, and Estu-
aries Act” or the “BLUE GLOBE Act”.
SEC. 5202. PURPOSE.
The purpose of this title is to promote and support for Oceans and Atmosphere in the Under Secretary’s capacity as Administrator of the National Oceanic and Atmospheric Ad-
ministration.
(2) INDIAN TRIBE.—The term “Indian Tribe” has the meaning given that term in section 4 of the Indian Self-Determination and Edu-
SEC. 5203. WORKFORCE STUDY.
(a) IN GENERAL.—Section 303(a) of the America COMPETES Reauthorization Act of 2010 (33 U.S.C. 603c(a)) is amended—
(1) in the matter preceding paragraph (1), by striking “Secretary of Commerce” and in-
serting “Under Secretary of Commerce for Oceans and Atmosphere”;
(2) in paragraph (2), by inserting “skills, or credentials” after “degrees”;
(3) in paragraph (3), by inserting “or highly qualified technical professionals and tradespeople” after “atmospheric sci-
entists”;
(4) in paragraph (4), by inserting “skills, or credentials” after “degrees”;
(5) in paragraph (5)—
(A) by striking “scientist”; and
(B) by striking “and” and inserting “, ob-
servations, and monitoring;
(6) in paragraph (6), by striking “into Fed-
eral and all that follows and inserting “, technical professionals, and tradespeople into Federal career positions”;
(7) by redesignating paragraphs (2) through (6) as paragraphs (3) through (7), respec-
tively;
(8) by inserting after paragraph (1) the fol-
lowing:
(2) whether there is a shortage in the number of individuals with technical or
trade-based skillsets or credentials suited to a career in oceanic and atmospheric data collection, processing, satellite production, or satellite operations;"; and
(9) by adding at the end of section 303 (d) of such Act (33 U.S.C. 883c(d)) as amended by title II of the Regional Ocean Partnership Act—
(a) MEASUREMENT OF BLUE ECONOMY INDUSTRIES.—
(1) economic activities that are dependent upon the resources of the Great Lakes, oceans, bays, estuaries, and coasts; 
(iii) port and shoreline infrastructure; 
(iv) the volume and value of cargo shipped by sea or across the Great Lakes; 
(v) data collected from the Great Lakes, oceans, bays, estuaries, and coasts, including such data collected by businesses that purchase and commodify the data, including weather prediction and seasonal agricultural forecasting; and
(vi) military uses; and
(b) to the extent possible, the qualified value and impact of the natural capital of the Great Lakes, oceans, bays, estuaries, and coasts, including other indirect values.

SEC. 5208. NO ADDITIONAL FUNDS AUTHORIZED. 
No additional funds are to be authorized to carry out this title.

SEC. 5209. NO ADDITIONAL FUNDS AUTHORIZED.
No additional funds are to be authorized to carry out this section.

TITLE LIII—REGIONAL OCEAN PARTNERSHIPS

SEC. 5301. SHORT TITLE.
This title may be cited as the "Regional Ocean Partnership Act of 2022."
SEC. 5303. REGIONAL OCEAN PARTNERSHIPS.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term "Administrator" means the Administrator of the National Oceanic and Atmospheric Administration.

(2) COASTAL STATE.—The term "coastal state" means a State that in section 204 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1453).

(3) INDIAN TRIBE.—The term "Indian Tribe" has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(4) REGIONAL OCEAN PARTNERSHIP.—The term "Regional Ocean Partnership" means a Regional Ocean Partnership, a Regional Coastal Partnership, or a Regional Great Lakes Partnership.

(b) REGIONAL OCEAN PARTNERSHIPS.—

(1) IN GENERAL.—A coastal state may participate in a Regional Ocean Partnership with one or more:

(A) coastal states that share a common ocean or coastal area with the coastal state, without regard to whether the coastal states are contiguous; and

(B) States—

(i) with which the coastal state shares a common watershed; or

(ii) that contribute to the priorities of the partnership.

(2) GREAT LAKES.—A partnership consisting of one or more coastal states bordering one or more of the Great Lakes may be known as a "Regional Great Lakes Partnership".

(3) APPLICATION.—The Governor of a coastal state or the Governors of a group of coastal states may apply to the Secretary of Commerce, on behalf of a partnership, for the partnership to receive designation as a Regional Ocean Partnership if the partnership—

(A) meets the requirements under paragraph (4); and

(B) submits an application for such designation in such manner, in such form, and containing such information as the Secretary may require.

(4) REQUIREMENTS.—A partnership is eligible for designation as a Regional Ocean Partnership by the Secretary under paragraph (3) if the partnership—

(A) is established to coordinate the management of ocean, coastal, and Great Lakes resources among State governments and Indian Tribes in any of the 50 States or the District of Columbia; and

(B) focuses on the environmental issues affecting the ocean, coastal, and Great Lakes areas of the members participating in the partnership.

(C) complements existing coastal and ocean management efforts of States and Indian Tribes on an interstate scale, focusing on shared priorities; and

(D) does not have a regulatory function; and

(E) is not duplicative of an existing Regional Ocean Partnership designated under paragraph (5), as determined by the Secretary.

(5) DESIGNATION OF CERTAIN ENTITIES AS REGIONAL OCEAN PARTNERSHIPS.—Notwithstanding standing paragraph (3) or (4), the following entities are designated as Regional Ocean Partnerships:

(A) The Gulf of Mexico Alliance, comprised of the States of Alabama, Florida, Louisiana, Mississippi, and Texas.

(B) The Northeast Regional Ocean Council, comprised of the States of Maine, New Hampshire, Massachusetts, Connecticut, and Rhode Island.

(C) The Mid-Atlantic Regional Council on the Ocean, comprised of the States of New York, New Jersey, Delaware, Maryland, and Virginia.

(D) The West Coast Ocean Alliance, comprised of the States of California, Oregon, and Washington and the coastal Indian Tribes therein.

(c) GOVERNING BODIES OF REGIONAL OCEAN PARTNERSHIPS.—

(1) IN GENERAL.—A Regional Ocean Partnership designated under subsection (b) shall have a governing body.

(2) MEMBERSHIP.—A governing body described in paragraph (1) shall—

(A) consist, at a minimum, of voting members from each coastal state participating in the Regional Ocean Partnership, designated by the Governor of the coastal state; and

(B) may include such other members as the partnership considers appropriate.

(d) FUNCTIONS.—A Regional Ocean Partnership designated under subsection (b) may perform the following functions:

(1) Promote coordination of the actions of the agencies of coastal states participating in the partnership with the actions of the appropriate officials of Federal agencies, State governments, and Indian Tribes in developing strategies—

(A) to conserve living resources, increase valuable habitats, enhance coastal resilience and ocean management, promote ecological and economic health, and address such other issues related to the shared ocean, coastal, or Great Lakes areas as are determined to be a shared, regional priority by those states; and

(B) to manage regional data portals and develop associated data products for purposes that support the priorities of the partnership.

(2) In cooperation with appropriate Federal and State agencies, Indian Tribes, and local authorities, develop and implement specific action plans to carry out coordination goals.

(3) Coordinate and implement priority plans and projects, and facilitate science, research, modeling, monitoring, data collection, and other activities that support the goals of the partnership through the provision of grants and contracts under subsection (f).

(4) Engage, coordinate, and collaborate with relevant governmental entities and stakeholders to address ocean and coastal related matters that require interagency or intergovernmental solutions.

(5) Implement outreach programs for public information, education, and participation to foster stewardship of the resources of the ocean, coastal, and Great Lakes areas, as relevant.

(6) Develop and make available, through publications, technical assistance, and other appropriate means, information pertaining to cross-jurisdictional issues being addressed through the coordinated activities of the partnership.

(7) Serve as a liaison with, and provide information to, international counterparts, as appropriate on priority issues for the partnership.

(e) COORDINATION, CONSULTATION, AND ENGAGEMENT.—

(1) IN GENERAL.—A Regional Ocean Partnership designated under subsection (b) shall maintain mechanisms for coordination, consultation, and engagement with the following:

(A) The Federal Government.

(B) Indian Tribes.

(C) Nongovernmental entities, including academic organizations, nonprofit organizations, and private sector entities.

(D) Other federally mandated regional entities, including the Regional Fishery Management Councils, the regional associations of the National Ocean Sampling Network, and the other Ocean Observation System, and relevant Marine Fisheries Commissions.
SEC. 5401. SHORT TITLE.
This title may be cited as the "National Ocean Exploration Act".

SEC. 5402. FINDINGS.
Congress makes the following findings:
(1) The health and resiliency of the ocean are vital to the security and economy of the United States and to the lives of the people of the States;
(2) The United States depends on the ocean to regulate weather and climate, to sustain and protect the diversity of life, for maritime shipping, for national defense, and for food, energy, medicine, recreation, and other services essential to the people of the United States and all humankind;
(3) The prosperity, security, and well-being of the United States depend on successful understanding and stewardship of the ocean;
(4) Interdisciplinary cooperation and engagement in ocean exploration and characterization activities that provide comprehensive interpretations for a specific area of interest of the seafloor, sub-bottom, water column, or hydrologic features, such as water masses and currents, in direct support of specific research, environmental protection, resource management, policymaking, or applied mission objectives;
(5) Characterization.—The term "characterization" refers to activities that provide comprehensive interpretations of the ocean and coastal environments, such as water masses and currents, in direct support of specific research, environmental protection, resource management, policymaking, or applied mission objectives; and
(6) Operation.—The term "operation" refers to activities that provide comprehensive data and information needed to understand seafloor characteristics, such as depth, topography, seafloor, bottom type, sediment composition and distribution, underlying geologic structure, and benthic flora and fauna.

SEC. 5403. NATIONAL OCEAN POLICY COMMITTEE.
SEC. 5404. OCEAN POLICY COMMITTEE.
(a) SUBCOMMITTEES.—Section 8932(c) of title 10, United States Code, is amended to read as follows:
(1) The Committee shall include—
(A) a subcommittee to be known as the "Ocean Science and Technology Subcommittee"; and
(B) a subcommittee to be known as the "Ocean Resource Management Subcommittee".

SEC. 5405. NATIONAL OCEAN MAPPING, EXPLORATION AND CHARACTERIZATION.—
(a) SUBCOMMITTEES.—Section 8932(c) of title 10, United States Code, is amended—
(1) to redesignate subsection (h) as subsection (i); and
(2) by inserting after subsection (g) the following new subsection (h):
(3) National Oceanic and Atmospheric Administration.
(b) ELEMENTS OF DOCUMENT SYSTEM.—The systems established or designated under subsection (b)(5) may include the following:
(1) A publicly accessible, digital archive of documents described in subsection (b)(5) that are finalized after the date of the enactment of the National Ocean Exploration Act, including—
(A) environmental impact statements; and
(B) environmental assessments; and
(C) records of decision; and
(D) other relevant documents as determined by the lead agency on a project.
(2) Geospatial data, if any, contained in the documents under paragraph (1).
(3) A mechanism to retrieve information through geo-information tools that can map and integrate relevant geospatial information, such as—
(A) Ocean Report Tools;
(B) the Environmental Studies Program Information System;
(C) Regional Ocean Partnerships; and
(D) the Integrated Ocean observing System.
(b) ELEMENTS OF DOCUMENT SYSTEM.—The systems established or designated under subsection (b)(5) may include the following:
(1) National Oceanic and Atmospheric Administration.
(2) Geospatial data, if any, contained in the documents under paragraph (1).
(3) A mechanism to retrieve information through geo-information tools that can map and integrate relevant geospatial information, such as—
(A) Ocean Report Tools;
(B) the Environmental Studies Program Information System;
(C) Regional Ocean Partnerships; and
(D) the Integrated Ocean observing System.
(b) ELEMENTS OF DOCUMENT SYSTEM.—The systems established or designated under subsection (b)(5) may include the following:
(1) National Oceanic and Atmospheric Administration.
(2) Geospatial data, if any, contained in the documents under paragraph (1).
(3) A mechanism to retrieve information through geo-information tools that can map and integrate relevant geospatial information, such as—
(A) Ocean Report Tools;
(B) the Environmental Studies Program Information System;
(C) Regional Ocean Partnerships; and
(D) the Integrated Ocean observing System.
(b) ELEMENTS OF DOCUMENT SYSTEM.—The systems established or designated under subsection (b)(5) may include the following:
(1) National Oceanic and Atmospheric Administration.
(2) Geospatial data, if any, contained in the documents under paragraph (1).
(3) A mechanism to retrieve information through geo-information tools that can map and integrate relevant geospatial information, such as—
(A) Ocean Report Tools;
(B) the Environmental Studies Program Information System;
(C) Regional Ocean Partnerships; and
(D) the Integrated Ocean observing System.
plan for an integrated cross-sectoral ocean mapping, exploration, and characterization initiative.

(2) ELEMENTS.—The plan required by paragraph (1) shall—

(A) discuss the utility and benefits of ocean exploration and characterization;

(B) identify and describe national ocean mapping, exploration, and characterization priorities;

(C) identify and describe Federal and federally funded ocean mapping, exploration, and characterization programs;

(D) facilitate and incorporate non-Federal input into national ocean mapping, exploration, and characterization priorities;

(E) coordinate ocean mapping, exploration, and characterization activities among programs described in subparagraph (C);

(F) identify opportunities for combining overlapping or complementary needs, activities, and resources of Federal agencies and non-Federal organizations relating to ocean mapping, exploration, and characterization while not reducing benefits from existing mapping, explorations, and characterization activities;

(G) promote new and existing partnerships among Federal and State agencies, Indian Tribes, private industry, academia, and non-governmental organizations to conduct or support ocean mapping, exploration, and characterization initiatives and to meet the priority development needs, including through coordination under section 3 of the Commercial Engagement through Ocean Technology Act of 2018 (33 U.S.C. 1192) and the National Oceanographic Partnership Program under section 8931 of title 10, United States Code;

(H) develop a transparent and sustained mechanism for non-Federal partnerships and stakeholder engagement in strategic planning and mission execution to be implemented not later than December 31, 2023;

(I) establish standardized collection and data management protocols, such as with respect to metadata, for ocean mapping, exploration, and characterization with appropriate safeguards on the public accessibility of data to protect national security equities;

(J) encourage the development, testing, demonstration, and adoption of innovative ocean mapping, exploration, and characterization technologies and applications;

(K) promote protocols for accepting data, equipment, and other resources that support national ocean mapping, exploration, and characterization priorities;

(L) identify best practices for the protection of personal information during mapping, exploration, and characterization activities;

(M) identify training, technology, and other resource requirements for enabling the National Oceanic and Atmospheric Administration and other appropriate Federal agencies to support a coordinated national ocean mapping, exploration, and characterization effort;

(N) identify and facilitate a centralized mechanism or office for coordinating data collection, compilation, processing, archiving, and dissemination activities relating to ocean mapping, exploration, and characterization that meets Federal mandates for data accuracy and accessibility;

(O) establish repositories responsible for archiving and managing ocean mapping, exploration, and characterization data;

(P) set forth a timetable and estimated costs for implementation and completion of the plan;

(Q) to the extent practicable, align ocean exploration and characterization efforts with existing efforts; and

(R) identify criteria for determining the optimal frequency of observations.

(b) REQUIREMENTS.—The plan required by paragraph (1) shall—

(1) meet the following:

(i) progress made toward meeting the national priorities described in subsection (i)(2)(B); and

(ii) recommendations for meeting such priorities, such as additional authorities that may be needed to develop a mechanism for non-Federal partnerships and stakeholder engagement under section 12002(b)(1);

(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term "appropriate committees of Congress" means—

(A) the Committee on Commerce, Science, and Transportation and the Committee on Armed Services of the Senate; and

(B) the Committee on Natural Resources, the Committee on Science, Space, and Technology, and the Committee on Armed Services of the House of Representatives.

SEC. 5406. IDENTIFICATIONS TO THE OCEAN EXPLORATION PROGRAM OF THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.

(a) PURPOSE.—Section 12001 of the Omnibus Public Land Management Act of 2009 (33 U.S.C. 3401) is amended by striking "and the national" and inserting "the national".

(b) PROGRAM ESTABLISHED.—Section 12002 of such Act (33 U.S.C. 3402) is amended—

(1) in the first sentence, by striking "and undersea" and inserting "undersea"; and

(2) in the second sentence, by striking "and undersea research and exploration" and inserting "research and ocean exploration and characterization efforts".

(c) POWERS AND DUTIES OF THE ADMINISTRATOR.—The Administrator of the National Oceanic and Atmospheric Administration may—

(1) in general,—

(A) promote and encourage the development, testing, deployment, and adoption of innovative ocean mapping, exploration, and characterization initiatives.

(B) educate the general public, teachers, students, and ocean and coastal resource managers; and

(C) conduct education and outreach efforts in order to broadly disseminate information to the public on the discoveries made by the program under section 12002; and


(d) REPEAL OF OCEAN EXPLORATION AND UNDERSEA RESEARCH TECHNOLOGY AND INFRASTRUCTURE ACT.—Section 12004 of such Act (33 U.S.C. 3404) is repealed.

(e) EDUCATION, WORKFORCE TRAINING, AND OUTREACH.—In general,—

(1) such Act is further amended by inserting after section 12003 the following new section 12004:

"SEC. 12004. EDUCATION, WORKFORCE TRAINING, AND OUTREACH.

(a) IN GENERAL.—The Administrator of the National Oceanic and Atmospheric Administration shall—

(i) conduct education and outreach efforts to encourage development of related science, technology, engineering, and mathematics (STEM) technical training programs involving secondary schools, community colleges, and universities, including Historically Black Colleges or Universities (within the meaning of the Higher Education Act of 1965 (20 U.S.C. 1001)) and Tribal Colleges or Universities (as defined in section 316(b) of such Act (20 U.S.C. 1067q(a))), and other minority-serving institutions (as described in section 371(a) of such Act (20 U.S.C. 1067q(a))),

(ii) in coordination with the National Oceanic and Atmospheric Administration Act of 1998 (33 U.S.C. 2010), and the National Ocean Exploration Act, the Administrator of the National Oceanic and Atmospheric Administration shall develop an outreach strategy to help disseminate information on the discoveries made by the program under section 12002.

(b) EDUCATION AND OUTREACH EFFORTS.—Efforts described in subsection (a)(1) may include—

(i) education of the general public, teachers, students, and ocean and coastal resource managers; and

(ii) workforce training, reskilling, and opportunities to encourage development of ocean related science, technology, engineering, and mathematics (STEM) technical training programs involving secondary schools, community colleges, and universities, including Historically Black Colleges or Universities (within the meaning of the Higher Education Act of 1965 (20 U.S.C. 1001)), Tribal Colleges or Universities (as defined in section 316(b) of such Act (20 U.S.C. 1067q(a))), and other minority-serving institutions (as described in section 371(a) of such Act (20 U.S.C. 1067q(a))),

(c) OUTREACH STRATEGY.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the National Oceanic and Atmospheric Administration shall develop an outreach strategy to help disseminate information on the discoveries made by the program under section 12002.

(2) CLERICAL AMENDMENT.—The table of contents in section 11 of the Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 991) is amended by...
striking the item relating to section 12004 and inserting the following:

"Sec. 12004. Education, workforce training, and outreach.

(f) OCEAN AND COASTAL MAPPING INTEGRATION ACT.—

(1) ESTABLISHMENT.—Section 12005(a)(1) of such Act (33 U.S.C. 3505(1)) is amended by inserting "and the National Ocean Mapping, Exploration, and Characterization Council established under section 5405 of the National Ocean Exploration Act" after "the Administrator".

(2) TECHNICAL AMENDMENT.—Section 12005(c) of such Act (33 U.S.C. 3505(c)) is amended by inserting "this" before "part".

(3) AUTHORIZATION OF APPROPRIATIONS.—Section 12006 of such Act (33 U.S.C. 3506) is amended by striking subsection (a) and inserting "this" before "part".

(4) LOCATION AND COASTAL MAPPING ACT (33 U.S.C. 3421 et seq.) is repealed.

(g) AUTHORIZATION OF APPROPRIATIONS.—Section 12203 of such Act (33 U.S.C. 3506) is amended by striking subsection (b) and inserting "this" after "part".

(h) DEFINITIONS.—Such Act is further amended by inserting after section 12006 the following:

"SEC. 12007. DEFINITIONS.

"In this part:"

"(1) CHARACTERIZATION.—The terms "characterization", "characterize", and "characterizing" refer to activities that provide comprehensive interpretation of a specific area of interest of the seafloor, sub-bottom, water column, or hydrologic features, such as water masses and currents, in direct support of research and insertion of "this" before "part".

"(2) EXPLORATION.—The term "exploration", "explore", and "exploring" refer to activities that provide—

"(A) a multidisciplinary view of an unknown or poorly understood area of the seafloor or water column; and

"(B) an initial assessment of the physical, chemical, geological, biological, archaeological, or other characteristics of such an area.

"(3) MAPPING.—The terms "map" and "mapping" refer to activities that provide comprehensive data and information needed to understand seafloor characteristics, such as depth, topography, bottom type, sediment composition and distribution, underlying geologic structure, and benthic flora and fauna.

(i) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Omnibus Public Land Management Act of 2009 (Public Law 111–11) is amended by inserting after the item relating to section 12006 the following:

"Sec. 12009. Definitions.

SEC. 5407. REPEAL.

(a) IN GENERAL.—The NOAA Undersea Research Program Act of 2009 (part II of subtitle A of title XII of Public Law 111–11; 33 U.S.C. 3421 et seq.) is repealed.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 991) is amended by striking section 12006 relating to part II of subtitle A of title XII of such Act.

SEC. 5408. MODIFICATIONS TO OCEAN AND COASTAL MAPPING PROGRAM OF THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.

(a) ESTABLISHMENT OF PROGRAM.—

(1) IN GENERAL.—Section 12203(a) of the Ocean and Coastal Mapping Integration Act (33 U.S.C. 3501(a)) is amended—

(A) by striking "establish a program to develop acoastal and oceanic capability to establish and maintain a program to coordinate";

(B) by striking "plan and inserting "efforts";

(C) by striking "that enhances" and all that follows and inserting "that—";

"(1) enhances ecosystem approaches in decision-making for natural resource and habitat management restoration and conservation, emergency response, and coastal resilience and adaptation; and

"(2) establishes research and mapping priorities;

"(3) supports the siting of research and other platforms; and

"(4) advances ocean and coastal science.

(b) MEMBERSHIP.—Section 12202 of such Act (33 U.S.C. 3501) is amended by striking subsection (a) and redesignating subsection (c) as subsection (b).

(c) PROGRAM PARAMETER.—Subsection (b) of section 12202 of such Act (33 U.S.C. 3501), as redesignated by paragraph (2), is amended—

(A) in the matter preceding paragraph (1), by striking "and developing" and inserting "maintaining";

(B) in paragraph (2), by inserting "and for leveraging existing Federal geospatial services and capacities and vehicle for efficiencies" after "coastal mapping";

(C) in paragraph (7), by striking "with coastal and state and local government programs" and inserting "with maps, in conjunction with Federal and State agencies, Tribal governments, private industry, academia, and nongovernmental organizations"

(D) in paragraph (8), by striking "of real-time tide data and the development" and inserting "of tide data and water-level data and the development"

(E) in paragraph (9), by striking "; and" and inserting a semicolon;

(F) in paragraph (10), by striking the period at the end and inserting "; and"; and

(G) by adding at the end the following:

"(1) support—

"(A) the Ocean Science and Technology Subcommittee of the Ocean Policy Council established under section 8932(c) of title 10, United States Code; and

"(B) the National Ocean Mapping, Exploration, and Characterization Council established under section 5405 of the National Ocean Exploration Act;

"(i) INTERAGENCY WORKING GROUP ON OCEAN AND COASTAL MAPPING.—

(1) NAME CHANGE.—The Ocean and Coastal Mapping Integration Act (33 U.S.C. 3501 et seq.) is amended—

(A) in section 12202 (33 U.S.C. 3501) —

(i) in subsection (a), by striking "Interagency Ocean and Coastal Mapping" and inserting "Interagency Working Group on Ocean and Coastal Mapping under section 12203"; and

(ii) in subsection (b), as redesignated by paragraph (2), by striking "committee" and inserting "Working Group";

(B) in section 12203 (33 U.S.C. 3502) —

(i) in the first sentence, by striking "committee" and inserting "Working Group";

(ii) in subsection (b), in the first sentence, by striking "committee" and inserting "Working Group";

(iii) in subsection (e), by striking "committee" and inserting "Working Group"; and

(iv) in subsection (f), by striking "committee" and inserting "Working Group";

(C) in section 12208 (33 U.S.C. 3507), by amending paragraph (3) to read as follows:

"(3) WORKING GROUP.—The term "Working Group" means the Interagency Working Group on Ocean and Coastal Mapping under section 12203.

(d) MEMBERSHIP.—Section 12203(a) of such Act (33 U.S.C. 3502(a)) is amended by striking "within 30 days" and all that follows and inserting "not later than 30 days after the date of enactment of this Act".

(e) SUPPORT FUNCTIONS.—The Working Group shall maintain a program to coordinate, synchronize, and align data, maps, and models of the National Ocean Exploration Act and the Ocean Science and Technology Subcommittee of the Ocean Policy Council established under section 8932(c) of title 10, United States Code, on ocean mapping activities and associated technology development across the Federal Government, State governments, coastal Indian Tribes, private industry, nongovernmental organizations, and academia.

(f) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 991) is amended by striking the item relating to section 12203 and inserting the following:

"Sec. 12203. Interagency working group on ocean and coastal mapping.

(g) BIENNIAL REPORTS.—Section 12204 of such Act (33 U.S.C. 3502) is amended by striking section (e) and inserting the following:

"(1) in the matter preceding paragraph (1), by striking "No later" and all that follows and inserting "Not later than 18 months after the date of the enactment of the National Ocean
Exploration Act, and biennially thereafter until 2040, the co-chairs of the Working Group, in coordination with the National Ocean Mapping, Exploration, and Characterization Act (33 U.S.C. 5304), and as provided in section 5409 of such Act, shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Energy and Natural Resources the Senate, and the Committee on Natural Resources and the Committee on Science, Space, and Technology of the House of Representatives;";
(2) by inserting "section 12205(c)", including the data maintained by the National Centers for Environmental Information of the National Oceanic and Atmospheric Administration, and the National Oceanic and Atmospheric Administration's mapping and other services and data, and that were administered under subsection (a) of such Act, as redesignated by subsection (e)(1), is amended—
(1) in paragraph (1), by striking subsections 12206, 12207, 12208, and 12210, respectively; and
(2) by inserting after section 12205 the following:
"SEC. 12206. OCEAN AND COASTAL MAPPING FEDERAL FUNDING OPPORTUNITY.
"(a) In General.—Not later than one year after the date of the enactment of the National Ocean Exploration Act, the Administrator shall develop an integrated ocean and coastal mapping Federal funding match opportunity, to be known as the 'National Ocean Mapping Fund' in memory of Rear Admiral Richard T. Brennan, within the National Oceanic and Atmospheric Administration with Federal, tribal, non-profit, private industry, or academic partners in order to increase the coordinated acquisition, processing, stewardship, and archival of new ocean and coastal mapping data in United States waters.
"(b) Rules.—The Administrator shall develop administrative and procedural rules for the Federal funding match opportunity developed under subsection (a), to include—
"(1) specific and well-defined criteria that must be addressed by an applicant, such as geographic overlap with pre-established priorities, number and type of project partners, benefit to the public, and other funding opportunities, and benefit to the public;
"(2) determination of the appropriate funding match amounts and mechanisms to use, such as grants, agreements, or contracts; and
"(3) other funding award criteria as are necessary or appropriate to ensure that evaluations of applications to award Federal funding under this section are based on objective standards applied fairly and equitably to those proposals.
"(c) FEDERAL SERVICES AND CONTRACT VEHICLES.—The ocean and coastal mapping Federal funding match opportunity developed under subsection (a) shall leverage Federal expertise and capacities for geospatial services and Federal geospatial contract vehicles using the private sector for acquisition efficiency.
"SEC. 12207. AGREEMENTS AND FINANCIAL ASSISTANCE.
"(a) AGREEMENTS.—The head of a Federal agency that is represented on the Interagency Committee on Ocean and Coastal Mapping may enter into agreements with any other agency that is so represented to provide, on a reimbursable or nonreimbursable basis, facilities, equipment, services, personnel, and other support services to carry out the purposes of this subtitle.
"(b) FINANCIAL ASSISTANCE.—The Administrator may make financial assistance awards (grants of cooperative agreements) to any State or subdivision thereof or any public or private organization or individual to carry out the purposes of this subtitle.
"(c) AUTHORIZATION OF APPROPRIATIONS.—The Administrator may use funds available in Federal government accounts for the purposes described in this section.
"(d) AUTHORIZATION OF APPROPRIATIONS.—Section 309(a) of such Act (33 U.S.C. 892c(a)) is amended by striking "product produced" and inserting "product or service produced or disseminated".
"SEC. 12208. HYDROGRAPHIC SERVICES IMPROVEMENT ACT OF 1998.
"(b) FUNCTIONS OF THE ADMINISTRATOR.—Section 303(b) of such Act (33 U.S.C. 892b(b)) is amended—
(1) in the matter preceding paragraph (1), by inserting "precision navigation," after "promote"; and
(2) in paragraph (2), by inserting "and hydrodynamic forecast models" after "monitoringsystems";
"SEC. 12209. MODIFICATIONS TO HYDROGRAPHIC SERVICES IMPROVEMENT ACT OF 1998.
"(a) MODIFICATIONS.—Section 304(a) of such Act (33 U.S.C. 892c(a)) is amended—
(1) in paragraph (1), by striking "$70,814,000" and inserting "$71,000,000"; and
(2) in paragraph (2), by striking "$25,000,000" and inserting "$45,000,000".
"(b) AUTHORIZATION OF APPROPRIATIONS.—Section 305(a) of such Act (33 U.S.C. 892d(a)) is amended by striking "product produced" and inserting "product or service produced or disseminated".
"SEC. 12210. COASTAL INDIAN TRIBE.—Section 12210 of such Act, as redesignated by subsection (e)(1), is amended by adding at the end the following:
"(9) COASTAL INDIAN TRIBE.—The term 'coastal Indian Tribe' means an 'Indian tribe' as defined in section 5 of the Self-Determination and Education Assistance Act (25 U.S.C. 5304), the land of which is located in a coastal state.
"SEC. 12211. DEFINITIONS.—The table of contents in section 1(b) of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 91) is amended by striking the matter preceding the title "Ocean and coastal mapping Federal funding opportunity.
and inserting "$38,000,000 for each of fiscal years 2023 through 2026;" (4) in paragraph (4), by striking "$26,800,000 for each of fiscal years 2019 through 2023;" and (5) in paragraph (5), by striking "$38,564,000 for each of fiscal years 2019 through 2023;" and

(b) in paragraph (5)".

TITLE LV—MARINE MAMMAL RESEARCH AND RESPONSE

SEC. 5501. SHORT TITLE.

This title may be cited as the "Marine Mammal Research and Response Act of 2022." "Stranding or entanglement response agreements.

SEC. 5502. DATA COLLECTION AND DISSEMINATION.

Section 402 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1421a) is amended—

(1) IN GENERAL.—The Secretary shall develop a program to make information, including any data and metadata collected under paragraphs (3) or (4) of section 402(b) or subsection (c), available to researchers, stranding network participants, and the public—

(A) to improve real-time coordination of response to stranding and entanglement events across geographic areas and between stranding coordinators;

(B) to identify and quickly disseminate information about potential public health risks;

(C) to facilitate integrated interdisciplinary research;

(D) to facilitate peer-reviewed publications.

(2) STRANDING AND ENTANGLEMENT NETWORK.—

(A) IN GENERAL.—For each unusual mortality event, the Secretary shall establish an online system for the purposes of efficient and timely submission of data described in paragraph (1).

(B) ONLINE DATA INPUT SYSTEM.—The Secretary, acting through the Under Secretary of Commerce for Oceans and Atmosphere, in consultation with the stranding network and the Office of Evaluation Sciences of the General Services Administration, shall establish an online system for the purposes of efficient and timely submission of data described in paragraph (1).

(1) Availability of data.—

(1) IN GENERAL.—The Secretary shall develop a program to make information, including any data and metadata collected under paragraphs (3) or (4) of subsection (b) or subsection (c), available to researchers, stranding network participants, and the public—

(A) on the stranding event, including the data and metadata collected; and

(B) supplemental data to the data described in subparagraph (A), which may in furtherance of the purposes of the program, include, as available, relevant information about—

(i) weather and tide conditions; and

(ii) offshore human, predator, or prey activities;

(iii) morphometrics;

(iv) behavior;

(v) health assessments;

(vi) life history samples; or

(vii) stomach and intestinal contents; and

(C) and data and information from the marine mammal stranding community, shall—

(1) make publicly available guidance about how to data and metadata to ensure that data collected in accordance with this section are archived in a form that is readily accessible and understandable to scientists through the Health MAP and the Observation System; and

(2) periodically update such guidance.

(2) MANAGEMENT POLICY.—In collaboration with the regional stranding networks, the Secretary shall develop, and periodically update, a data management and public outreach policy for stranding or entanglement events.

(3) AUTHORIZATION AGREEMENTS AND ACKNOWLEDGMENT POLICY.—The Secretary, acting through the Under Secretary of Commerce for Oceans and Atmosphere, shall include authorship agreements or other acknowledgment considerations under data made public by the public, as determined by the Secretary.

(b) SAVINGS CLAUSE.—The Secretary shall not require submission of research data that is not described in subsection (c)."

SEC. 5503. STRANDING OR ENTANGLEMENT RESPONSE AGREEMENTS.

(a) IN GENERAL.—Section 403 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1421b) is amended—

(1) in the section heading by inserting "OR ENTANGLEMENT" before "RESPONSE"; and

(2) in subsection (a), by striking the paragraph at the end and inserting "and/or "

and

(3) in subsection (b)—

(A) in paragraph (1), by striking "and" after the semicolon;

(B) in paragraph (2), by striking the paragraph at the end and inserting "and";

and

(C) by adding at the end the following:

(4) EXCEPTIONS.—

(A) to make advance, partial, or progress payments to claimants based on budgets approved by the Secretary prior to expenditure; and

(B) for reimbursing any stranding network participant for costs incurred in the collection, preparation, analysis, and transportation of marine mammal tissues and samples collected with respect to an unusual mortality event for the Tissue Bank; and

(C) for the care and maintenance of a marine mammal seized under section 404(c)(2) for re-release or public outreach.

(5) in paragraph (2), by striking "and" at the end; and

(B) by a stranding network participant that responded directly to a stranding or entanglement event and made data available to the Secretary under subsection (c), if the stranding network participant has completed a written realeasing that such data may be made publicly available.

(2) LAW ENFORCEMENT.—Notwithstanding paragraph (2), the Secretary may withhold data if longer period than the period of time described in paragraph (2) in event of a law enforcement action or legal action that may be related to that data.

(c) STANDARDS.—The Secretary, in consultation with the marine mammal stranding community, shall—

(1) make publicly available guidance about how to data and metadata to ensure that data collected in accordance with this section are archived in a form that is readily accessible and understandable to scientists through the Health MAP and the Observation System; and

(2) periodically update such guidance.

(b) Table of Contents Amendment.—The table of contents in the first section of the Marine Mammal Protection Act of 1972 (Public Law 92–522; 86 Stat. 1027) is amended by striking the item related to section 402 and inserting the following:

"Sec. 403. Stranding or entanglement response agreements."

SEC. 5504. UNUSUAL MORTALITY EVENT ACTIVITY FUNDING.

Section 405 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1421c) is amended—

(1) by striking subsection (b) and inserting the following:

(2) USES.—Amounts in the Fund—

(1) shall be available only for use by the Secretary, in consultation with the Secretary, for the following:

(2) in subsection (a), by striking the paragraph at the end and inserting "and/or "

and

(C) by adding at the end the following:

(3) in subsection (b)—

(A) in paragraph (1), by striking "and" after the semicolon; and

(B) by a stranding network participant that responded directly to a stranding or entanglement event and made data available to the Secretary under subsection (c), if the stranding network participant has completed a written releasing that such data may be made publicly available.

(2) LAW ENFORCEMENT.—Notwithstanding paragraph (2), the Secretary may withhold data if longer period than the period of time described in paragraph (2) in event of a law enforcement action or legal action that may be related to that data.

(c) STANDARDS.—The Secretary, in consultation with the marine mammal stranding community, shall—

(1) make publicly available guidance about how to data and metadata to ensure that data collected in accordance with this section are archived in a form that is readily accessible and understandable to scientists through the Health MAP and the Observation System; and

(2) periodically update such guidance.

(b) Table of Contents Amendment.—The table of contents in the first section of the Marine Mammal Protection Act of 1972 (Public Law 92–522; 86 Stat. 1027) is amended by striking the item related to section 403 and inserting the following:

"Sec. 403. Stranding or entanglement response agreements."
“(5) sums received from emergency declaration grants for marine mammal conservation.”

SEC. 5505. LIABILITY.

Section 406(b) of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1421a(a)) is amended, in the matter preceding paragraph (1), by—

(1) by inserting ‘‘or entanglement’’ after ‘‘to a stranding’’; and

(2) by striking ‘‘government’’ and inserting ‘‘Government’’.

SEC. 5506. NATIONAL MARINE MAMMAL TISSUE BANK AND TISSUE ANALYSIS.

Section 407 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1421f) is amended—

(1) in subsection (c)(2)(A), by striking ‘‘the health and’’ and inserting ‘‘marine mammal health and’’; and

(2) in subsection (f), by inserting ‘‘or, stranding network collaborators, as the Secretary determines to be appropriate, for the purposes described in paragraph (2)’’ before ‘‘access’’.

SEC. 5507. MARINE MAMMAL RESCUE AND RESPONSE GRANT PROGRAM AND RAPID RESPONSE FUND.

(a) In General.—Section 408 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1421f–1) is amended—

(1) by striking the section heading and inserting ‘‘MARINE MAMMAL RESCUE AND RESPONSE GRANT PROGRAM AND RAPID RESPONSE FUND’’;

(2) by striking subsections (a) through (d) and subsections (f) through (h); and

(3) by redesignating subsection (e) as subsection (f); and

(4) by inserting before subsection (f), as redesignated by paragraph (3), the following:

‘‘(a) Definitions.—In this section:

‘‘(1) Emergency assistance.—The term ‘emergency assistance’ means—

‘‘(i) financial assistance provided to respond to, or that results from, a stranding event or entanglement event that—

‘‘(I) causes an immediate increase in the cost of a response, recovery, or rehabilitation that is greater than the usual cost of a response, recovery, or rehabilitation;

‘‘(II) is cyclical or endemic; or

‘‘(III) involves a marine mammal that is out of the normal range for that marine mammal;

‘‘(ii) financial assistance provided to respond to, or that results from, a stranding event or entanglement event that—

‘‘(I) the applicable Secretary considers to be an emergency; or

‘‘(II) with the concurrence of the applicable Secretary, a State, territorial, or Tribal government considers to be an emergency.

‘‘(b) Exclusions.—The term ‘emergency assistance’ does not include financial assistance to respond to an unusual mortality event.

‘‘(c) Secretary.—The term ‘Secretary’ has the meaning given that term in section 3(12)(A).

‘‘(d) Stranding region.—The term ‘stranding region’ means a geographic region designated by the applicable Secretary for purposes of this grant program.

‘‘(b) John H. Prescott Marine Mammal Rescue and Response Grant Program.—

‘‘(1) In General.—Subject to the availability of funds, the applicable Secretary shall carry out a grant program, to be known as the ‘John H. Prescott Marine Mammal Rescue and Response Grant Program’ (referred to in this section as the ‘grant program’), to award grants to eligible stranding network participants or stranding network collaborators, as described in section 3(12)(A), for the purposes of this grant program.

‘‘(2) Purpose.—The purposes of the grant program are to provide for—

‘‘(A) the recovery, care, or treatment of sick, injured, or entangled marine mammals;

‘‘(B) responses to marine mammal stranding events that require emergency assistance;

‘‘(C) the collection of data and samples from living or dead stranded marine mammals for scientific research or assessments regarding marine mammal health;

‘‘(D) facility operating costs that are directly related to activities described in subparagraph (A), (B), or (C); and

‘‘(E) development of stranding network capacity, including training for emergency response, where facilities do not exist or are sparse.

‘‘(3) Contract, Grant, and Cooperative Agreement Authority.—

‘‘(A) In General.—The applicable Secretary may enter into a contract, grant, or cooperative agreement with any eligible stranding network participant or stranding network collaborator, as the Secretary determines to be appropriate, for the purposes described in paragraph (2).

‘‘(B) Emergency award flexibility.—Following a request for emergency award flexibility, the applicable Secretary may—

‘‘(i) amend any contract, grant, or cooperative agreement entered into under this paragraph, including provisions concerning the period of performance; or

‘‘(ii) waive any requirements under subsection (f) for grant applications submitted during the provision of emergency assistance.

‘‘(4) Equitable distribution of funds.—

‘‘(A) In general.—The Secretary shall ensure, to the extent practicable, that funds awarded under the grant program are distributed equitably among the stranding regions.

‘‘(B) Considerations.—In determining priorities among the stranding regions under this paragraph, the Secretary may consider—

‘‘(i) equitable distribution within the stranding regions, including the sub regions (including, but not limited to, the Gulf of Mexico);

‘‘(ii) any episodic stranding, entanglement, or mortality events, except for unusual mortality events, that are expected to occur in any stranding region in the preceding year;

‘‘(iii) any data with respect to annual stranding, entanglement, and mortality events per stranding region;

‘‘(iv) the size of the marine mammal populations inhabiting a stranding region;

‘‘(v) the importance of the region’s marine mammal populations to the well-being of indigenous communities; and

‘‘(vi) the conservation of protected, depleted, threatened, or endangered marine mammal species.

‘‘(C) Strandings.—For the purposes of this program, priority is to be given to applications focusing on marine mammal strandings.

‘‘(5) Application.—To be eligible for a grant under the grant program, a stranding network participant shall—

‘‘(A) submit an application in such form and manner as the applicable Secretary prescribes; and

‘‘(B) be in compliance with the data reporting requirements under section 402(d) and any applicable reporting requirements of the United States Fish and Wildlife Service for species jurisdictional to that Department’s jurisdiction, for the fiscal year, and bequests without any further approval or administrative action.’’

(b) Joseph R. Geraci Marine Mammal Rescue and Rapid Response Fund.—

‘‘(1) In General.—There is established in the Treasury of the United States an interest-bearing fund, to be known as the ‘Joseph R. Geraci Marine Mammal Rescue and Rapid Response Fund’ (referred to in this section as the ‘Rapid Response Fund’).

‘‘(2) Use of funds.—Amounts in the Rapid Response Fund shall be available only for use by the Secretary to provide emergency assistance.

‘‘(3) Authorization of Appropriations.—

‘‘(A) In general.—

‘‘(i) Authorization of Appropriations.—There is authorized to be appropriated to carry out the grant program $2,023,977 for each of fiscal years 2023 through 2028, to remain available until expended, of which for each fiscal year—

‘‘(I) $6,000,000 shall be made available to the Secretary of the Interior;

‘‘(ii) $1,000,000 shall be made available to the Secretary of the Navy;

‘‘(iii) $500,000 shall be made available to the Secretary of Agriculture; and

‘‘(B) Administrative Costs and Expenses.—The Secretary’s administrative costs and expenses related to reviewing and awarding grants under the grant program, in any fiscal year may not exceed the greater of—

‘‘(A) 6 percent of the amounts made available each fiscal year to carry out the grant program; or

‘‘(B) $80,000.

‘‘(9) Transparency.—The Secretary shall make publicly available a list of grant programs, priorities under the funded grants, and requests for grant flexibility under this subsection.

‘‘(c) Joseph R. Geraci Marine Mammal Research and Rapid Response Fund.—

‘‘(1) In General.—There is established in the Treasury of the United States an interest-bearing fund, to be known as the ‘Joseph R. Geraci Marine Mammal Research and Rapid Response Fund’ (referred to in this section as the ‘Rapid Response Fund’).

‘‘(2) Use of funds.—Amounts in the Rapid Response Fund shall be available only for use by the Secretary to provide emergency assistance.

‘‘(3) Authorization of Appropriations.—

‘‘(A) In general.—

‘‘(i) Authorization of Appropriations.—There is authorized to be appropriated to carry out the grant program $7,000,000 for each of fiscal years 2023 through 2028, to remain available until expended, of which for each fiscal year—

‘‘(I) $6,000,000 shall be made available to the Secretary of the Interior;

‘‘(II) $1,000,000 shall be made available to the Secretary of the Navy;

‘‘(III) $500,000 shall be made available to the Secretary of Agriculture; and

‘‘(IV) $500,000 shall be made available to the Secretary of Commerce; and

‘‘(ii) $1,000,000 shall be made available to the Secretary of the Interior.

‘‘(d) Derivation of Funds.—Funds to carry out the activities under this section shall be derived from amounts authorized to be appropriated pursuant to paragraph (3) of subsection (a) that are enacted as a part of the annual appropriation of the Marine Mammal Research and Response Act of 2022.

‘‘(e) Acceptance of Donations.—For the purposes of carrying out this section, the Secretary may solicit, accept, receive, hold, administer, and use funds provided by bequests or donations without any further approval or administrative action.’’

(c) General Exemptions.—Section 408 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1421f–1), as amended by subsection (a), is further amended in subsection (1), as redesignated by subsection (a)(3)—

(1) in paragraph (1)—

(A) by striking ‘‘the costs of an activity conducted with a grant under this section shall’’ and inserting ‘‘the costs of an activity conducted with funds awarded under the grant program under this section shall’’; and

(B) by striking ‘‘such costs’’ and inserting ‘‘such project’’; and

(2) in paragraph (2)—
(A) by striking “an activity” and inserting “a project”; and
(B) by striking “the activity” and inserting “the project.”
(c) TAKING OF CONTENTS AMENDMENT.—The table of contents in the first section of the Marine Mammal Protection Act of 1972 (Public Law 92–522; 86 Stat. 1027) (as amended by section 5007(b) of the Energy Policy Act of 2005) and section 408 of this Act shall be amended by striking the item related to section 408 and inserting the following:

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Sec. 408. Marine Mammal Rescue and Response Grant Program and Rapid Response Fund.
SEC. 5508. HEALTH MAP.
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(a) In General.—Title IV of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 et seq.) is amended by striking after section 408 the following:

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SEC. 408A. MARINE MAMMAL HEALTH MONITORING AND ANALYSIS PLATFORM (HEALTH MAP).

(1) purposes.—The purposes of the Marine Mammal Health Monitoring and Analysis Platform (Health Map) are—
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(b) In General.—Not later than 1 year after the date of enactment of the Marine Mammal Research and Response Act of 2022, the Secretary, acting through the Administrator of the National Oceanic and Atmospheric Administration, in consultation with the Secretary of the Interior and the Marine Mammal Commission, shall—

(1) establish a marine mammal health monitoring and analysis platform (referred to in this Act as the ‘‘Health Map’’);

(2) incorporate the Health Map into the Observation System; and

(3) make the Health Map—

(A) publicly accessible through the web portal of the Observation System; and

(B) interoperable with other national data systems or other data systems for management or research purposes, as practicable.

(b) Purposes.—The purposes of the Health Map are—

(1) to enhance data and information sharing among marine mammal and larger ecosystem health events; and

(2) to foster collaboration and coordination of marine mammal and larger ecosystem health impacts.

SEC. 5509. REPORTS TO CONGRESS.

(a) In General.—Title IV of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 et seq.) is amended by striking after section 5007(b) of the Energy Policy Act of 2005 the following:

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SEC. 408A. Marine Mammal Health Monitoring and Analysis Platform (Health Map).
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(b) Health Map Status Report.—The Secretary shall establish and implement policies, protocols, and standards for—

(1) reporting marine mammal health data collected by stranding networks consistent with subsections (c) and (d) of section 402;

(2) promptly transmitting health data from the stranding networks and other appropriate data providers to the Health Map;

(3) disseminating and making publicly available data on marine mammal health, stranding, entanglement, and mortality data in a timely and consistent manner; and

(4) developing and maintaining a national marine mammal health data repository.

(c) Data Gap Analysis.—For purposes of carrying out this section, the Secretary may solicit, accept, receive, hold, administer, and use gifts, devises, and bequests without any further approval or administrative action.

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(Sec. 408A. Marine Mammal Health Monitoring and Analysis Platform (Health Map).

(1) PURPOSES.—The purposes of the Health Map are—

(A) to enhance data and information sharing among marine mammal and larger ecosystem health events; and

(B) to foster collaboration and coordination of marine mammal and larger ecosystem health impacts.

(2) REQUIREMENTS.—The Health Map shall—

(A) integrate in situ, remote, and other marine mammal health, stranding, and mortality data, including visualizations and metadata, from marine mammal stranding networks, Federal, State, local, and Tribal governments, private partners, and academia; and

(B) provide a brief overview of the data gap analysis.

(3) REQUIREMENTS.—The report under paragraph (1) shall include—

(A) a detailed evaluation of the data gap analysis, including data sharing among marine mammal and larger ecosystem health events; and

(B) a detailed list of any gaps in data collected pursuant to the Health Map, a description of the reasons for those gaps, and recommended actions to close those gaps.

(4) an analysis of the effectiveness of the website of the Observation System and the Health Map in fulfilling its mission; and

(5) any other strategies that would contribute to the effectiveness and usefulness of the Health Map and

(6) recommendations for the Health Map with respect to—

(i) filling any identified data gaps;

(ii) improving the quality and accessibility of the Health Map.

(4) Other Reports.—The Secretary shall—

(A) make publicly available a report on the data gap analysis described in paragraph (2); and

(B) provide a brief overview of the appropriate committees of Congress concerning that data gap analysis.

(2) REQUIREMENTS.—The data gap analysis under paragraph (1) shall include—

(A) an overview of existing participants within the stranding network; and

(B) an identification of coverage needs and participant gaps within a network.

(3) Identification of data and reporting gaps from members of a network; and

(D) an analysis of how stranding and health data are shared and made available to scientists, academics, States, local, and Tribal governments, and the public.

(D) Marine Mammal Response Capabilities in the Arctic.—In General.—Not later than 1 year after the date of enactment of the Marine Mammal Research and Response Act of 2022, the Administrator of the National Oceanic and Atmospheric Administration, the Director of the United States Fish and Wildlife Service, and the Director of the United States Geological Survey, in consultation with the Marine Mammal Commission, shall—

(A) make publicly available a report describing the response capabilities for sick and injured marine mammals in the Arctic region; and

(B) provide a brief overview of the appropriate committees of Congress concerning that report.

(2) Arctic.—The term ‘‘Arctic’’ has the meaning given the term of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111).
"(3) REQUIREMENTS.—The report under paragraph (1) shall include—

(A) a description, developed in consultation with the Fish and Wildlife Service of the Department of the Interior, of all marine mammal stranding agreements in place for the Arctic region of the United States, including species covered, response capabilities, equipment, and data collection and analysis capabilities;

(B) a list of State and local government agencies that have personnel trained to respond specifically to marine mammal strandings in the Arctic region of the United States;

(C) an assessment of potential response and data collection partners and sources of local knowledge, including Alaska Native people and villages;

(D) an analysis of spatial and temporal trends in marine mammal strandings and unusual mortality events that are correlated with changing environmental conditions in the Arctic region of the United States;

(E) a description of training and other resource needs to meet emerging response requirements in the Arctic region of the United States;

(F) an analysis of oiled marine mammal response capability, including identification of capabilities in the Arctic region of the United States, including personnel, equipment, facilities, training, and husbandry capabilities, and an assessment of factors that affect response and rehabilitation success rates; and

(G) recommendations to address future stranding response needs for marine mammals in the Arctic region of the United States.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents for the first section of the Marine Mammal Protection Act of 1972 (Public Law 92–522; 86 Stat. 1027) (as amended by section 508(b)) is amended by inserting after the item related to section 408A the following:

'Sec. 408B. Reports to Congress.''

SEC. 5510. AUTHORIZATION OF APPROPRIATIONS.

Section 409 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1211g) is amended—

(1) in paragraph (1), by striking "1993 and 1994:" and inserting "2023 through 2028;";

(2) in paragraph (2), by striking "1993 and 1994:" and inserting "2023 through 2028;"; and

(3) in paragraph (3), by striking "fiscal year 1993," and inserting "for each of fiscal years 2023 through 2028.

SEC. 5511. DEFINITIONS.

(a) DEFINITIONS.—Subsection (a) of section 408, the term 'Marine Mammal Health Monitoring and Analysis Platform established under section 12304 of the Integrated Coastal and Ocean Observation System Act of 2009 (33 U.S.C. 3603).'

(b) R ESEARCH.—The Undersecretary of Commerce for Oceans and Atmosphere, in consultation with the Secretary of the Interior and the Marine Mammal Commission, shall prepare, post to a publicly available website, and brief the appropriate committees of Congress on a report containing the results of the study described in subsection (a). The report shall identify priority research activities, opportunities for collaboration, and current gaps in effort and resource limitations related to advancing scientific understanding of marine mammal disease, harmful algal blooms, prey availability, and habitat degradation, and the impacts of these conditions on marine mammal mortality.

(c) WRITING.-The Undersecretary of Commerce for Oceans and Atmosphere, in consultation with the Secretary of the Interior and the Marine Mammal Commission, shall report to the Secretaries of the Interior, of all marine mammal stranding agreements in place for the Arctic region of the United States, including species covered, response capabilities, equipment, and data collection and analysis capabilities;

(d) MANAGEMENT.—Subsection (b)(3) of such section is amended—

(1) in subparagraph (A), by adding at the end the following:

"(iii) UPDATE.—

"(I) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION COST ESTIMATES.—The Secretary of Commerce shall submit to the Secretary annual cost estimates for modernization activities and support of the System for the National Oceanic and Atmospheric Administration.

"(II) UPDATE OF MANAGEMENT PLAN.—The Secretary shall update the management plan submitted under clause (i) to include the cost estimates submitted under subclause (I)."; and

(2) by adding at the end the following:

"(E) COLLABORATION.—The Secretary of Commerce shall collaborate with the Secretary to implement activities carried out under this section related to the expertise of the National Oceanic and Atmospheric Administration, including observations and modeling of emissions of gases, aerosols, ash, atmospheric dynamics and chemistry, and ocean chemistry resulting from volcanic eruptions.

SEC. 5601. SHORT TITLE.

This title may be cited as the ‘Volcanic Ash and Fuaxes Act of 2023.'

SEC. 5602. MODIFICATIONS TO NATIONAL VOLCANIC ASH ADVISORY CENTER AND MONITORING SYSTEM.

(a) DEFINITIONS.—Subsection (a) of section 5001 of the John D. Dingell, Jr. Conservation, Management, and Recreation Act (43 U.S.C. 31k) is amended—

(1) by redesignating paragraph (2) as paragraph (3);

(2) by inserting after paragraph (1) the following:

"(2) SECRETARY OF COMMERCE.—The term 'Secretary of Commerce' means the Secretary of Commerce, acting through the Under Secretary of Commerce for Oceans and Atmosphere.

(b) AUTHORIZATION OF APPROPRIATIONS, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION COST ESTIMATES.—The Secretary shall collaborate with the Secretary to implement activities carried out under this section related to the expertise of the National Oceanic and Atmospheric Administration, including observations and modeling of emissions of gases, aerosols, ash, atmospheric dynamics and chemistry, and ocean chemistry resulting from volcanic eruptions.

(c) FUNDING.—Subsection (c) of such section is amended—

(1) in paragraph (1)—

(A) in the paragraph heading, by inserting "United States Geological Survey" after "appropriations"; and

(B) by inserting "to the United States Geological Survey" after "appropriated";

(2) by redesignating paragraph 2 as paragraph 3;

(3) by inserting after paragraph (1) the following:

"(2) AUTHORIZATION OF APPROPRIATIONS, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.—There is authorized to be appropriated to the National Oceanic and Atmospheric Administration to carry out this section such sums as may be necessary for the period of fiscal years 2023 through 2024;";

(4) in paragraph (3), as redesignated by paragraph (2)—

(A) by striking "United States Geological Survey"; and

(B) by inserting "of the United States Geological Survey and the National Oceanic and Atmospheric Administration" after "programs";

(5) IMPLEMENTATION PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Commerce, in consultation with the Secretary of the Interior, shall develop a plan to implement the amendments made by this Act during the 5-year period beginning on the date on which the plan is developed.

(2) ELEMENTS.—The plan developed under paragraph (1) shall include an estimate of the cost and schedule required for the implementation described in such paragraph.

(3) PUBLIC AVAILABILITY.—Upon completion of the plan developed under paragraph (1), the Secretary of Commerce shall make the plan publicly available.
TITLe LVII—WILDFIRE AND FIRE WEATHER PREPAREDNESS

SEC. 5701. SHORT TITLE. This title may be cited as the "Fire Ready Nation Act of 2022.

SEC. 5702. DEFINITIONS. In this title:

(1) ADMINISTRATION.—The term "administration" means the National Oceanic and Atmospheric Administration.

(2) APPROPRIATE COMMITTEES OF CONGRESS.—The term "appropriate committees of Congress" means—

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

(B) the Committee on Science, Space, and Technology of the House of Representatives.

(3) EXCLUSION.—The term "Earth system model" means a mathematical model containing all relevant components of the Earth, namely the atmosphere, oceans, land, cryosphere, and biosphere.

(4) FIRE ENVIRONMENT.—The term "fire environment" means—

(A) the environmental conditions, such as soil moisture, vegetation, topography, snowpack, atmospheric temperature, moisture, and wind, that influence—

(i) fuel and fire behavior; and

(ii) smoke dispersion and transport; and

(B) the associated environmental impacts occurring downstream of fuel exposure to fire.

(5) FIRE WEATHER.—The term "fire weather" means the weather conditions that influence the start, spread, character, or behavior of wildfires or fires at the wildland-urban interface and relevant meteorological and chemical phenomena, including air quality, smoke, and meteorological parameters such as relative humidity, air temperature, wind speed and direction, and atmospheric composition and chemistry, including emissions and mixing heights.

(6) IMPACT-BASED DECISION SUPPORT SERVICES.—The term "impact-based decision support services" means forecast advice and interpretative services the Administration provides to help core partners, such as emergency personnel and public safety officials, make decisions when weather, water, and climate impact the lives and livelihoods of the people of the United States.

(7) SEASONAL.—The term "seasonal" has the meaning given that term in section 2 of the Weather Research and Forecasting Innovation Act of 2017 (15 U.S.C. 8501).

(8) SECRETARY.—The term "Secretary" means the Secretary of Commerce.

(9) SMOKE.—The term "smoke" means emissions of the gas and particles released into the air as a result of combustion.

(10) STATE.—The term "State" means a State of the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the United State Virgin Islands, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, or the Republic of Palau.

(11) SUBSEASONAL.—The term "subseasonal" has the meaning given that term in section 2 of the Weather Research and Forecasting Innovation Act of 2017 (15 U.S.C. 8501).

(12) TRIBAL GOVERNMENT.—The term "tribal government" means the recognized governing body of any Indian or Alaska Native tribe, band, nation, pueblo, village, community, or band, or component reservation, individually identified (including parenthetically) in the list published most recently as of the date of enactment of this Act pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131).

(13) UNDER SECRETARY.—The term "Under Secretary" means the Under Secretary of Commerce for Oceans and Atmosphere.

(14) WEATHER ENTERPRISE.—The term "weather enterprise" has the meaning given that term in section 2 of the Weather Research and Forecasting Innovation Act of 2017 (15 U.S.C. 8501).

(15) WILDLAND-URBAN INTERFACE.—The term "wildland-urban interface" means any non-structure fire that occurs in vegetation or natural fuels, originating from an uncontrolled ignition.

(16) WILDFIRE.—The term "wildfire" means the weather conditions that influence—

(A) are capable of prediction and forecasting across relevant spatial and temporal timescales;

(B) include variables associated with fire weather, air quality from smoke, and the fire environment;
(9) provide comprehensive training to ensure staff of the program established under subsection (a) are properly equipped to deliver the impact-based decision support products and services described in paragraphs (1) through (8); and

(10) acquire through contracted purchase private sector-produced observational data to fill identified gaps, as needed.

(e) GRANT AMOUNTS.—

(1) COLLABORATION.—The Under Secretary shall, as the Under Secretary considers appropriate, collaborate and consult with partners in the weather and climate enterprises, academic institutions, States, Tribal governments, local partners, and Federal agencies, including land and fire management agencies, in the design and implementation of the program established under subsection (a).

(2) AGREEMENTS.—The Under Secretary may enter into agreements in support of the functions described in subsection (b), the priorities described in subsection (c), the activities described in subsection (d), and activities carried out under section 5708.

(f) PROGRAM ADMINISTRATION PLAN.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary shall submit to the appropriate committees of Congress a plan that details how the program established under subsection (a) will be administered and governed.

(2) ELEMENTS.—The plan required by paragraph (1) should include a description of—

(A) how the functions described in subsection (b), the priorities described in subsection (c), the activities described in subsection (d), and activities carried out under section 5708, and the legal right to redistribute fully and open-source all digital data, information, knowledge, and tools across the Federal Government, convert historical records into common digital formats, and improve access and usability of data by partners and stakeholders;

(B) to identify and solicit relevant data from Federal and international partners and other relevant stakeholders, as the Under Secretary considers appropriate;

(C) to develop standards and practices for the adoption and citation of digital object identifiers for datasets, models, and analytical tools; and

(D) to ensure that, to the maximum extent possible, data access and distribution is compatible with other security mechanisms.

SEC. 5705. DIGITAL FIRE WEATHER SERVICES AND DATA MANAGEMENT.

(a) IN GENERAL.—The Under Secretary shall develop and maintain a comprehensive, centralized, and publicly accessible digital fire weather decision support system, including coupled atmosphere and fire models; logical data collected from fire response and assessment aircraft; and other remote data technology, including coupled atmosphere and fire models, and other remote data technology, including coupled atmosphere and fire models, and other remote data technology, including coupled atmosphere and fire models.

(b) UNCREWED AIRCRAFT SYSTEMS.—

(1) UNCREWED AIRCRAFT SYSTEMS.—In carrying out subsections (a) and (b), the Under Secretary shall develop and implement internet-based tools, such as webpages and other internet applications, to increase utility and access to services and products for the benefit of users.

(2) PILOT REQUIRED.—In carrying out paragraph (1), the Under Secretary shall ensure the digital platform and tools of the Administration integrate geospatial services, data management, and data services, and collaboration and innovation, and local planning and decision-making; and

(3) capabilities existing in other Federal agencies and the commercial sector;

(4) skilled workforce development.

SEC. 5706. GOVERNMENT ACCOUNTABILITY OF FIRE WEATHER SERVICES PROGRAM.

(a) IN GENERAL.—The Under Secretary shall seek to acquire high-performance computing resources and capacity for research, operations, and data storage in support of the program established under section 5706(a).

(b) CONSIDERATIONS.—In acquiring high-performance computing capacity under subsection (a), the Under Secretary shall consider requirements needed for—

(1) conducting research and development;

(2) the transition of research and test beds to operations; and

(3) shared and trusted data management, data access, archival, and retrieval activities for the data and metadata described in subparagraph (A) by—

(i) using interoperable data standards, commercial partnerships, and the funded workforce needed to provide appropriate data management from collection to dissemination;

(ii) associated information services; and

(iii) pursuing the maximum interoperability of data and information by—

(I) metadata described in subparagraph (A); and

(II) information, knowledge, and tools from across the Federal Government to support equitable access, cross-sectoral collaboration and innovation, and local planning and decision-making; and

(II) developing standards and practices for the adoption and citation of digital object identifiers for datasets, models, and analytical tools.

(2) COLLABORATION.—In carrying out this subsection, the Under Secretary shall collaborate with partners and stakeholders as the Under Secretary considers relevant—

(A) to develop standards to pursue maximum interoperability of data, information, knowledge, and tools across the Federal Government, convert historical records into common digital formats, and improve access and usability of data by partners and stakeholders;

(B) to identify and solicit relevant data from Federal and international partners and other relevant stakeholders, as the Under Secretary considers appropriate; and

(C) to develop standards and practices for the adoption and citation of digital object identifiers for datasets, models, and analytical tools; and

(D) to ensure that, to the maximum extent possible, data access and distribution is compatible with other security mechanisms.

SEC. 5707. GOVERNMENT ACCOUNTABILITY OF FIRE WEATHER SERVICES PROGRAM.

(a) IN GENERAL.—Not later than 3 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the program established under section 5707(a).

(b) ELEMENTS.—The report required by subsection (a) shall—

(1) evaluate the performance of the program by establishing initial baseline capabilities made toward fully operationalizing the functions described in section 5703(b); and

(2) include such other recommendations as the Comptroller General determines are appropriate to improve the program.

SEC. 5708. FIRE WEATHER TESTBED.

(a) ESTABLISHMENT OF FIRE WEATHER TESTBED.—The Under Secretary shall establish a fire weather testbed that enables engagement across the Federal Government, State and local governments, academia, private and federally funded research laboratories, the private sector, and end-users in order to evaluate the accuracy and usability of technology, models, fire weather products and services, and other research to accelerate the implementation, transition to operation, and improvement of new technologies by the Administration, Federal and land management agencies, and other relevant stakeholders.

(b) UNCREWED AIRCRAFT SYSTEMS.—

(1) IN GENERAL.—The Under Secretary shall—

(A) research and assess the role and potential of uncrewed aircraft systems to improve data collection in support of modeling, observations, predictions, forecasts, and impact-based decision support services;

(B) transition uncrewed aircraft systems developed under this Act to public use by the Under Secretary, or disseminate data collected from the system to the public; and

(C) coordinate with other Federal agencies that may be developing uncrewed aircraft systems and related technologies to meet the challenges of wildland fire management.

(2) PILOT REQUIRED.—In carrying out paragraph (1), not later than 1 year after the date of the enactment of this Act, the Under Secretary shall conduct pilots of uncrewed aircraft systems and fire environment observations, including—

(A) testing of uncrewed systems in approximations of real-world scenarios; the assessment of the utility of meteorological data collected from fire response and assessment aircraft;

(B) input of the collected data into appropriate models to predict fire behavior, including coupled atmosphere and fire models; and

(C) collection of best management practices for deployment and use of uncrewed aircraft systems and other remote data technology, including for communication and coordination between the stakeholders described in subsection (a).

(b) UNCREWED AIRCRAFT SYSTEMS.—

(1) IN GENERAL.—Except as provided under subparagraphs (B) and (C), the Under Secretary may not procure any uncrewed aircraft system that is manufactured or assembled by a covered foreign entity, which includes associated elements (components that control the uncrewed aircraft) that are required for the operator to operate safely and efficiently in the national airspace system. The Federal Aviation Security Council, in coordination with the Secretary of Transportation, shall develop and update a list of covered foreign entities.

(2) PROHIBITION.—

(A) IN GENERAL.—The Under Secretary may not procure any uncrewed aircraft system that is manufactured or assembled by a covered foreign entity, which includes associated elements (components that control the uncrewed aircraft) that are required for the operator to operate safely and efficiently in the national airspace system. The Federal Aviation Security Council, in coordination with the Secretary of Transportation, shall develop and update a list of covered foreign entities.

(B) EXEMPTION.—The Under Secretary, in consultation with the Secretary of Homeland Security, is exempt from the prohibition under subparagraph (A) if the operation of the uncrewed aircraft system is necessary for the protection of marine or atmospheric science or management.

(C) WAIVER.—The Under Secretary may waive the prohibition under subparagraph (A) on a case-by-case basis—

(i) with the approval of the Secretary of Homeland Security or the Secretary of Defense;

(ii) upon notification to Congress.

(D) DEFINITIONS.—In this paragraph:
shall conduct a post-fire-weather season following the enactment of this Act, and
airspace in which wildfire response activities
by the heads of the Federal agencies with
shall ensure that any testing or deployment
and procedures to enhance the efficiency and
procedures to improve program services and
(2) ELEMENTS.—After conducting a post-
(1) IN GENERAL.—In carrying out activities
shall—
(1) overview of the fire season; and
(2) an outlook for the fire season for the
evading individual and collective responses and
inocating other applicable topics of
(6) ANNUAL BRIEFING.—Not less frequently
than one each year, the Under Secretary shall provide a briefing to the appropriate committee of Congress that provides (1) an overview of the fire season; and (2) an outlook for the fire season for the coming year.

(8) REPRESENTATION.—In conducting any survey or assessment under this section, the Under Secretary shall coordinate with Federal, State, and local partners, Tribal governments, private entities, and such other partners and stakeholders for sea-

(7) IMPROVEMENTS.—The Under Secretary shall make best efforts to incor-
porate the results and recommendations of each assessment conducted under this sec-
tions of higher education as the Under Sec-
cider considers relevant in order to—

(5) SUBCLAUSE (IV).—Any subsidiary or affiliate of an entity as the Under Secretary considers appropriate for the betterment of the emotional and mental health and well-being of incident meteorolo-
gists and other employees of the Administra-
tion involved with response to high-impact and extreme fire weather events.

(4) IMPROVEMENTS.—The Under Secretary shall—

(3) DETERMINATION.—The Under Secretary shall make a determination of the
the Federal Aviation Administration to develop
agencies, Federal science agencies, and the

(2) MANAGEMENT.—The Under Secretary shall establish and maintain an Incident Me-
tists and other employees of the Administra-

(1) IN GENERAL.—In carrying out activities under this section, the Under Secretary shall ensure that any testing or deployment of unmanned aircraft systems follow proce-
dues, restrictions, and protocols established by the heads of the Federal agencies with statutory or regulatory jurisdiction over any airspaces in which wildfire response activities are conducted during an active wildfire event.

(3) CONSULTATION AND COORDINATION.—The Under Secretary shall consult and coordinate with relevant Federal land management agencies, Federal science agencies, and the Federal Aviation Administration to develop processes for the appropriate deployment of the systems described in subparagraph (A).

(2) PILOT PROJECTS.—The Under Secretary shall establish additional pilot projects relating to the fire weather testbed that may include the following elements:

(3) DATA AVAILABILITY.—The Under Secretary shall make best efforts to incor-
porate the results and recommendations of each assessment conducted under this sec-
tions of higher education as the Under Sec-
cider considers relevant in order to—

(1) ADJUSTMENT AND PLANNING.—The Under Secretary, in collaboration with the Administrator of the Federal Aviation Administration and the Secretary of Defense, shall—

(1) IN GENERAL.—During the second winter following the enactment of this Act, and

(2) PROCUREMENT.—The Under Secretary shall acquire sufficient hardware and software,

(3) IN GENERAL.—The Under Secretary shall—

(1) IN GENERAL.—In carrying out activities under this section, the Under Secretary shall—

(1) IN GENERAL.—In carrying out activities under this section, the Under Secretary shall—

(4) OFFENSE.—It shall be unlawful for any person—

(1) JOINT ASSESSMENT AND PLAN.—The Under Secretary, in collaboration with the Administrator of the Federal Aviation Administration and the Secretary of Defense, shall—

(2) USE OF SYMBOL.—The Under Secretary may authorize the use of a symbol adopted by any individual or entity as the Under Secretary considers appropriate.

(3) CONTRACT AUTHORITY.—The Under Sec-
cider may award contracts for the creation of symbols under this subsection.

(4) PENALTY.—It shall be unlawful for any person—

(1) ADVANCED PILOT PROJECTS.—The Under Secretary shall establish additional pilot projects relating to the fire weather testbed that may include the following elements:

(2) PROCUREMENT.—The Under Secretary shall acquire sufficient hardware and software,

(3) DATA AVAILABILITY.—The Under Secretary shall make best efforts to incor-
porate the results and recommendations of each assessment conducted under this sec-
tions of higher education as the Under Sec-
cider considers relevant in order to—

(1) key system upgrades needed to improve observation quality and utility for weather forecasting, aviation safety, and other uses;

(1) IN GENERAL.—The Under Secretary shall—

(2) such incident meteorologists of the Ad-
ministration as of the date of the enactment
of this Act; and

(2) IMPROVEMENTS.—Any improvements needed to reduce la-
cency in reporting of observational data;

(3) IMPROVEMENTS.—Any improvements needed to reduce la-
cency in reporting of observational data;

(1) JOINT ASSESSMENT AND PLAN.—The Under Secretary, in collaboration with the Administrator of the Federal Aviation Administration and the Secretary of Defense, shall—

(1) ADVANCED PILOT PROJECTS.—The Under Secretary shall establish additional pilot projects relating to the fire weather testbed that may include the following elements:

(2) PROCUREMENT.—The Under Secretary shall acquire sufficient hardware and software,
Aviation Administration, and the Department of Defense to the extent practicable.

(2) STANDARDIZATION.—Any system standardization implemented under paragraph (1)(B) shall include activities to upgrade or improve individual units of the system.

(3) REMOTE AUTOMATIC WEATHER STATION COORDINATION.—The Under Secretary, in collaboration with the National Interagency Fire Center and the National Interagency Fire Center, shall assess and develop cooperative agreements to improve coordination, interoperability of systems and operations, and placement of remote automatic weather stations for the purpose of improving utility and coverage of remote automatic weather stations, automated fire weather forecast systems, monitoring platforms, and other similar stations and systems for weather and climate operations.

(b) REPORT TO CONGRESS.—(1) In general.—Not later than 2 years after the date of the enactment of this Act, the Under Secretary, in collaboration with the Administrator of the Federal Aviation Administration and the Secretary of Defense, shall submit to the appropriate committees of Congress a report that—

(A) sets forth the findings of the assessment required by subparagraph (A) of subsection (a)(1); and

(B) the plan required by subparagraph (B) of such subsection.

(2) ELEMENTS.—The report required by paragraph (1) shall include a detailed assessment of appropriations required—

(A) to address the findings of the assessment required by subparagraph (A) of subsection (a)(1); and

(B) to implement the plan required by subparagraph (B) of such subsection.

(c) GOVERNMENT ACCOUNTABILITY OFFICE REPORT.—Not later than 4 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that—

(1) evaluates the functionality, utility, reliability, and operational status of the automated surface observing system across the Administration, the Federal Aviation Administration, and the Department of Defense;

(2) evaluates the progress, performance, and implementation of the plan required by subsection (a)(1)(B);

(3) assesses the efficacy of cross-agency collaboration and stakeholder engagement in carrying out the plan and provides recommendations to improve such activities;

(4) evaluates the operational continuity and reliability of the system, particularly in remote and rural areas and areas where system failure would have the greatest negative impact to the community, and provides recommendations to improve such continuity and reliability;

(5) assesses Federal coordination regarding the remote automatic weather station network, air resource advisors, and other Federal observing assets used for weather and climate modeling and response activities, and provides recommendations for improvements; and

(6) includes such other recommendations as the Comptroller General determines are appropriate to the system.

SEC. 5712. EMERGENCY RESPONSE ACTIVITIES.

(a) DEFINITIONS.—In this section:

(1) BASIC PAY.—The term ‘‘basic pay’’ includes any applicable locality-based comparative pay supplement under section 5304 of title 5, United States Code, any applicable special rate supplement under section 5305 of such title, or any equivalent payment under a similar pay supplement under law.

(2) COVERED EMPLOYEE.—The term ‘‘covered employee’’ means an employee of the Department of Agriculture, the Department of the Interior, or the Department of Commerce.

(3) COVERED SERVICES.—The term ‘‘covered services’’ includes services performed by a covered employee while serving—

(A) as a wildland firefighter or a fire management response official, including a regional fire director, a fire management officer; or

(B) as an incident meteorologist accompanying a wildland firefighter crew; or

(C) on an incident management team, at the National Interagency Fire Center, at a Geographic Area Coordinating Center, or at an operations center.

(4) PREMIUM PAY.—The term ‘‘premium pay’’ means premium pay paid under a provision of law described in the matter preceding paragraph (1) of section 5547(a) of title 5, United States Code.

(5) RELEVANT COMMITTEES.—The term ‘‘relevant committees’’ means—

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

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

(C) the Committee on Agriculture, Nutrition, and Forestry of the Senate;

(D) the Committee on Appropriations of the Senate;

(E) the Committee on Energy and Natural Resources of the Senate;

(F) the Committee on Oversight and Government Reform of the House of Representatives;

(G) the Committee on Natural Resources of the House of Representatives;

(H) the Committee on Science, Space, and Technology of the House of Representatives;

(I) the Committee on Agriculture of the House of Representatives;

(J) the Committee on Appropriations of the House of Representatives; and

(K) the Committee on Education and Labor of the House of Representatives.

(b) WAIVER.—Not later than 30 days before the date on which the Secretary implements a plan described in paragraph (1), the Secretary shall submit the plan to the relevant committees.

(c) LIMITATION.—The plan developed under paragraph (b) shall not be contingent on any Secretary receiving amounts appropriated for fiscal years beginning in fiscal year 2024 in amounts greater than amounts appropriated for fiscal year 2023.

(d) POLICIES AND PROCEDURES FOR HEALTH, SAFETY, AND WELL-BEING.—The Secretary concerned shall maintain policies and procedures to promote the health, safety, and well-being of covered employees.

SEC. 5713. GOVERNMENT ACCOUNTABILITY OFFICE REPORT ON INTERAGENCY WILDFIRE FORECASTING, PREVENTION, PLANNING, AND MANAGEMENT BODIES.

Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that—

(1) identifies all Federal interagency bodies established for the purpose of wildfire forecasting, prevention, planning, and management (such as wildfire councils, commissions, and workgroups), including—

(A) the Wildland Fire Leadership Council;

(B) the National Interagency Fire Center;

(C) the Wildland Fire Information Policy Committee;

(D) the Wildland Fire Mitigation and Management Commission;

(E) the Joint Science Fire Program;

(F) the National Interagency Coordination Center;

(G) the National Predictive Services Oversight Group;

(H) the Interagency Council for Advancing Meteorological Services and Operations; and

(I) the Mitigation Framework Leadership Group;

(J) the National Multi-Agency Coordination Group.

(2) evaluates the roles, functionality, and utility of such interagency bodies;

(3) evaluates the progress, performance, and implementation of such interagency bodies; and

(4) concludes whether the existing interagency bodies are duplicating and overlap.
collaboration with respect to wildfire pre-
vention, planning, and management; and
(5) includes such other recommendations as the Comptroller General determines are appropriate to streamline and improve wild-
fire forecasting, prevention, planning, and manage-
ment, including recommendations regard-
ing the interagency bodies for which the addi-
tional responsibilities are identified, to im-
prove wildfire forecasting, prevention, plan-
ing, and management.

SEC. 5714. AMENDMENTS TO INFRASTRUCTURE INVESTMENT AND JOBS ACT RELAT-
ING TO WILDFIRE MITIGATION.

The Infrastructure Investment and Jobs Act (Public Law 117-58; 115 Stat. 429) is amended—
(1) in section 70202—
(A) in paragraph (1)—
(i) in subparagraph (J), by striking "and" and
inserting a semicolon;
(ii) in subparagraph (K), by striking the pe-
riod at the end and inserting a semicolon; and
(iii) by adding at the end the following:
"(L) the Committee on Commerce, Science, and Transportation of the Senate; and"
(M) the Committee on Commerce, Science, and Technology of the House of Representa-
tives.
(B) in paragraph (6)—
(i) in subparagraph (B), by striking "and" and
inserting a semicolon;
(ii) in subparagraph (C), by striking the pe-
riod at the end and inserting "; and"; and
(iii) by adding at the end the following:
"(D) the Secretary of Commerce, acting
through the Under Secretary of Commerce for
Oceans and Atmosphere."; and
(2) in section 70203(b)(1)(B)—
(A) in the matter preceding clause (i), by
striking "9" and inserting "not fewer than
10";
(B) in clause (i)—
(i) in subclause (IV), by striking "; and" and
inserting a semicolon;
(ii) in subclause (V), by adding "and" at the
end; and
(iii) by adding at the end the following:
"(VI) the National Oceanic and Atmos-
pheric Administration."; and
(C) in clause (iv), by striking "; and" and
inserting a semicolon;
(D) by striking at the end and
inserting the following:
"(vii) if the Secretaries determine it to be
appropriate, 1 or more representatives from
the relevant line offices of the National Oceanic
and Atmospheric Administration and
the National Weather Service, as the
Secretary deems necessary, to serve on
the Interagency Coordinating Committee;
and"

SEC. 5715. WILDFIRE TECHNOLOGY MODERNIZA-
TION AMENDMENTS.

Section 1101 of the John D. Dingell, Jr. Conservation, Management, and Recreation Act (43 U.S.C. 1748b-1) is amended—
(1) in subsection (c)(3), by inserting "the National Oceanic and Atmospheric Admin-
istration," after "Federal Aviation Admin-
istration;"
(2) in subsection (e)(2)—
(A) redesignating subparagraph (B) as
subparagraph (C); and
(B) by inserting after subparagraph (A) the
following:
"(B) CONSULTATION.—
"(i) In general.—In carrying out subpara-
graph (A), the Secretaries shall consult with the
Under Secretary of Commerce for Oceans and
Atmosphere regarding any development of
impact-based decision support services
that relate to wildfire-related activities of
the National Oceanic and Atmospheric Admin-
istration.
"(ii) Definition of impact-based decision
support services.—In this subparagraph, the
term ‘impact-based decision support
services’ means decision support services that
provide to Federal agencies and non-
Federal entities by making funds and re-
sources available for the purposes of
(1) providing competitive grants;
(2) contracts under the mobility program
under subparagraph (f) of section 502 of
the National Oceanic and Atmos-
pheric Administration Commissioned Off-
cier Corps Amendments Act of 2020 (39
U.S.C. 651 note prec.).

SEC. 5717. INTERNATIONAL COORDINATION.

(a) In general.—The Under Secretary, in coordination with the Secretary of State, may enter into mutual agreements with foreign partners and counterparts to address transboundary issues pertaining to wildfires,
fire weather, smoke, air quality, and associated conditions and hazards or other relevant meteorological phenomena, as appro-
priate, to facilitate full and open exchange of data and information.
(b) Coordination.—In carrying out activities under this section, the Under Secretary shall coordinate with other Federal agencies as the Under Secretary considers relevant.

SEC. 5718. SUBMISSIONS TO CONGRESS REGARD-
ING THE FIRE WEATHER SERVICES PROGRAM, AMENDMENTS TO METEORO-
LOGIST WORKFORCE NEEDS, AND NA-
TIONAL WEATHER SERVICE WORK-
FORCE SUPPORT.

(a) Report to Congress.—Not later than 580 days after the date of enactment of this title, the Under Secretary shall submit to the appropriate committees of Congress—
(1) the plan described in subsection (b);
(2) the assessment described in subsections (c) and (d); and
(3) the assessment described in subsection
(b).

(b) Workforce needs.—

(1) ELEMENTS.—The plan submitted under subsection (a)(1) shall detail—
(A) the observational data, modeling re-
quirements, ongoing computational needs,
research, development, and technology
transfer activities, data management, staff
personnel required to maintain the National
Oceanic and Atmospheric Administration
with relevant Federal emergency and land
management agencies and partners, and cor-
responding resources and timelines nec-

ecessary to achieve the milestones described in subsection (b) of section 5703 and the prior-
ities described in subsection (c) of such sec-
tion; and
(B) plans and needs for all other activities and requirements under this title and the amendments made by this title.

(2) SUBMITAL, OR BUDGET FOR PLAN.—Following completion of the plan submitted under subsection (a)(1), the Under Secretary shall, not less frequently than once each year concurrent with the submis-
sion of the budget by the President to Con-
gress under section 1105 of title 31, United States Code, submit to Congress a proposed budget corresponding with the elements de-
tailed in the plan.

(c) INCIDENT METEOROLOGIST WORKFORCE NEEDS ASSESSMENT.

(1) In general.—The Under Secretary shall conduct a workforce needs assessment on the current and future demand for additional in-
clude meteorologists for wildfires and other high-impact fire weather events.

(2) Elements.—The assessment required by paragraph (1) shall include the following:
(A) A description of staffing levels as of the date on which the assessment is submitted under subsection (a)(2) and projected future staffing levels.
(B) An assessment of the state of the infrastructure of the National Weather Service as of the date on which the assessment is sub-
mitted and future needs of such infrastruc-

(C) relevant interagency bodies identified in the report required by section 5713.
(3) Consultation.—In carrying out this subsection, the Under Secretary shall con-
serve a process for annual coordination with Tribal, State, and local governments to assist the development of improved fire weather products and serv-
ices.

(d) Support to non-Federal entities.—In carrying out the activities under this title and the amendments made by this title, the Under Secretary may provide support to non-Federal entities by making funds and re-

(1) competitive grants;
(2) contracts under the mobility program
under subparagraph (f) of section 502 of
the National Oceanic and Atmos-
pheric Administration Commissioned Off-
cier Corps Amendments Act of 2020 (39
U.S.C. 651 note prec.).

SEC. 5717. INTERNATIONAL COORDINATION.

(a) In general.—The Under Secretary, in coordination with the Secretary of State, may enter into mutual agreements with foreign partners and counterparts to address transboundary issues pertaining to wildfires,
(A) An assessment of need for further support of employees of the National Weather Service engaged in emergency response and services provided by the Public Health Service.

(B) A detailed assessment of appropriations required to secure the level of support services needed as identified in the assessment described in subparagraph (A).

(3) ADDITIONAL SUPPORT SERVICES.—Following the completion of the assessment required by paragraph (1), the Under Secretary shall submit an additional support services report to Congress, which shall be submitted to the extent of need identified in the assessment.

SEC. 5719. GOVERNMENT ACCOUNTABILITY OFFICE REPORT; FIRE SCIENCE AND TECHNOLOGY WORKING GROUP; STRATEGIC PLAN

(a) GOVERNMENT ACCOUNTABILITY OFFICE REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that identifies—

(1) the authorities, roles, and science and support services relating to Federal agencies engaged in or providing wildland fire prediction, detection, forecasting, modeling, response, management, and assessment; and

(2) the recommended areas in and mechanisms by which the agencies listed under paragraph (1) could support and improve—

(A) coordination between Federal agencies, State agencies, Tribes, other departments, and other relevant stakeholders, including through examination of possible public-private partnerships;

(B) research and development, including interdisciplinary research, related to fire environments, wildland fires, associated smoke, and the impacts of such environments, fires, smoke, and associated smoke, including the enhancement of a coordinated interagency effort to address wildland fire risk reduction;

(C) data management and stewardship, the development and coordination of data systems and computational tools, and the creation of a centralized, integrated data collaboration environment for agency data, including historical data, relating to weather, fire environments, wildland fires, associated smoke, and the impacts of such environments, fires, smoke, and associated smoke, and the assessment of wildland fire, smoke, and wildfire risk reduction strategies; and

(D) interoperability, usability, and accessibility of the scientific data, data systems, and computational and information tools of the agencies listed under paragraph (1).

(b) FIRE SCIENCE AND TECHNOLOGY WORKING GROUP.—(1) ESTABLISHMENT.—Not later than 90 days after the date of the enactment of this Act, the Interagency Committee shall prepare and submit to the committees specified in paragraph (3) a strategic plan for fire science and technology programs and develop a framework that will improve the assessment of fire environments and the understanding and prediction of wildland fires, associated smoke, and the impacts of such fires and smoke, including—

(A) at the wildland-urban interface;

(B) on communities, buildings, and other infrastructure;

(C) on ecosystem services and watersheds;

(D) social and economic impacts;

(E) by developing and encouraging the adoption of science-based and cost-effective measures—

(i) to enhance community resilience to wildland fires;

(ii) to address and mitigate the impacts of wildland fire and associated smoke; and

(iii) to restore natural fire regimes in fire-dependent ecosystems;

(F) by improving the understanding and mitigation of the effects of weather and long-term drought on wildland fire risk, frequency, and severity;

(G) through integrations of social and behavioral sciences in public safety fire communication;

(H) by improving the forecasting and understanding of prescribed fires and the impacts of such fires, and how those impacts may differ from impacts of wildland fires that originate from an unplanned ignition; and

(I) consideration and adoption of any recommendations included in the report required by subsection (a) pursuant to paragraph (2) of such subsection.

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

(A) A description of the priorities and needs of vulnerable populations.

(B) A description of high-performance computing, visualization, and dissemination needs.

(C) A timeline and guidance for implementation of—

(i) an interagency data sharing system for data relevant to performing fire assessments and modeling fire risk and fire behavior;

(ii) a system for ensuring that the fire prediction models of relevant agencies can be interconnected; and

(iii) to the maximum extent practicable, any recommendations included in the report required by paragraph (1).

(D) A plan for incorporating and coordinating research and operational observations, including from infrared technologies, lightning detection, microwaves, satellite, space weather sensors, and unknown systems.

(E) A flexible framework to communicate clear and simple fire event information to the public.

(F) Integration of social, behavioral, risk, and communication research to improve the fire operational environment and societal information infrastructure.

(3) COMMITTEES SPECIFIED.—The committees specified in this paragraph are—

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

(B) the Committee on Energy and Natural Resources of the Senate;

(C) the Committee on Agriculture, Nutrition, and Forestry of the Senate;

(D) the Committee on Agriculture of the House of Representatives;

(E) the Committee on Natural Resources of the House of Representatives; and

(F) the Committee on Science, Space, and Technology of the House of Representatives.

SEC. 5720. FIRE WEATHER RATING SYSTEM

(a) IN GENERAL.—The Under Secretary shall, in collaboration with the Chief of the United States Forest Service, the Director of the National Weather Service, the Director of the National Park Service, the Administrator of the Federal Emergency Management Agency, and the Secretary of the Under Secretary considers appropriate—

(1) evaluate the system used as of the date of the enactment of this Act to rate the risk of wildfires; and

(2) determine whether updates to this system are required to ensure that the ratings accurately reflect the severity of fire risk.

(b) UPDATE REQUIRED.—If the Under Secretary determines under subsection (a) that updates to the system described in paragraph (1) of such subsection are necessary, the Under Secretary shall update that system.

SEC. 5721. AVOIDANCE OF DUPLICATION

(a) IN GENERAL.—The Under Secretary shall ensure, to the greatest extent practicable, that activities authorized under this title and the amendments made by this title are not duplicative of activities supported by Federal agencies engaged in emergency response, or other relevant Federal agencies.

(b) COORDINATION.—In carrying out activities under this title and the amendments made by this title, the Under Secretary shall coordinate with the Administration and heads of other Federal research agencies—

(1) to ensure that activities enhance and complement, but do not constitute unnecessary duplication of, efforts; and

(2) to ensure the responsible stewardship of funds.

SEC. 5722. AUTHORIZATION OF APPROPRIATIONS

(a) IN GENERAL.—In addition to amounts appropriated under title VIII of division D of the Infrastructure Investment and Jobs Act (Public Law 117–58; 135 Stat. 1094), there are authorized to be appropriated by subsection (a) of title VIII of division D of the Infrastructure Investment and Jobs Act (Public Law 117–58; 135 Stat. 1094).

(b) ADDITIONAL SUPPORT SERVICES.—None of the amounts authorized to be appropriated by subsection (a) may be used to unnecessarily duplicate activities funded under title VIII of division D of the Infrastructure Investment and Jobs Act (Public Law 117–58; 135 Stat. 1094).

(c) TITLE.—(1) A description of the priorities and needs of vulnerable populations.

(2) A description of high-performance computing, visualization, and dissemination needs.

(3) A timeline and guidance for implementation of—

(i) an interagency data sharing system for data relevant to performing fire assessments and modeling fire risk and fire behavior;

(ii) a system for ensuring that the fire prediction models of relevant agencies can be interconnected; and

(iii) to the maximum extent practicable, any recommendations included in the report required by paragraph (1).

(D) A plan for incorporating and coordinating research and operational observations, including from infrared technologies, lightning detection, microwaves, satellite, space weather sensors, and unknown systems.

(E) A flexible framework to communicate clear and simple fire event information to the public.

(F) Integration of social, behavioral, risk, and communication research to improve the fire operational environment and societal information infrastructure.

(3) COMMITTEES SPECIFIED.—The committees specified in this paragraph are—

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

(B) the Committee on Energy and Natural Resources of the Senate;

(C) the Committee on Agriculture, Nutrition, and Forestry of the Senate;

(D) the Committee on Agriculture of the House of Representatives;

(E) the Committee on Natural Resources of the House of Representatives; and

(F) the Committee on Science, Space, and Technology of the House of Representatives.
research modeling system described in paragraph (5)(E) of section 102(b) of the Weather Research Forecasting and Innovation Act of 2017 (15 U.S.C. 8512(b)), as redesignated by section 5806(g).

(4) MODEL.—The term ‘‘model’’ means any vetted numerical model and associated data assimilation of the Earth’s system or its component.

(A) developed, in whole or in part, by scientists and engineers employed by the Administration; or

(B) otherwise developed using Federal funds.

(5) OPERATIONAL MODEL.—The term ‘‘operational model’’ means any model that has an output used by the Administration for operational functions.

(6) SUITABLE MODEL.—The term ‘‘suitable model’’ means a model that meets the requirements described in paragraph (5)(E)(i) of section 102(b) of the Weather Research Forecasting and Innovation Act of 2017 (15 U.S.C. 8512(b)), as redesignated by section 5806(g), as determined by the Administrator.

SEC. 5803. PURPOSES.

The purposes of this title are—

(1) to support innovation in modeling by allowing the Administration and stakeholders to have easy and complete access to the models used by the Administration, as the Administrator determines appropriate; and

(2) to better foster innovations arising from access described in paragraph (1) to improve modeling by the Administration.

SEC. 5804. PLAN AND IMPLEMENTATION OF PLAN TO MAKE CERTAIN MODELS AND DATA AVAILABLE TO THE PUBLIC.

(a) IN GENERAL.—The Administrator shall develop and implement a plan to make available to the public the following:

(1) Operational models developed by the Administration.

(2) Models that are not operational models, including experimental and developmental models, as the Administrator determines appropriate.

(3) Applicable information and documentation for models described in paragraphs (1) and (2).

(b) Subject to section 5807, all data owned by the Federal Government and data that the Administrator has the legal right to redistribute that are associated with models made available to the public pursuant to the plan are operational models or operational forecasting by the Administration, including—

(A) relevant metadata;

(B) data used for operational models used by the Administrator as of the date of enactment of this Act; and

(C) a description of intended model outputs;

(a) ACCOMMODATIONS.—In developing and implementing the plan under subsection (a), the Administrator may make such accommodations as the Administrator considers appropriate to ensure that the public release of any model, information, documentation, or data pursuant to the plan does not jeopardize—

(1) national security;

(2) intellectual property or redistribution rights, including under titles 17 and 35, United States Code;

(3) any trade secret or commercial or financial information subject to section 522(b)(4) of title 5, United States Code;

(4) any models or data that are otherwise restricted by contract or other written agreement; or

(5) the mission of the Administration to protect lives and property.

(A) during—

(a) IN GENERAL.—Notwithstanding any other provision of this title, the Administrator, in consultation with the Secretary of Defense, as appropriate, may withhold any model or data if the Administrator determines doing so to be necessary to protect the national security interests of the United States.

(b) RULE OF CONSTRUCTION.—Nothing in this title shall be construed to supersede any other provision of law governing the protection of the national security interests of the United States.

SEC. 5805. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to carry out this title $2,000,000 for each of fiscal years 2023 through 2027.

(b) DERIVATION OF FUNDS.—Funds to carry out this section shall be derived from amounts authorized to be appropriated to the National Weather Service that are enacted after the date of the enactment of this Act.

SEC. 5806. REPORT ON IMPLEMENTATION.

(a) IN GENERAL.—The Administrator shall—

(1) report to Congress on the implementation of this title that incorporates the recommendations of the National Weather Innovation Task Force;

(2) make the report required under section 8512(b) of the Weather Research Forecasting and Innovation Act of 2017 (15 U.S.C. 8512(b)); and

(3) ensure the report includes a description of the plan implemented under section (4) of section 5805, as amended, as required by paragraph (1).

(b) REQUIREMENT TO REVIEW MODELS AND LEVERAGE INNOVATIONS.

The Administrator shall—

(1) consult with the Earth Prediction Innovation Center, periodically review innovations and improvements made by persons outside the Administration to the operational models made available to the public pursuant to the plan under section 5804(a) in order to improve the accuracy and timeliness of forecasts of the Administration; and

(2) if the Administrator identifies an innovation for a suitable model, develop and implement a plan to use the innovation to improve the model.

SEC. 5807. PROTECTION OF NATIONAL SECURITY INTERESTS.

(a) IN GENERAL.—For the purposes of this title, the term ‘‘national security interests’’ includes—

(1) the national security interests of the United States; and

(2) the national security interests of any other foreign country.

(b) BLOCKING OF PROPERTY.—The exercise of the powers granted by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in property and interests in property of a foreign person identified in the report required by subsection (a)(1) if such property and interests in property of a foreign person are in the United States, as appropriate, may be blocked.

(c) AUTHORITY TO BLOCK.—The Administrator may block transactions in property and interests in property of a foreign person if the Administrator determines that the transactions—

(1) pose a serious risk to the national security interests of the United States; and

(2) otherwise involve gold in which the Government of the Russian Federation had any interest; and

(3) may impose the sanctions described in subsection (b)(2) with respect to any such person.

SEC. 5808. PROTECTION OF NATIONAL SECURITY INTERESTS.

(a) IN GENERAL.—The Administrator, in consultation with the Secretary of Defense, as appropriate, may withhold any model or data if the Administrator determines doing so to be necessary to protect the national security interests of the United States.

(b) RULE OF CONSTRUCTION.—Nothing in this title shall be construed to supersede any other provision of law governing the protection of the national security interests of the United States.

SEC. 5809. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to carry out this title $2,000,000 for each of fiscal years 2023 through 2027.

(b) DERIVATION OF FUNDS.—Funds to carry out this section shall be derived from amounts authorized to be appropriated to the National Weather Service that are enacted after the date of the enactment of this Act.

SEC. 5810. PLAN AND IMPLEMENTATION OF PLAN TO MAKE CERTAIN MODELS AND DATA AVAILABLE TO THE PUBLIC.

(a) IN GENERAL.—The Administrator shall plan for and establish a program to support infrastructure, including telecommunications and technology infrastructure of the Administration and the platforms described in paragraph (4) (as added by section 4(a) of the National Integrated Drought Information System Reauthorization Act of 2018 (Public Law 115–423; 132 Stat. 5456)) as paragraph (4).

(b) REQUIREMENT TO REVIEW MODELS AND LEVERAGE INNOVATIONS.

The Administrator shall—

(1) consult with the Earth Prediction Innovation Center, periodically review innovations and improvements made by persons outside the Administration to the operational models made available to the public pursuant to the plan under section 5804(a) in order to improve the accuracy and timeliness of forecasts of the Administration; and

(2) if the Administrator identifies an innovation for a suitable model, develop and implement a plan to use the innovation to improve the model.

SEC. 5811. PROTECTION OF NATIONAL SECURITY INTERESTS.

(a) IN GENERAL.—For the purposes of this title, the term ‘‘national security interests’’ includes—

(1) national security.

(b) BLOCKING OF PROPERTY.—The exercise of the powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of a foreign person identified in the report required by subsection (a)(1) if such property and interests in property of a foreign person are in the United States, as appropriate, may be blocked.

(c) AUTHORITY TO BLOCK.—The Administrator may block transactions in property and interests in property of a foreign person if the Administrator determines that the transactions—

(1) pose a serious risk to the national security interests of the United States; and

(2) otherwise involve gold in which the Government of the Russian Federation had any interest; and

(3) may impose the sanctions described in subsection (b)(2) with respect to any such person.

SEC. 5812. PROTECTION OF NATIONAL SECURITY INTERESTS.

(a) IN GENERAL.—For the purposes of this title, the term ‘‘national security interests’’ includes—

(1) national security.

(b) BLOCKING OF PROPERTY.—The exercise of the powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of a foreign person identified in the report required by subsection (a)(1) if such property and interests in property of a foreign person are in the United States, as appropriate, may be blocked.

(c) AUTHORITY TO BLOCK.—The Administrator may block transactions in property and interests in property of a foreign person if the Administrator determines that the transactions—

(1) pose a serious risk to the national security interests of the United States; and

(2) otherwise involve gold in which the Government of the Russian Federation had any interest; and

(3) may impose the sanctions described in subsection (b)(2) with respect to any such person.
(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.),

(b) PROCEDURAL REQUIREMENTS.

(1) IN GENERAL.—An alien described in subsection (a)(1) is subject to revocation of any visa or other entry documentation regardless of whether or not any other entry documentation is or was issued.

(ii) IMMEDIATE EFFECT.—A revocation under clause (a) shall—

(1) take effect immediately;

(2) automatically cancel any other valid visa or entry documentation that is in the alien’s possession.

(c) IMPLEMENTATION; PENALTIES.—

(1) IMPLEMENTATION.—The President may exercise all authorities provided under sections 1201 and 1202 of the International Emergency Economic Powers Act (50 U.S.C. 1702 et seq.) to carry out this section.

(2) PENALTIES.—A person who violates, attempts to violate, conspires to violate, or causes a violation of this section or any regulation, license, or order issued to carry out this section shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of this section.

(d) NATIONAL INTEREST WAIVER.—The President may impose sanctions under this section with respect to a person if the President—

(1) determines that such a waiver is in the national interests of the United States; and

(2) submits to Congress a notification of the waiver and the reasons for the waiver.

(e) TERMINATION.—

(1) OBLIGATIONS.—Except as provided in paragraph (2), the requirement to impose sanctions under this section, and any sanctions imposed under this section, shall terminate on the earlier of—

(A) the date that is 3 years after the date of the enactment of this Act; or

(B) the date that is 30 days after the date on which the President certifies to Congress that—

(i) the Government of the Russian Federation has ceased its destabilizing activities with respect to the sovereignty and territorial integrity of Ukraine; and

(ii) such termination in the national interests of the United States.

(2) TRANSITION RULES.—

(A) the date that is 3 years after the date of the enactment of this Act.

(B) the date that is three years after the date of the enactment of this Act.

(f) EXCEPTIONS.—

(1) The terms "admission", "admitted", "alien", and "lawfully admitted for permanent residence" shall not include the authority or a requirement to impose sanctions under this section.

(2) The term "knowingly", with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or the Court shall determine, that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(g) DEFINITIONS.—In this section:

(1) The terms "admission", "admitted", and "lawfully admitted for permanent residence" have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) The term "foreign person" means an individual or entity that is not a United States person.

(3) The term "United States person" means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States;

(B) an entity organized under the laws of the United States or any jurisdiction within the United States and including a foreign branch of such an entity;

(C) any person in the United States.

SA 6486. Mr. REED (for Mr. CASSIDY) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7906, to authorize the implementation of the National Defense Authorization Act for Fiscal Year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for fiscal year 2023 and for other purposes, which was ordered to lie on the table; as follows:

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

SEC. 730. PILOT PROGRAM ON ENSURING PHARMACEUTICAL SUPPLY STABILITY.

(a) IN GENERAL.—Not later than January 1, 2024, the Secretary of Defense, acting through the Defense Logistics Agency, shall establish a pilot program to acquire, manage, and replenish a 180-day supply of not fewer than 30 commonly used generic drugs and their active pharmaceutical ingredients determined by the Secretary to be at risk of shortage under the military pharmaceutical supply chain disruption to ensure the stability of such supply, with a preference to manufacturers leveraging innovative technologies, including bio-technology.

(b) MILITARY MEDICAL TREATMENT FACILITIES.—The Secretary of Defense shall select for participation in the pilot program under subsection (a) not fewer than five military medical treatment facilities selected under subsection (b), including the speed and agility of drug production; and

(c) RECOMMENDATIONS.—In carrying out the pilot program under subsection (a), the Secretary of Defense shall—

(1) use the systems and processes of the direct vendor delivery system established under section 211 of the Nonproliferation Act for Fiscal Year 1996 (Public Law 104-106; 10 U.S.C. 2658 note);

(2) establish a vendor managed inventory approach to pharmaceutical distribution to acquire, manage, and replenish the vendor-held supply, with preference given to suppliers leveraged and sourced in the United States, leveraging innovative technological approaches described in subsection (a) to prevent product expiration and shortages; and

(3) ensure guaranteed access by the Department of Defense to the vendor managed inventory approach specified in paragraph (2).

(f) Final Report.—

(A) an analysis of the success of the pilot program pursuant to subsection (a); and

(B) a plan for the implementation and management of the pilot program and

(C) Key performance indicators to measure the success of the pilot program in ensuring the availability of generic drugs and active pharmaceutical ingredients selected for the pilot program.

(i) Final Report.—

(1) IN GENERAL.—Not later than 30 days after the date of the establishment of the pilot program under subsection (a), the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the design of the pilot program.

(2) ELEMENTS.—The report required under paragraph (1) shall include—

(A) an identification of the military medical treatment facilities selected under subsection (b) and the generic drugs, as well as their active ingredients, selected for the pilot program pursuant to subsection (a); and

(B) a plan for the implementation and management of the pilot program and

(C) Key performance indicators to measure the success of the pilot program in ensuring the availability of generic drugs and active pharmaceutical ingredients selected for the pilot program.
administrative proposals the Secretary determines would reduce supply chain risk to commonly used generic drugs and their active pharmaceutical ingredients under the military health system, and for defense activities of the Department of Defense and for military construction, and for other purposes; which was signed on the earlier of—

(b) TRANSFER OF GOLD TO OR FROM THE RUSSIAN FEDERATION—

(iii) otherwise ineligible to be admitted or paroled into the United States; or

(b) SANCTIONS DESCRIBED.—The sanctions described in subsection (b)(1) with respect to such an alien;

(2) The term "foreign person" means an individual or entity that is not a United States person.

3. The term "United States person" means—

(A) A VISAS, ADMISSION, OR PAROLE.—An alien described in subsection (a)(1) is—

(i) inadmissible to the United States;

(ii) ineligible to receive a visa or other documentation required for the United States; and

(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) CURRENT VISAS REVOKED.—

(1) In general.—An alien described in subsection (a)(1) is subject to revocation of any visa or other entry documentation regardless of when the visa or other entry documentation is or was issued.

(2) IMMEDIATE EFFECT.—A revocation under clause (1) takes immediate effect.

(I) take effect immediately; and

(ii) automatically cancel any other valid visa or entry documentation that is in the alien’s possession.

(c) IMPLEMENTATION; PENALTIES.—

(1) IMPLEMENTATION.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.

(2) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of this section or any regulation, license, or order issued to carry out this section shall be subject to the penalties as provided in section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(d) NATIONAL INTEREST WAIVER.—

The President may waive the imposition of sanctions under this section with respect to a person if—

(1) determines that such a waiver is in the national interests of the United States; and

(2) submits to Congress a notification of the waiver and the reasons for the waiver.

(e) TERMINATION.—

(1) In general.—Except as provided in paragraph (2), the requirement to impose sanctions under this section shall terminate on the earlier of—

(A) the date that is 90 days after the date of the enactment of this Act; or

(B) the date that is 30 days after the date on which the President certifies to Congress that—

(i) the Government of the Russian Federation has ceased its destabilizing activities with respect to the sovereignty and territorial integrity of Ukraine; and

(ii) such termination in the national interests of the United States.

(2) TRANSITION RULES.—

(A) CONDUCTION OF CERTAIN AUTHORITIES.—Any authorities exercised before the termination date under paragraph (1) to impose sanctions with respect to a foreign person shall continue to be exercised on and after that date if the President determines that the continuation of those authorities is in the national interests of the United States.

(B) APPLICATION TO ONGOING INVESTIGATIONS.—The termination date under paragraph (1) shall not apply to any investigation of a civil or criminal violation of this section or any regulation, license, or order issued to carry out this section, or the imposition of a civil or criminal penalty for such a violation, if—

(i) the violation occurred before the termination date; or

(ii) the person involved in the violation continues to be subject to sanctions pursuant to subparagraph (A).

(3) EXCEPTIONS.—

(i) except for authorized intelligence and law enforcement and national security activities.—This section shall not apply with respect to activities subject to the reporting requirements of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) or any authorized intelligence, law enforcement, or national security activities of the United States.

(ii) Except to comply with international agreements.—Sanctions under subsection (b)(2) may not apply with respect to activities subject to the reporting requirements of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) or any authorized intelligence, law enforcement, or national security activities of the United States.


(iv) Humanitarian exemption.—The President shall not impose sanctions under this section with respect to any person for conducting or facilitating a transaction for the furnishing of agricultural commodities, food, medicinal or medical devices or for the provision of humanitarian assistance.

(v) Exception relating to importation of goods.—

(A) In general.—The requirement or authority to impose sanctions under this section shall not include the authority or a requirement to impose sanctions on the importation of goods.

(B) Good defined.—In this paragraph, the term "good" means any article, natural or manmade substance, material, supply, or manufactured product, including inspection and test equipment, and excluding technical data.

(vi) Definitions.—In this section:

(1) the terms "admission", "admitted", and "lawfully admitted for permanent residence" have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) The term "foreign person" means an individual or entity that is not a United States person.

(3) The term "knowingly", with respect to conduct, a circumstance, or a result, means that the person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(4) The term "United States person" means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States;

(B) an entity organized under the laws of the United States or any jurisdiction within the United States, including a foreign branch of such an entity; or

(C) any person in the United States.

SA 6469. Mr. REED (for Mr. CORKY, for himself and Mr. WHITEHOUSE) submitted an amendment to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1239. IMPOSITION OF SANCTIONS WITH RESPECT TO THE SALE, SUPPLY, OR TRANSFER OF GOLD TO OR FROM RUSSIA.

SEC. 1230. CONDUCT OF CERTAIN AUTHORITIES.

(i) the violation occurred before the termi- nation date; or

(ii) the person involved in the violation continues to be subject to sanctions pursuant to subparagraph (A).

(1) EXCEPTIONS.—

(A) BLOCKING OF PROPERTY.—The exercise of all powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of a foreign person identified in the report required by subsection (a)(1) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) INELIGIBILITY FOR VISAS, ADMISSION, OR PAROLE.—

(1) EXCEPTIONS FOR AUTHORIZED INTELLIGENCE AND LAW ENFORCEMENT AND NATIONAL SECURITY ACTIVITIES.—This section shall not apply with respect to activities subject to the reporting requirements of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) or any authorized intelligence, law enforcement, or national security activities of the United States.

(2) EXCEPTION TO COMPLY WITH INTERNATIONAL AGREEMENTS.—Sanctions under subsection (b)(2) may not apply with respect to activities subject to the reporting requirements of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) or any authorized intelligence, law enforcement, or national security activities of the United States.
SEC. 54. TREATMENT OF EXEMPTIONS UNDER FAR A.

(a) DEFINITION.—Section 1 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 611) is amended by adding at the end the following:

"(g) Transportation of Deceased Military Member.—In the event of a death that requires the Secretary concerned to provide a death benefit under subchapter II of chapter 75 of title 10, United States Code, such Secretary shall provide the next of kin or other appropriate person a commercial air travel use waiver for the transportation of deceased military member who dies outside of the United States."

SA 6473. Mr. REED (for Mr. BRAUN) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title VI, add the following:

"SEC. 632. NOTIFICATION TO NEXT OF Kin UPON THE DEATH OF A MEMBER OF THE Armed Forces.

(a) IN GENERAL.—Subchapter II of chapter 75 of title 10, United States Code, is amended by adding at the end the following new section:

"§1493. Notification to next of kin or other appropriate person: timing; training.

"(a) IN GENERAL.—In the event of a death that requires the Secretary of the military department concerned to provide a death benefit under this subchapter, such Secretary shall notify the next of kin or other appropriate person not later than four hours after such death.

(b) DEATH OUTSIDE THE UNITED STATES.

If a death described in subsection (a) occurs outside the United States, the Secretary of Defense, in coordination with the Secretary of State, shall attempt to delay reporting, by the media of the country in which such death occurs, of the name of the decedent until after the Secretary of the military department concerned has notified the next of kin or other appropriate person pursuant to subsection (a).

(c) TRAINING.—The Secretary of the military department concerned shall include a training exercise regarding a death described in this section in each major exercise or planning conference conducted by such Secretary or the Secretary of Defense.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter II of chapter 75 of title 10, United States Code, is amended by adding at the end the following new item:

"1493. Notification to next of kin or other appropriate person: timing; training."

SA 6474. Mr. REED (for Mr. GRASSLEY (for himself, Ms. KLOBuchar, Mr. LEE, Mr. LEAHY, and Mr. DURBIN)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

"SEC. 64. COMMERcIAL AIR WAIVER FOR NEXT OF KIN REGARDING TRANSPORTATION OF REMAINS OF CASUALTIES.

Section 580A of the National Defense Authorizing Act for Fiscal Year 2020 (Public Law 116–92) is amended by adding at the end the following new subsection:

"(g) Transportation of Deceased Military Member.—In the event of a death that requires the Secretary concerned to provide a death benefit under subchapter II of chapter 75 of title 10, United States Code, such Secretary shall provide the next of kin or other appropriate person a commercial air travel use waiver for the transportation of deceased military member who dies outside of the United States."
fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 564. FOOD INSECURITY AMONG MEMBERS OF THE ARMED FORCES TRANSCITIONING OUT OF ACTIVE DUTY SERVICE.

(a) STUDY: EDUCATION AND OUTREACH EFFORTS.—

(1) STUDY.—The Secretary of Defense shall, in conjunction with the Secretary of Veterans Affairs, conduct a study to identify the means by which members of the Armed Forces are provided information about the availability of Federal nutrition assistance programs as they transition out of active duty service.

(2) EDUCATION AND OUTREACH EFFORTS.—The Secretary of Defense, working with the Secretary of Veterans Affairs, shall increase education and outreach efforts to members of the Armed Forces who are transitioning out of active duty service, particularly those members identified as being at-risk for food insecurity, to increase awareness of the availability of Federal nutrition assistance programs and eligibility for those programs.

(b) REPORTS.—

(1) General.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall—

(A) 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 results of the study conducted under paragraph (1); and

(B) publish such report on the website of the Department of Defense.

(2) On Coordination Among Departments.—

(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 Veterans Affairs and the Secretary of Agriculture, shall submit to each congressional committee with jurisdiction over the Department of Defense, the Department of Veterans Affairs, and the Department of Agriculture a report on the coordination, data sharing, and evaluation efforts on food insecurity across those departments.

(3) Elements.—The report required by paragraph (1) shall include the following:

(A) An accounting of the funding each department receives under section 564(c) of this Act and how that funding is spent;

(B) An outline of methods of comparing programs and sharing best practices for addressing food insecurity among members of the Armed Forces or veterans;

(C) An outline of—

(i) the plan each such department has to achieve greater government efficiency and cross-agency coordination, data sharing, and evaluation of addressing food insecurity among members of the Armed Forces; and

(ii) efforts that the departments can undertake to improve coordination to better address food insecurity among members of the Armed Forces;

(D) Any other information the Secretary of Defense, the Secretary of Veterans Affairs, or the Secretary of Agriculture determines to be appropriate.

(c) GOVERNMENT ACCOUNTABILITY OFFICE STUDY.—The Comptroller General of the United States shall conduct a study to evaluate the feasibility and advisability of expanding eligibility for the basic needs allowance under section 162 of title 37, United States Code, to individuals during the period following the transition of the individuals out of active duty service, up to three months.

SA 6476. Mr. REED (for Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 4127. SUBCONTRACTING REQUIREMENTS FOR MINORITY-SERVING INSTITUTIONS.

(a) In General.—Subchapter III of chapter 303 of title 10, United States Code, is amended by adding at the end the following new section:

"SEC. 4127. SUBCONTRACTING REQUIREMENTS FOR MINORITY-SERVING INSTITUTIONS.

(a) IN GENERAL.—(1) The head of an agency shall require that a contract awarded by the Department of Defense Federally Funded Research and Development Center or University Affiliated Research Center includes a requirement to establish a partnership to develop the capacity of minority-serving institutions to address the research and development needs of the Department.

(2) Partnerships established pursuant to paragraph (1) shall be through a subcontract with one or more minority-serving institutions for a total amount of not less than 5 percent of the amount awarded in the contract.

(b) Definition of Minority-Serving Institution.—In this section, the term 'minority-serving institution' means an institution listed in section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a))."

(b) Effective Date.—The amendments made by paragraph (1) shall take effect on October 1, 2026, and

(2) apply with respect to funds that are awarded by the Department of Defense on or after such date.

RESOLUTIONS SUBMITTED TODAY

Mr. REED. Mr. President, I ask unanimous consent that the resolutions proceed to the immediate consideration of the following resolutions that were submitted earlier today en bloc: S. Res. 822, S. Res. 823, and S. Res. 824.

PRESIDING OFFICER. The clerk will report these resolutions by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 822) to authorize testimony and representation in United States v. Rhodes.

A resolution (S. Res. 823) to authorize testimony and representation in United States v. Groseclose.

A resolution (S. Res. 824) to authorize testimony and representation in United States v. Steele-Smith.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. SCHUMER. Mr. President, in three criminal cases pending in Federal district court in the District of Columbia and arising out of the events of January 6, 2021, the prosecution has requested testimony from Senate witnesses.

In the ongoing trial of Stewart Rhodes, the alleged founder and leader of the Oath Keepers, and four codefendants, the prosecution has requested testimony from Virginia Brown, former Senate Chamber assistant, operating under the authority of the then-Secretary for the Minority of the Senate and the Sergeant at Arms and Doorkeeper of the Senate. In that role, Ms. Brown was a witness to the charged events. Then-Secretary for the Minority Myrick and Senate Sergeant at Arms Gibson would like to cooperate with this request by providing relevant testimony in this trial from Ms. Brown.

In two other cases arising out of the events of January 6, 2021, against Joseph Groseclose and Molly Steelesmith, in which trials are scheduled to begin on November 14, 2022, the prosecution has requested testimony from Daniel Schwager, formerly counsel to the Secretary of the Senate, concerning his knowledge and observations of the process and constitutional and legal basis for Congress’ counting of the electoral college votes. The prosecution has also sought testimony, if necessary, from Nate Russell and Diego Torres, custodians of records in the Senate Recording Studio, which operates under the authority of the Senate Sergeant at Arms and Doorkeeper, to authenticate Senate Recording Studio video of that day. Senate Secretary Brown and Senate Sergeant at Arms Gibson would like to cooperate with these requests by providing relevant testimony in these trials from Messrs. Schwager, Russell, and Torres, respectively.

In keeping with the rules and practices of the Senate, these resolutions would authorize the production of relevant testimony from Ms. Brown in the Rhodes case, and from Messrs. Schwager, Russell, and Torres in the Groseclose and Steele-Smith cases, with representation by the Senate legal counsel.

Mr. REED. Mr. President, I further ask that the resolutions be agreed to, the preambles be agreed to, and that the motions to reconsider be considered made and laid upon the table, en bloc, with no intervening action or debate.

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

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today’s RECORD under “Submitted Resolutions.”)
Ms. HARRIS. Mr. President, I ask unanimous consent that the Senate, at 11:26 a.m., adjourn to 11:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF STATE

VIVEK HALLEGEBRE MURTHY, OF FLORIDA, TO BE REPRESENTATIVE OF THE UNITED STATES ON THE EXECUTIVE BOARD OF THE WORLD HEALTH ORGANIZATION, VIC R. BRETT F. GIBOR

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 901:

To be general
LT. GEN. THOMAS A. RUSENBER

IN THE SPACE FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES SPACE FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 401:

To be lieutenant general
Maj. Gen. Deanna M. Burt

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 2120:

To be rear admiral
Mary M. Dean
Charles P. Fosse
Chad L. Jacoby
Carola J. List
Michael W. Raymond

IN THE AIR FORCE

THE FOLLOWING NAMED AIR NATIONAL GUARD OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 12303(D) AND 12301:

To be colonel
Christopher D. Coulson

To be permanent professor
Michael A. Nylan

IN THE NAVY

THE FOLLOWING NAMED OFFICER OF THE COAST GUARD PERMANENT COMMISSIONED TEACHING STAFF FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTIONS 1441 AND 2108:

To be captain
Brian J. Maggi
Michael K. Steinhaus

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major
David L. Guthrie

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel
Jeffrey Thompson, Jr.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 1228:

To be colonel
Phillip S. Stone

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel
Margaret E. Sullivan

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTIONS 8612 AND 8632:

To be commander
Rama K. Mutyal

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER OF THE COAST GUARD PERMANENT COMMISSIONED TEACHING STAFF FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTIONS 1441 AND 2108:

To be captain
Brian J. Maggi
Michael K. Steinhaus

To be commander
Nicole L. Blanchard
Michael S. Daefller
Lisa M. Thompson

WITHDRAWAL

Executive Message transmitted by the President to the Senate on October 11, 2022 withdrawing from further Senate consideration the following nomination:

LAUREL A. BLACKFORD, OF THE DISTRICT OF COLUMBIA, TO BE CONTROLLER, OFFICE OF FEDERAL FINANCIAL MANAGEMENT, OFFICE OF MANAGEMENT AND BUDGET, VICE DAVID ARTHUR MADER, WHICH WAS SENT TO THE SENATE ON JANUARY 4, 2022.
HONORING THE LIFE AND SACRIFICE OF RICHARD LOPEZ

HON. TOM O’HALLERAN
OF ARIZONA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, October 11, 2022

Mr. O’HALLERAN. Madam Speaker, I rise today to honor the life and sacrifice of Yavapai County Sheriff Deputy Richard Lopez, who was killed in the line of duty last month.

I was incredibly humbled to attend Officer Lopez’s service, and to see and feel the outpouring of love and support. I saw right away that Officer Lopez left an indelible mark on Yavapai County.

Beloved by his community, respected by those he served, and mourned deeply by his family and his colleagues, I saw right away that he was a wonderful person.

As a former police officer and homicide investigator, I know that police work is an incredibly dangerous profession. Any arrest can turn dangerous in an instant, putting officers and all involved in jeopardy in a single moment.

We must always keep our brave law enforcement officers and their families in our thoughts and in our prayers.

Today, I extend my sincerest condolences to Kimberly Lopez and their two children, and to the men and women of the Yavapai County Sheriff's Department.

RECOGNITION OF LARINIE ALLGOOD

HON. ROBERT J. WITTMAN
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, October 11, 2022

Mr. WITTMAN. Madam Speaker, I rise today in recognition of Mr. Larnie Allgood for his contributions to the Mechanicville Tea Party.

Larnie joined the Mechanicville Tea Party when it was established in 2010. He then served as its president in 2014 and 2018, and as its vice president in 2015 and 2017. He is affectionately described by his fellow Tea Party members as a “workhorse” who is “loyal to the preservation of our constitutional form of governance and conservative principles.” He has selflessly dedicated his time and money to help the Mechanicville Tea Party inform others about the constitutional principles of our Nation’s Founders.

Specifically, he preserved the Mechanicville Tea Party during the COVID–19 pandemic. He established and maintained the Party’s post office box with his own money. He advocated for government officials who supported the Constitution and opposed those who did not. And he frequently canvassed for candidates he believed in.

He is also a dedicated father and husband. He and his wife, Rachel, have been married for 58 years. Both are from Mecklenburg County in Southside Virginia. They have two children: Teresa and Richard. They also have four grandchildren: William, Nathan, Kyle, and Emma.

Larnie and Rachel moved to the Richmond area in 1972 and have lived there ever since. Larnie worked for the Commonwealth of Virginia, and later for the Chesapeake and Potomac Telephone Company. He also served on the Hanover Sheriff’s Citizen Advisory Board.

Madam Speaker, I ask you to join me in recognizing the accomplishments and service of Mr. Larnie Allgood. A U.S. flag has flown over the U.S. Capitol in honor of his service to the Mechanicsville Tea Party and his community. May God bless him and his family.

CELEBRATING RETIRED ARMY LIEUTENANT COLONEL RODERICK ‘RICO’ ALVENDIA TO THE BOARD OF DIRECTORS AT THE UNITED STATES MILITARY ACADEMY AT WEST POINT AND A TREMENDOUS MILESTONE OF LIFE ON HIS 52ND BIRTHDAY

HON. TROY A. CARTER
OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, October 11, 2022

Mr. CARTER of Louisiana. Madam Speaker, I rise today to pay tribute to celebrate a dear friend and committed servant across the Country, retired Army Lieutenant Colonel Roderick “Rico” Alvendia upon his appointment to the board of directors at the U.S. Military Academy at West Point; and celebrating his 52nd birthday.

President Joe Biden has appointed New Orleanians attorney and retired Army Lieutenant Colonel Roderick “Rico” Alvendia to the board of directors at the U.S. Military Academy at West Point. Biden selected Alvendia to serve a three-year term on the board. He will advise the president on the ongoing status and morale of the U.S. Army.

Since 1802, West Point has educated and trained future officers to lead in the U.S. Army, and Alvendia will serve on its historic 200-year-old Board of Directors alongside senior members of Congress, including U.S. Senator Joe Manchin, U.S. Senator Richard Burr, and fellow Iraq War veteran U.S. Senator Tammy Duckworth.

Alvendia served honorably as an Army Officer for 25 years and received the Bronze Star Medal for his service during combat operations in Iraq in 2005 with the Louisiana National Guard 256th Brigade Combat Team, where he was part of an international team of lawyers who assisted Iraqi prosecutors in their criminal trials against insurgents.

A Loyola Law School graduate, Alvendia dedicates his time to raising his son, Noah, and co-managing the Alvendia, Kelly and Demarest Law Firm as a successful trial lawyer, while also helping Louisiana veterans in need. In 2013, together with other Iraq and Afghanistan war veterans, Alvendia started the Legion of Mars Mardi Gras Krewe, the first New Orleans carnival organization established to honor U.S. military veterans and their families. Alvendia and the Mars Krewe have since helped thousands of local veterans while deployed or in financial hardship. Alvendia is also recognized as a major philanthropist throughout Louisiana, assuring those less fortunate are never left behind. Alvendia is also recognized as a major philanthropist throughout Louisiana, assuring those less fortunate are never left behind.

I am beyond proud of my friend as he represents his fellow New Orleanians and Louisianans, continuing to help local veterans as he serves on the Board of Visitors. Alvendia will continue working at his law firm and remain based in New Orleans while traveling to New York and Washington, D.C. throughout his 3-year Presidential Appointment.

A huge congratulations to retired Army Lieutenant Colonel Roderick “Rico” Alvendia. It is a remarkable achievement that deserves to be celebrated and marked in the most fitting way. We thank him for his service, while celebrating his 52nd birthday.

HONORING WWII VETERAN HARRY NIBLOCK ON HIS 100TH BIRTHDAY

HON. ELISSA SLOTKIN
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Tuesday, October 11, 2022

Ms. SLOTKIN. Madam Speaker, today I rise to honor Mr. Harry Niblock of Okemos, Michigan on the occasion of his 100th birthday. Mr. Niblock is among the bravest of men–our great nation has ever known—those who led the Allied invasion of German-occupied France in June of 1944. It is with profound gratitude for his service to our nation, and in celebration of his long and fruitful life, that I recognize him today.

Before he was a war hero, Harry was a Michigander, the second of five children born to Raymond and Pearl Niblock on October 9, 1922. He graduated from Howell High School in 1940 and married Margaret Fay three years later, after he had been drafted into the Army and was stationed at Fort Knox, Kentucky. Niblock trained as a tank driver, and was sent to Indiantown Gap, Pennsylvania, where he joined the 3rd Armored Division. His unit was sent to Warminster, England for additional training, and thanks to his outstanding leadership and skills, Harry was made the driver for the captain of his company. And when the call came in the summer of 1944 to waterproof the tanks and prepare for invasion, he was ready.

Nearly 80 years later, Harry still recalls the harrowing details of the day he arrived on Omaha Beach in Normandy, France, and immediately began pushing through the German
lines to Paris. Along the way, Harry’s tank motor died and he had to wait, alone, for an air-dropped replacement from a C47 before continuing on to join his outfit. From Paris they turned north toward Belgium, encountering sporadic gunfire along the way, as German troops were making a desperate attempt to re-

turn. Later Harry and his crew were among the very first American troops to cross into Germany, a day forever etched in his memory. Harry spent two months camped near the city of Stolberg before the fateful day a sniper attack killed his captain and his radioman, right before a bazooka took out the majority of the unit. With severed nerves in his arms and legs, and shrapnel in much of his body, Harry was eventually flown to a hospital in England, where he was award-
ed the Purple Heart for his bravery.

By February of 1945, Harry was able to return home to continue his recovery, and he laid eyes for the first time on two miraculous sights: first the Statue of Liberty as he sailed into harbor, followed a few days later by his baby girl, Barbara, who awaited his arrival in his wife’s arms. Harry continued his healing in a Battle Creek hospital and eventually returned to Howell with his family, where they settled and added another daughter, Susan. Harry worked for several local companies, including Howell Motors, Parker Industries, and his own homebuilding company. After his beloved wife passed away in 2011, and Harry retired from work, he and his eldest daughter moved to Okemos, where Harry is a proud member of the Disabled American Veterans. In addition to his devoted daughters, Harry is beloved by his 8 grandchildren, 17 great grandchildren, and 12 great, great grand-

children. In his 100 years, Harry Niblock has not just lived through our history—he is our history. As he celebrates this remarkable milestone birthday, it is my great honor to inscribe his life of heroism, bravery, and heart.

Harry worked for several local companies, including Howell Motors, Parker Industries, and his own homebuilding company. After his beloved wife passed away in 2011, and Harry retired from work, he and his eldest daughter moved to Okemos, where Harry is a proud member of the Disabled American Veterans. In addition to his devoted daughters, Harry is beloved by his 8 grandchildren, 17 great grandchildren, and 12 great, great grand-

children. In his 100 years, Harry Niblock has not just lived through our history—he is our history. As he celebrates this remarkable milestone birthday, it is my great honor to inscribe his life of heroism, bravery, and heart.

HONORING JENN RIGGS AS IOWAN OF THE WEEK

HON. CYNTHIA AXNE
OF IOWA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 11, 2022

Mrs. AXNE. Madam Speaker, I rise today to ask the House of Representatives to join me in recognizing Jenn Riggs, founder of Wander Women Iowa, as Iowan of the Week. Jenn was born and raised in Iowa in a family with a real love of the outdoors. As a child, her family would take day trips to explore Iowa’s many parks and recreational areas. Her grandmother worked at a state-run rest area educating visitors about Iowa’s outdoor spaces and tourism opportunities, and Jenn would join her on the job. All of these experiences be-

stowed in Jenn a deep appreciation of Iowa’s natural beauty and a drive to spend more time outside.

Prior to founding Wander Women, Jenn worked as a sustainability coordinator at the Des Moines Area Community College’s Urban Campus in Des Moines and helped students set up various sustainability efforts. One of her favorite projects was the establishment of a half-acre food forest on campus in the heart of Iowa’s largest metro area. She and the students involved learned about permaculture as the project developed, and today the half-acre forest boasts fruitful apple trees, different perennial food sources, and more.

The idea for Wander Women was years in the making. After many conversations with friends and community members and receiving a plethora of good guidance, Jenn officially made the leap from ownership when she founded the company in 2018. It’s only grown since then.

Wander Women Iowa connects, guides, and empowers women through all-inclusive camp-

ing and hiking trips throughout Iowa. The goal of the business is to help women find commun-

ity in the natural world and with one another in lasting, meaningful forms. It also empowers women by building confidence and learning important skills from other women within the outdoor recreation world, which is typically very male-dominated. Jenn also hopes to help women by building confidence and learning important skills from other women within the outdoor recreation world, which is typically very male-dominated. Jenn also hopes to help women by building confidence and learning important skills from other women within the outdoor recreation world, which is typically very male-dominated. Jenn also hopes to help women by building confidence and learning important skills from other women within the outdoor recreation world, which is typically very male-dominated. Jenn also hopes to help women by building confidence and learning important skills from other women within the outdoor recreation world, which is typically very male-dominated. Jenn also hopes to help women by building confidence and learning important skills from other women within the outdoor recreation world, which is typically very male-dominated. Jenn also hopes to help women by building confidence and learning important skills from other women within the outdoor recreation world, which is typically very male-dominated. Jenn also hopes to help women by building confidence and learning important skills from other women within the outdoor recreation world, which is typically very male-dominated. Jenn also hopes to help women by building confidence and learning important skills from other women within the outdoor recreation world, which is typically very male-dominated. Jenn also hopes to help women by building confidence and learning important skills from other women within the outdoor recreation world, which is typically very male-dominated. Jenn also hopes to help women by building confidence and learning important skills from other women within the outdoor recreation world, which is typically very male-dominated. Jenn also hopes to help women by building confidence and learning important skills from other women within the outdoor recreation world, which is typically very male-dominated. Jenn also hopes to help women by building confidence and learning important skills from other women within the outdoor recreation world, which is typically very male-dominated. Jenn also hopes to help women by building confidence and learning important skills from other women within the outdoor recreation world, which is typically very male-dominated. Jenn also hopes to help women by building confidence and learning important skills from other women within the outdoor recreation world, which is typically very male-dominated. Jenn also hopes to help women by building confidence and learning important skills from other women within the outdoor recreation world, which is typically very male-dominated. Jenn also hopes to help women by building confidence and learning important skills from other women within the outdoor recreation world, which is typically very male-dominated. Jenn also hopes to help women by building confidence and learning important skills from other women within the outdoor recreation world, which is typically very male-dominated. Jenn also hopes to help women by building confidence and learning important skills from other women within the outdoor recreation world, which is typically very male-dominated. Jenn also hopes to help women by building confidence and learning important skills from other women within the outdoor recreation world, which is typically very male-dominated. Jenn also hopes to help women by building confidence and learning important skills from other women within the outdoor recreation world, which is typically very male-dominated. Jenn also hopes to help women by building confidence and learning important skills from other women within the outdoor recreation world, which is typically very male-dominated. Jenn also hopes to help women by building confidence and learning important skills from other women within the outdoor recreation world, which is typically very male-dominated. Jenn also hopes to help women by building confidence and learning important skills from other women within the outdoor recreation world, which is typically very male-dominated. Jenn also hopes to help women by building confidence and learning important skills from other women within the outdoor recreation world, which is typically very male-dominated. Jenn also hopes to help women by building confidence and learning important skills from other women within the outdoor recreation world, which is typically very male-dominated. Jenn also hopes to help women by building confidence and learning important skills from other women within the outdoor recreation world, which is typically very male-dominated.

Jenn believes there is power and magic when women gather, and is dedicated to cre-

ating a path to the outdoor world for everyone. The ladies participating in Wander Women trips come from all walks of life, gather in the woods without technology or preconceived no-
tions, and can simply be themselves while fully immersing in nature and the experience. It’s been transformative for participants, many of whom have since become involved in other initiatives like volunteering and advocacy, have stayed connected to other women in the group, and have taken their friends and family members to these wild spaces to share their joy and appreciation.

The success of Wander Women is remark-

able. The small business started with nine trips its first year, and has since grown to 44 trips planned for this year between back-

packing trips, paddling trips, and educational courses across the state. Jenn brought on a co-owner, Keni Sorrell, and they now have 14 female trip guides and a new, part-time em-

ployee.

When she’s not working on trips and initia-
tives through Wander Women, Jenn remains passionately involved in environmental issues and advocacy. She also keeps busy caring for her two young kids and enjoys sharing her love of Iowa’s outdoor spaces with her chil-
dren. Her daughter, already a brave outdoor adventurer, has even asked about taking over Wander Women someday.

As we collectively breathe a sigh of relief at the coming of spring and Women’s History Month draws to a close, I am happy to honor this strong, adventurous woman who dream of connecting more women with Iowa’s wild spaces and then made that dream a reality. In sharing her love and knowledge of Iowa’s natural heritage, Jenn is bringing a community of women together to help preserve these spaces and pass along the appreciation to fu-

ture generations. I’m inspired by Jenn and the brave ladies of Wander Women Iowa and am proud to name her Iowan of the Week.

HONORING HOLOCAUST SURVIVOR HENRY STERN ON HIS 95TH BIRTHDAY

HON. SEAN PATRICK MALONEY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 11, 2022

Mr. SEAN PATRICK MALONEY of New York. Madam Speaker, I rise today to recog-
nize Henry Stern, a resident of Cold Spring, New York, for his 95th birthday on October 15, 2022. Henry was born in 1927, his first eleven years growing up in Augsburg, Germany. Facing Nazi persecution of the Jew-

ish people, Henry and his family escaped to England in 1939, just one week before war was officially declared. Henry and his family were aided financially by an uncle living in the United States, where they later immigrated.

Henry is dedicated to spreading awareness about the horrors of the Holocaust and pre-
serving the memories of his family. He partici-
pated in a project called Lifelines, directed by the Jewish Museum Augsburg Swabia, which chronicles the experiences of Holocaust survi-
vors and their loved ones. Henry’s experi-
ences, and those of his family, formed the subject of the sixth volume of Lifelines. Henry later travelled to Augsburg to educate people about the Holocaust, including through a mu-

seum exhibit, a theater performance, and four days of workshops at local high schools.

On May 4, 2014, Henry presented a talk at Marina Gallery in Cold Spring about his expe-

riences during the Holocaust and his work with the Lifelines project to record them for pos-
terity. Henry ended his talk with a poem his brother wrote in memory of their cousins, Margo and Trude, who perished on a transport to Poland during the Holocaust. The talk was organized by the Philippsturm Reform Syna-
gogue, of which Henry is a member, and was presented in honor of Yom HaShoah, Hol-

ocaust Remembrance Day, which occurred a few days earlier, from sundown April 27 to sundown April 28.

Madam Speaker, it is an honor to recognize Henry Stern for his selfless contributions to our shared village of Cold Spring, to his home-
town community in Augsburg, and to our world. I ask that you join me in thanking him for his important work and wishing him a happy 95th birthday.

CELEBRATING THE 100TH ANNI-
VERSARY OF CHERRY STREET BAPTIST CHURCH IN ATTALLA, ALABAMA

HON. ROBERT B. ADERHOLT
OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 11, 2022

Mr. ADERHOLT. Madam Speaker, one hun-
dred years ago this month, Cherry Street Bap-
tist Church in Attalla, Alabama held its first ser-
vice on October 22, 1922. It was that day that laid the foundation for a century of wor-
ship and fellowship that continues to serve the community to this day.

Located in Etowah County, and in the Fourth Congressional District that I represent, Cherry Street Baptist has continuously and faithfully executed the mission bestowed upon
us followers of Christ to spread the word of God and the teachings of Jesus. It is their commitment to his love and forgiveness that has withstood the test of time and bestowed the congregation with the strength to flourish.

Over Cherry Street Baptist's one hundred years, there have been many faithful men that have had the honor to serve as pastor, many of which the community of Attalla hold both cherished in memory and dearest of friends still today. Among these men are C.O. Thompson, Walter Johnson, C.G. Garrett, Rufus Perry, L.A. Perry, Cicero Peak, Monroe Humphries, Ira Tidwell, Ray Chaple, Hoyt Wilks, J.A. Patterson, P.W. Mitchell, R.R. Mathews, George Fisher, M.S. Cunningham, Kenneth C. Spears, Charles O. Dinkins, Rolland H. Clemons, Roger Willmore, Herman Cobb, Dean Hampton, Jimmy Perkins and Larry Garrard.

For the last decade, Brother Phillip Elliot has served as the pastor and so many in the Attalla community walk with him in the pursuit of better understanding of the Gospel.

Beyond the great pastors of Cherry Street Baptist's history is the congregation that has come to know His word through the years. The people of Attalla and surrounding areas have grown together in Christ and understand the renowned significance of their long-standing fellowship. I want to send my most sincere congratulations to the entire congregation as they celebrate this wonderful milestone in their history, and I pray that in another century Cherry Street Baptist Church will still be spreading the Word and serving the community that they hold so dear.

“Let the word of Christ dwell in you richly in all wisdom; teaching and admonishing one another in psalms and hymns and spiritual songs, singing with grace in your hearts to the Lord.” Colossians 3:16

RECOGNITION OF MICHAEL BEEDIE’S SERVICE TO FORT WALTON BEACH, FLORIDA

HON. MATT GAETZ
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, October 11, 2022

Mr. GAETZ. Madam Speaker, I want to honor the legacy of Michael Beedie, who has recently announced his departure as Fort Walton Beach, Florida’s City Manager. Michael has been serving Fort Walton Beach—the city he was born and raised in—since 2005, when he started as City Engineer. As a licensed engineer in the State of Florida with a background in Civil Engineering, Michael is a perfect example of the exceptional value someone brings to the community through dedicated service. After four years of service as the City Engineer, Michael became the Engineering & Utility Services Director, overseeing city employees spanning the areas of code enforcement, construction services, facilities maintenance, engineering, and more.

Michael possesses exceptional vigor, dedication, and successful management skills that resulted in his promotion to City Manager in 2012. Since then, he has served his community for more than ten years. His work to improve the city’s recreational facilities, expand development, promote efficiency, and responsibly manage the city’s budget is exemplary.

While he will not be in City Hall to oversee the completion of his latest work, Fort Walton Beach is destined for success in the many years ahead. I am proud to have worked with Michael for many years in many roles. He has the heart of a servant and the brain of a curious innovator. I am as proud to wish him well as I have been to call him a neighbor and friend.

INTRODUCTION OF A BILL TO PROVIDE AN ADDITIONAL APPROPRIATION FOR THE EMERGENCY FOOD AND SHELTER PROGRAM TO PROVIDE HUMANITARIAN RELIEF FOR MIGRANTS

HON. ELEANOR HOLMES NORTON
OF THE DISTRICT OF COLUMBIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, October 11, 2022

Ms. NORTON. Madam Speaker, today, I introduce a bill to amend the recently enacted fiscal year 2023 continuing resolution (CR) to provide $50 million in emergency supplemental appropriations for the Federal Emergency Management Agency’s Emergency Food and Shelter Program (EFSP) for humanitarian assistance for migrants. The funding would remain available until expended.

In a cynical political stunt, the governors of Texas, Arizona and Florida have sent approximately 14,000 vulnerable people fleeing desperate and dangerous situations in their home countries to the District of Columbia, New York City, Chicago and Martha’s Vineyard in the last several months.

In fiscal year 2022, Congress provided $150 million for the EFSP for humanitarian assistance for migrants. As of September 28, 2022, approximately $1 million of this funding remained available. I, along with several colleagues, sent a letter to the House Committee on Appropriations requesting that the CR provide $50 million in emergency supplemental appropriations for the EFSP for humanitarian assistance for migrants, but it was not included in the introduced version of the CR.

We then filed an amendment to the CR at the Committee on Rules to provide this $50 million, but the amendment was not made in order. The enacted CR only provides funding for the EFSP at the fiscal year 2022 rate of operations. D.C., New York City, Chicago and Massachusetts have increased their requests for EFSP funding, and without additional appropriations, the EFSP may exhaust its funding.

This $50 million would ensure that D.C. and other jurisdictions, as well as non-profit groups and volunteers, have the resources they need to provide humanitarian assistance to migrants. As we continue to work to provide increased funding for the EFSP for humanitarian assistance for migrants in the regular fiscal year 2023 appropriations bill, I strongly urge my colleagues to support this bill.

RECOGNITION OF PATRICIA FALKENBERG

HON. CAROLYN B. MALONEY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, October 11, 2022

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, I rise today to pay tribute to my dear friend, Patricia Falkenberg who has dedicated her life to advancing Jewish causes and supporting the arts. Patricia Falkenberg is a native New Yorker who grew up in Woodmere and graduated from Woodmere Academy. After graduating from high school Mrs. Falkenberg attended Mount Holyoke College and graduated with distinction in 1964. Since then, Mrs. Falkenberg has taken an extremely active leadership role in the Mount Holyoke community and received an Alumnae Medal of Honor from the Alumnae Association of Mount Holyoke College in 1999.

Mrs. Falkenberg is dedicated to supporting the arts and has served as an advisory board member of the Mount Holyoke College Art Museum for 15 years. To mark the Museum’s reach Mrs. Falkenberg and her husband established the Patricia and Edward Falkenberg Lecture Series which arranges talks and exhibitions on campus from notable figures in the art world like Al Weiwei.

Mrs. Falkenberg is also deeply involved in supporting Jewish causes. She has been a member of the American Jewish Committee’s Board of Governors for over 30 years and recently served as President of AJC’s Women’s Leadership Board.

Madam Speaker, Mrs. Falkenberg is a dear friend of mine who continues to inspire me with her tireless advocacy and charitable work. I ask my colleagues to join me in recognizing the many contributions that Patricia Falkenberg has made to New York City and wishing her every future success.

COST ESTIMATE FOR H.R. 7778, THE DEPARTMENT OF HOMELAND SECURITY SEAL PROTECTION ACT OF 2022

HON. BENNIE G. THOMPSON
OF MISSISSIPPI
IN THE HOUSE OF REPRESENTATIVES
Tuesday, October 11, 2022

Mr. THOMPSON of Mississippi. Madam Speaker, I include in the RECORD the cost estimate prepared by the Congressional Budget Office for H.R. 7778, the Department of Homeland Security Seal Protection Act of 2022. The cost estimate was not available at the time of the Committee report filing.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, October 4, 2022.

HON. BENNIE G. THOMPSON,
Chairman, Committee on Homeland Security, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 7778, the Department of Homeland Security Seal Protection Act of 2022.
If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Jeremy Crimm.

Sincerely,

PHILLIP L. SWAGEL,
Director.

Enclosure.

H.R. 7778, DEPARTMENT OF HOMELAND SECURITY SEAL PROTECTION ACT OF 2022, AS REPORTED BY THE HOUSE COMMITTEE ON HOMELAND SECURITY ON JULY 28, 2022

**Statutory pay-as-you-go procedures apply?** Yes.

**Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2033?** No.

**Mandate Effects:**
Contains intergovernmental mandate? No.
Contains private-sector mandate? No.

H.R. 7778 would create new criminal penalties for individuals, organizations, or businesses that use the official seal of the Department of Homeland Security (DHS) in a manner that conveys the agency’s approval. Criminal fines are recorded as revenues, deposited in the Department of Justice’s (DOJ) Crime Victims Fund, and later spent without further appropriation action.

Under current law, several federal entities, including the Department of Treasury, the National Security Agency, the Central Intelligence Agency, the U.S. Marshals Service and the U.S. Marine Corps, have similar protections for their respective seals. Based on information from DOJ regarding criminal penalties charged for the fraudulent use of agencies’ seals, CBO estimates that implementing H.R. 7778 would increase revenue direct spending by less than $500,000 over the 2023–2032 period, resulting in an insignificant effect on the deficit over the same period.

Based on conversations with DHS, CBO does not anticipate that implementing H.R. would result in any additional administrative costs.

H.R. 7778 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

The CBO staff contact for this estimate is Jeremy Crimm. The estimate was reviewed by Leo Lex, Deputy Director of Budget Analysis.

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* = between $500,000 and $500,000.

** = not estimated.
Chamber Action

Routine Proceedings, pages S6063–S6615

Measures Introduced: Nine bills and eight resolutions were introduced, as follows: S. 5067–5075, and S. Res. 822–829. Pages S6469–70

Measures Passed:

Authorize Testimony and Representation: Senate agreed to S. Res. 822, to authorize testimony and representation in United States v. Rhodes. Page S6614

Authorize Testimony and Representation: Senate agreed to S. Res. 823, to authorize testimony and representation in United States v. Groseclose. Page S6614

Authorize Testimony and Representation: Senate agreed to S. Res. 824, to authorize testimony and representation in United States v. Steele-Smith. Page S6614

Measures Considered:

National Defense Authorization Act: Senate began consideration of H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, after taking action on the following amendments proposed thereto: Pages S6063–S6466

Pending:

Reed/Inhofe Modified Amendment No. 5499, in the nature of a substitute. Pages S6063–S6465

Reed Amendment No. 6442 (to Amendment No. 5499), to add an effective date. Page S6465

Appointments:

Board of Trustees of the American Folklife Center of the Library of Congress: The Chair, on behalf of the President pro tempore, pursuant to the provisions of Public Law 94–201, as amended by Public Law 105–275, re-appointed the following individual to serve as a member of the Board of Trustees of the American Folklife Center of the Library of Congress: John Patrick Rice of Nevada. Page S6615

Pro Forma Session—Agreement: A unanimous-consent agreement was reached providing that the time of the pro forma session on November 10, 2022 be changed to 3 p.m., with all other provisions of the order of September 29, 2022 remaining in effect. Page S6615

Nominations Received: Senate received the following nominations:

Vivek Hallegere Murthy, of Florida, to be Representative of the United States on the Executive Board of the World Health Organization.

1 Air Force nomination in the rank of general.

5 Coast Guard nominations in the rank of admiral.

1 Space Force nomination in the rank of general.

Routine lists in the Air Force, Army, Coast Guard, and Navy.

Nomination Withdrawn: Senate received notification of withdrawal of the following nomination:

Laurel A. Blatchford, of the District of Columbia, to be Controller, Office of Federal Financial Management, Office of Management and Budget, which was sent to the Senate on January 4, 2022. Page S6615

Messages from the House: Pages S6468–69

Measures Referred: Pages S6469

Measures Placed on the Calendar: Pages S6469

Enrolled Bills Presented: Pages S6469

Additional Cosponsors: Pages S6470–71

Statements on Introduced Bills/Resolutions: Pages S6471–74

Additional Statements: Page S6467

Amendments Submitted: Pages S6475–S6614

Adjournment: Senate convened at 11 a.m. and adjourned at 11:26 a.m., until 11:30 a.m. on Friday, October 14, 2022. (For Senate’s program, see the remarks of the Acting Majority Leader in today’s Record on page S6615.)
Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 11 public bills, H.R. 9163–9173; and 1 resolution, H. Res. 1429, were introduced.

Additional Cosponsors: Pages H8390–91

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein she appointed Representative Beyer to act as Speaker pro tempore for today.

Board of Trustees of the Harry S. Truman Scholarship Foundation—Appointment: The Chair announced the Speaker’s appointment of the following Member on the part of the House to the Board of Trustees of the Harry S. Truman Scholarship Foundation, to fill the existing vacancy thereon: Representative Kim of New Jersey.

Quorum Calls—Votes: There were no Yea and Nay votes, and there were no Recorded votes. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 10:02 a.m.

Committee Meetings

No hearings were held.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D988)


H.R. 8656, to designate the clinic of the Department of Veterans Affairs in Mishawaka, Indiana, as the “Jackie Walorski VA Clinic”. Signed on September 30, 2022. (Public Law 117–179)


S. 3969, to amend the Help America Vote Act of 2002 to explicitly authorize distribution of grant funds to the voting accessibility protection and advocacy system of the Commonwealth of the Northern Mariana Islands and the system serving the American Indian consortium. Signed on September 30, 2022. (Public Law 117–182)

S. 4900, to reauthorize the SBIR and STTR programs and pilot programs. Signed on September 30, 2022. (Public Law 117–183)

H.R. 5577, to designate the facility of the United States Postal Service located at 3900 Crown Road Southwest in Atlanta, Georgia, as the “John R. Lewis Post Office Building”. Signed on October 4, 2022. (Public Law 117–184)

H.R. 6899, to prohibit the Secretary of the Treasury from engaging in transactions involving the exchange of Special Drawing Rights issued by the International Monetary Fund that are held by the Russian Federation or Belarus. Signed on October 4, 2022. (Public Law 117–185)

COMMITTEE MEETINGS FOR WEDNESDAY, OCTOBER 12, 2022

(Committee meetings are open unless otherwise indicated)

Senate

Committee on the Judiciary: to hold hearings to examine the nominations of Anthony Devos Johnstone, of Montana, to be United States Circuit Judge for the Ninth Circuit, Daniel J. Calabretta, to be United States District Judge for the Eastern District of California, Matthew L. Garcia, to be United States District Judge for the District of New Mexico, Jeffery Paul Hopkins, to be United States District Judge for the Southern District of Ohio, Lindsay C. Jenkins, to be United States District Judge for
the Northern District of Illinois, and Adrienne C. Nelson, to be United States District Judge for the District of Oregon, 10 a.m., SD–226.

**House**

*Select Committee to Investigate the January 6th Attack on the United States Capitol*, October 13, Full Committee, hearing entitled “January 6th Investigation”, 1 p.m., 390 Cannon and Webex.

**CONGRESSIONAL PROGRAM AHEAD**

**Week of October 12 through October 14, 2022**

**Senate Chamber**

During the balance of the week, Senate will meet in pro forma session.

**Senate Committees**

(Committee meetings are open unless otherwise indicated)

*Committee on the Judiciary*: October 12, to hold hearings to examine the nominations of Anthony Devos Johnstone, of Montana, to be United States Circuit Judge for the Ninth Circuit, Daniel J. Calabretta, to be United States District Judge for the Eastern District of California, Matthew L. Garcia, to be United States District Judge for the District of New Mexico, Jeffery Paul Hopkins, to be United States District Judge for the Southern District of Ohio, Lindsay C. Jenkins, to be United States District Judge for the Northern District of Illinois, and Adrienne C. Nelson, to be United States District Judge for the District of Oregon, 10 a.m., SD–226.

**House Committees**

*Select Committee to Investigate the January 6th Attack on the United States Capitol*, October 13, Full Committee, hearing entitled “January 6th Investigation”, 1 p.m., 390 Cannon and Webex.
Next Meeting of the SENATE

11:30 a.m., Friday, October 14

Senate Chamber

Program for Friday: Senate will meet in a pro forma session.

Next Meeting of the HOUSE OF REPRESENTATIVES

11:30 a.m., Friday, October 14

House Chamber

Program for Friday: House will meet in Pro Forma session at 11:30 a.m.

Extensions of Remarks, as inserted in this issue

HOUSE

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Slotkin, Elissa, Mich., E1037
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Wittman, Robert J., Va., E1037

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