To authorize appropriations for fiscal year 2024 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.

IN THE HOUSE OF REPRESENTATIVES

APRIL 18, 2023

Mr. Rogers of Alabama (for himself and Mr. Smith of Washington) introduced the following bill; which was referred to the Committee on Armed Services

JUNE 30, 2023

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on April 18, 2023]
A BILL

To authorize appropriations for fiscal year 2024 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.
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “National Defense Authorization Act for Fiscal Year 2024”.

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

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

(1) Division A—Department of Defense Authorizations.

(2) Division B—Military Construction Authorizations.

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

(4) Division D—Funding Tables.

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

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

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Sec. 101. Authorization of appropriations.

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Sec. 152. Modification of annual reports on T–7A Advanced Pilot Training System.
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Sec. 154. Modification of minimum inventory requirements for A–10 aircraft.
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Sec. 156. KC–135 aircraft recapitalization program.
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Sec. 158. Prohibition on availability of funds for termination of production lines for the HH–60W aircraft.
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Sec. 162. Limitation on actions relating to remote vision systems of KC–46A aircraft.

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Sec. 184. Plan to expedite integration of Long-Range Anti-Ship Missiles into legacy aircraft fleets.

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Sec. 216. Consortium on use of additive manufacturing for Army aviation and missile capability development.
Sec. 217. Support for defense innovation activities of the North Atlantic Treaty Organization.
Sec. 218. Next Generation Air Dominance family of systems development program accountability matrices.
Sec. 219. Continuous capability development and delivery program for F–35 aircraft.
Sec. 220. Process to ensure the responsible development and use of artificial intelligence.
Sec. 221. Pilot program to commercialize prototypes of the Department of the Air Force.
Sec. 222. Pilot program on near-term quantum computing applications.
Sec. 223. Pilot program on access to small business advanced technology for Army ground vehicle systems.
Sec. 224. Prohibition on availability of funds for gain-of-function research.
Sec. 225. Limitation on availability of funds pending documentation on Future Attack Reconnaissance Aircraft program.
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Sec. 242. Consideration of lethality as a key performance parameter for munitions.
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Sec. 244. Assessment of energetics industrial base.
Sec. 245. Limitation on sourcing chemical materials for munitions from certain countries.

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Sec. 262. Modification to annual reports on critical technology areas supportive of the National Defense Strategy.
Sec. 263. Intellectual property strategy.
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Sec. 513. Removal of prohibition on active duty members of the Air Force Reserve Policy Committee.
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TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

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SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.

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

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2024 for procurement for the Army, the Navy and the Marine Corps, the Air Force and the Space Force, and Defense-wide activities, as specified in the funding table in section 4101.

Subtitle B—Army Programs

SEC. 111. LIMITATION ON AVAILABILITY OF FUNDS PENDING ASSESSMENT OF ARMY TRACKLESS MOVING TARGET SYSTEMS.

(a) In General.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2024 for the Trackless Moving Target program of the Army, not more than 50 percent may be obligated or expended to procure or further develop the Trackless Moving Target–Infantry variant until the Secretary of the Army—
(1) acting through the Commanding General of the Army Test and Evaluation Command, conducts an assessment, which shall include a live fire performance comparison, of commercially available trackless infantry targets to determine if any such solutions meet the program requirements for the Trackless Moving Target–Infantry variant;

(2) obtains direct soldier feedback on the current Trackless Moving Target program, as compared to other commercially available and operationally deployed trackless infantry targets;

(3) certifies to the congressional defense committees that the acquisition strategy of the Army for the Trackless Moving Target–Infantry variant meets the current program requirements as set forth in the report of Secretary of the Army titled “Autonomous Robotic Targets for Small Arms Range Training”, as submitted to Congress in March 2023; and

(4) submits to the congressional defense committees the report required under subsection (b).

(b) REPORT REQUIRED.—Not later than 30 days after the date of the completion of the assessment and soldier feedback required under paragraphs (1) and (2) of subsection (a), the Secretary of the Army shall submit to the congressional defense committees a report that includes—
(1) detailed results of the assessment conducted under subsection (a)(1), including a comparison of the Trackless Moving Target–Infantry variant under development by the Army to other operationally deployed, commercially available targets in use by other armed forces;

(2) the unaltered results of the direct soldier feedback obtained under subsection (a)(2) and a summary of such results; and

(3) a certification that the development of the Trackless Moving Target–Infantry variant is in compliance with the requirements of section 4061 of title 10, United States Code.

Subtitle C—Navy Programs

SEC. 131. MULTIYEAR PROCUREMENT AUTHORITY FOR VIRGINIA CLASS SUBMARINE PROGRAM.

(a) Authority for Multiyear Procurement.—Subject to section 3501 of title 10, United States Code, the Secretary of the Navy may enter into one or more multiyear contracts for the procurement of not more than 13 Virginia class submarines.

(b) Limitation.—The Secretary of the Navy may not modify a contract entered into under subsection (a) if the modification would increase the target price of the submarine by more than 10 percent above the target price spec-
ified in the original contract awarded for the submarine
under subsection (a).

(c) Authority for Advance Procurement.—The
Secretary of the Navy may enter into one or more contracts,
beginning in fiscal year 2024, for advance procurement as-
associated with the Virginia class submarines for which au-
 thorization to enter into a multiyear procurement contract
is provided under subsection (a) and for equipment or sub-
systems associated with the Virginia class submarine pro-
gram, including procurement of—

(1) long lead time material; or

(2) material or equipment in economic order
quantities when cost savings are achievable.

(d) Condition for Out-Year Contract Pay-
ments.—A contract entered into under subsection (a) shall
provide that any obligation of the United States to make
a payment under the contract for a fiscal year after fiscal
year 2025 is subject to the availability of appropriations
or funds for that purpose for such later fiscal year.

(e) Limitation on Termination Liability.—A con-
tract for the construction of Virginia class submarines en-
tered into under subsection (a) shall include a clause that
limits the liability of the United States to the contractor
for any termination of the contract. The maximum liability
of the United States under the clause shall be the amount
appropriated for the submarines covered by the contract regardless of the amount obligated under the contract.

(f) **Virginia Class Submarine Defined.**—The term “Virginia class submarine” means a block VI configured Virginia class submarine.

**SEC. 132. Multiyear Procurement Authority for MK–48 Torpedoes.**

(a) **Authority for Multiyear Procurement.**—Subject to section 3501 of title 10, United States Code, the Secretary of the Navy may enter into one or more multiyear contracts for the procurement of up to 550 MK–48 torpedoes.

(b) **Procurement in Conjunction With Existing Contracts.**—The torpedoes authorized to be procured under subsection (a) may be procured as additions to existing contracts covering the MK–48 torpedo program.

(c) **Authority for Advance Procurement.**—The Secretary of the Navy may enter into one or more contracts, beginning in fiscal year 2024, for advance procurement associated with the torpedoes for which authorization to enter into a multiyear procurement contract is provided under subsection (a), and for systems and subsystems associated with such torpedoes in economic order quantities when cost savings are achievable.
(d) Condition for Out-year Contract Payments.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2024 is subject to the availability of appropriations or funds for that purpose for such later fiscal year.

SEC. 133. PROCUREMENT AUTHORITY FOR AUXILIARY PERSONNEL LIGHTER PROGRAM.

(a) Contract Authority.—Beginning in fiscal year 2024, the Secretary of the Navy may enter into one or more contracts for the procurement of up to six Auxiliary Personnel Lighter class vessels and associated material.

(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 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.
SEC. 134. LIMITATION ON UPGRADES TO NACELLES OF MV–22 AIRCRAFT PENDING CERTIFICATION OF UPGRADE PLAN.

No action may be taken to move the production line for upgrading the nacelles of MV–22 aircraft of the Marine Corps or to implement the MV–22 Tailored Nacelle Improvement program until the date on which the Secretary of the Navy certifies to the Committees on Armed Services of the Senate and the House of Representatives that the plan of the Secretary for implementing such upgrades—

(1) is expected to result in greater performance and reliability improvements to the nacelles of such aircraft than would otherwise be achievable by completing such upgrades at the original equipment manufacturer for the MV–22 aircraft during final aircraft assembly;

(2) is expected to extend the projected service life of the nacelle; and

(3) addresses the key readiness degradation factors.

Subtitle D—Air Force Programs

SEC. 151. EXTENSION OF REQUIREMENTS RELATING TO C–130 AIRCRAFT.

Year 2023 (Public Law 117–263) is amended by striking “2023” and inserting “2024”.

(b) EXTENSION OF PROHIBITION ON REDUCTION OF C-130 AIRCRAFT ASSIGNED TO NATIONAL GUARD.—Subsection (b)(1) of such section is amended by striking “fiscal year 2023” and inserting “fiscal years 2023 and 2024”.

SEC. 152. MODIFICATION OF ANNUAL REPORTS ON T-7A ADVANCED PILOT TRAINING SYSTEM.


(1) in subsection (a), by striking “through 2028” and inserting “through 2033”; and

(2) in subsection (b)—

(A) by redesignating paragraph (9) as paragraph (11); and

(B) by inserting after paragraph (8) the following new paragraphs:

“(9) A review of a schedule risk assessment conducted by the Secretary of the Air Force that includes risks associated with the overlap of development, testing, and production phases of the program and risks related to contractor management.

“(10) A plan for determining the conditions under which the Secretary of the Air Force may ac-
cept production work on the T–7A Advanced Pilot Training System that was completed by the contractor for the program in anticipation of the Air Force ordering additional systems, but which was not subject to typical production oversight because there was no contract for the procurement of such additional systems in effect when such work was performed.”.

SEC. 153. MODIFICATION TO PROHIBITION ON CERTAIN REDUCTIONS TO B–1 BOMBER AIRCRAFT SQUADRONS.

Section 133 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1574) is amended—

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

“(b) EXCEPTIONS.—The prohibition under subsection (a) shall not apply—

“(1) to a bomb wing for which the Secretary of the Air Force has commenced the process of replacing B-1 bomber aircraft with B-21 bomber aircraft; or

“(2) so as to prohibit the retirement of the individual B–1 aircraft designated 85–0089, which has been determined by Secretary of the Air Force to be
SEC. 154. MODIFICATION OF MINIMUM INVENTORY REQUIREMENTS FOR A–10 AIRCRAFT.

(a) IN GENERAL.—Section 134(d) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2038), as amended by section 141(b)(1) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263), is amended by striking “153 A–10 aircraft” and inserting “135 A–10 aircraft”.

(b) POTENTIAL TRANSFER OF CERTAIN AIRCRAFT.—In the case of any A–10 aircraft that is retired, prepared to retire, or placed in storage using funds authorized to be appropriated by this Act or by the National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263), the Secretary of Defense shall ensure that such aircraft is evaluated for potential transfer to the military forces of a nation that is an ally or partner of the United States.
(c) REPEAL.—Section 142 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 755) is amended—

(1) by striking subsection (b);

(2) by redesignating subsections (c) through (e) as subsections (b) through (d), respectively; and

(3) in subsection (c), as so redesignated, by striking “subsection (c)” and inserting “subsection (b)”.

SEC. 155. PROCUREMENT OF OVER-THE-HORIZON RADAR SYSTEMS.

(a) IN GENERAL.—As soon as practicable, the Secretary of the Air Force shall procure not more than six over-the-horizon radar systems for detection of increasingly complex threats that meet the requirements of the United States Northern Command.

(b) USE OF COMPETITIVE PROCEDURES.—To the extent practicable, the Secretary shall use competitive procedures for such procurement, and may use procedures other than competitive procedures for such procurement.

(c) NOTIFICATION OF USE OF SOLE SOURCE CONTRACT.—If the Secretary makes a determination to award a sole source contract for the procurement of the first two over-the-horizon radar systems in order to meet the requirements established by the Commander of the United States Northern Command, not later than 14 days after making
such determination, the Secretary shall submit to the congressional defense committees a notification of such determination, including the rationale for such determination.

(d) Subsequent Contracts.—With respect to the procurement of the third and any subsequent over-the-horizon radar system, the Secretary shall use competitive procedures for such procurement.

SEC. 156. KC–135 AIRCRAFT RECAPITALIZATION PROGRAM.

The Secretary of the Air Force may not issue an acquisition strategy for the KC–135 recapitalization program until the date on which the Secretary submits to the congressional defense committees the following documentation:

(1) A business case analysis and analysis of alternatives for the Next Generation Air Refueling System that is based on a more realistic timeline than the analyses prepared before the date of the enactment of this Act.

(2) The business case analysis of the Air Force for the KC–135 recapitalization program.

(3) Validated requirements from the Joint Staff for the contract competition under the KC–135 recapitalization program.
SEC. 157. PROHIBITION ON REDUCTION OF KC–135 AIRCRAFT IN PMAI OF THE RESERVE COMPONENTS.

(a) Prohibition.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2024 for the Air Force may be obligated or expended to reduce the number of KC–135 aircraft designated as primary mission aircraft inventory within the reserve components of the Air Force.

(b) Primary Mission Aircraft Inventory Defined.—In this section, the term “primary mission aircraft inventory” has the meaning given that term in section 9062(i)(2)(B) of title 10, United States Code.

SEC. 158. PROHIBITION ON AVAILABILITY OF FUNDS FOR TERMINATION OF PRODUCTION LINES FOR THE HH–60W AIRCRAFT.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2024 for the Air Force may be obligated or expended to terminate the operations of, or to prepare to terminate the operations of, a production line for HH–60W Combat Rescue Helicopters.

SEC. 159. LIMITATION ON TERMINATION OF FIGHTER SQUADRONS.

(a) Limitation.—The Secretary of the Air Force may not terminate the fighter flying mission of any fighter squadron of the Air National Guard until a period of 180
days has elapsed following the date on which the Secretary submits the plan required under subsection (b).

(b) PLAN REQUIRED.—

(1) IN GENERAL.—The Secretary of the Air Force, in coordination with the Director of the Air National Guard, shall develop a notional plan for the recapitalization of all fighter squadrons of the Air National Guard.

(2) ELEMENTS.—The plan under paragraph (1) shall—

(A) provide options for the modernization of fighter squadrons of the Air National Guard and the replacement of the aircraft of such squadrons at a rate that ensures recapitalization of such squadrons with relevant and more capable replacement fighter aircraft;

(B) ensure that each fighter squadron of the Air National Guard has the required minimum of primary mission assigned fighter aircraft to meet force presentation requirements of geographic combatant commanders for both steady-state and operational contingency planning and execution;

(C) include consideration for the temporary reassignment of aircraft to such squadrons from
other components of the Air Force, as necessary
to meet the requirements of the plan; and

(D) include the Secretary of the Air Force’s assessment of any effects of the force presentation on—

(i) combatant commanders;

(ii) aircrew accession absorption capacity;

(iii) industrial capacity to support any additional production above programmed quantities; and

(iv) costs aside from normal training and personnel costs of unit mission transitions.

(3) Submittal to Congress.—The Secretary of the Air Force shall submit to the congressional defense committees the plan required under paragraph (1) together with an explanation of—

(A) any programmatic funding required to implement such plan; and

(B) how the plan differs from other plans of the Secretary of the Air Force with respect to fighter aircraft squadrons of the Air National Guard (including any such plans in effect as of
the date of the submittal of the plan under para-
graph (1)); and

(C) any effects of the plan on operations
and efforts to recapitalize or transition existing
fighter aircraft squadrons of the Air National
Guard as proposed in the future-years defense
program submitted to Congress under section
221 of title 10, United States Code, for fiscal
year 2024.

SEC. 160. LIMITATION ON DIVESTMENT OF F–16 AIRCRAFT.

(a) LIMITATION.—Beginning on January 1, 2024, the
Secretary of the Air Force may not divest, or prepare to
divest, any covered F–16 aircraft until a period of 180 days
has elapsed following the date on which the Secretary sub-
mits the report required under subsection (b).

(b) REPORT REQUIRED.—The Secretary of the Air
Force shall submit to the congressional defense committees
a report on the following:

(1) Any plans of the Secretary to divest covered
F–16 aircraft during the period covered by the most
recent future-years defense program submitted to Con-
gress under section 221 of title 10, United States
Code, including—

(A) a description of each proposed divest-
ment by fiscal year and location;
(B) an explanation of the anticipated effects
of such divestments on the missions, personnel,
force structure, and budgeting of the Air Force;

(C) a description of the actions the Sec-
retary intends to carry out—

(i) to mitigate any negative effects
identified under subparagraph (B); and

(ii) to modify or replace the missions
and capabilities of any units and military
installations affected by such divestments;

and

(D) an assessment of how such divestments
may affect the ability of the Air Force to main-
tain minimum tactical aircraft inventories.

(2) Any plans of the Secretary to procure covered
F–16 aircraft.

(c) COVERED F–16 AIRCRAFT DEFINED.—In this sec-
tion, the term “covered F–16 aircraft” means F–16C/D air-
craft.

SEC. 161. LIMITATION ON PROCUREMENT OF KC–46A AIR-
CRAFT.

(a) LIMITATION.—Except as provided in subsection
(b), the Secretary of the Air Force may not procure more
than 179 KC–46A aircraft during the covered period.
(b) WAIVER.—The Secretary of the Air Force may waive the limitation under subsection (a) if the Secretary submits to the congressional defense committees written certification by the Assistant Secretary of the Air Force for Acquisition, Technology, and Logistics that—

(1) there are validated needs of the Air Force requiring the waiver; and

(2) with respect to the KC–46A aircraft planned to be procured pursuant to the waiver, cost estimates are complete for the long-term sustainment of the aircraft.

(c) COVERED PERIOD DEFINED.—In this section, the term “covered period” means the period beginning on the date of the enactment of this Act and ending on October 1, 2027.

SEC. 162. LIMITATION ON ACTIONS RELATING TO REMOTE VISION SYSTEMS OF KC–46A AIRCRAFT.

(a) LIMITATION.—The Secretary of the Air Force may not take any action described in subsection (b) until the date on which Secretary certifies to the Committee on Armed Services of the House of Representatives that—

(1) the Secretary has identified a solution to fix the remote vision systems of KC–46A aircraft; and
(2) such solution resolves all issues identified in
the category 1 deficiency reports for such systems, ex-
cept for issues relating to the panoramic system.

(b) ACTIONS DESCRIBED.—The actions described in
this subsection are the following:

(1) Approving the incorporation of version 2.0 of
the KC–46A remote vision system into production
aircraft.

(2) Retrofitting aircraft with version 2.0 of the
KC–46A remote vision system.

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

SEC. 181. MULTIYEAR PROCUREMENT AUTHORITY FOR DO-
MESTICALLY PROCESSED RARE EARTH ELE-
MENTS.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—
Subject to section 3501 of title 10, United States Code, and
from amounts made available by discretionary appropria-
tions Acts from the National Defense Stockpile Transaction
Fund (as established under section 9(a) of the Strategic and
Critical Materials Stock Piling Act ((50 U.S.C. 98h(a)))
after the date of the enactment of this Act, the Secretary
of Defense may enter into one or more multiyear contracts
for the procurement of rare earth elements that are proc-
cessed in the United States by qualified domestic sources.
(b) Application of Strategic and Critical Materials Stock Piling Act.—A multiyear contract entered into under this section shall be deemed to be an acquisition under the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98 et seq.) of materials determined to be a strategic or critical material under section 3(a) of such Act.

(c) Authority for Advance Procurement.—The Secretary of Defense may enter into one or more contracts, beginning in fiscal year 2024, for advance procurement associated with the domestically processed rare earth elements for which authorization to enter into a multiyear procurement contract is provided under subsection (a).

(d) Condition for Out-Year Contract Payments.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2024 is subject to the availability of appropriations or funds for that purpose for such later fiscal year.

(e) Definitions.—In this section:

(1) The term “processed” means the processing or recycling of a rare earth material or magnet, including the separation, reduction, metallization, alloying, milling, pressing, strip casting, and sintering of a rare earth element.
(2) The term “qualified domestic source” means a domestic source (as defined in section 702 of the Defense Production Act of 1950 (50 U.S.C. 4552)).

(3) The term “rare earth element” means any of the following:

(A) Cerium.
(B) Dysprosium.
(C) Erbium.
(D) Europium.
(E) Gadolinium.
(F) Holmium.
(G) Lanthanum.
(H) Lutetium.
(I) Neodymium.
(J) Praseodymium.
(K) Promethium.
(L) Samarium.
(M) Scandium.
(N) Terbium.
(O) Thulium.
(P) Ytterbium.
(Q) Yttrium.
SEC. 182. PROHIBITION ON PROCUREMENT OF CERTAIN TACTICAL VEHICLES.

(a) PROHIBITION.—The Secretary of Defense may not include in a solicitation for a tactical tracked vehicle or tactical wheeled vehicle a requirement that such vehicle use proprietary armor.

(b) APPLICABILITY.—Subsection (a) shall not apply to a contract for the procurement of a tactical tracked vehicle or tactical wheeled vehicle entered into before the date of the enactment of this Act.

(c) MODIFICATION OF REQUIREMENT TO BUY STRATEGIC MATERIALS FROM AMERICAN SOURCES.—

(1) IN GENERAL.—Section 4863(a)(1) of title 10, United States Code, is amended by inserting “tactical tracked vehicles, tactical wheeled vehicles,” after “automotive items,”.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on the date that is the later of—

(A) the date of the enactment of the National Defense Authorization Act for Fiscal Year 2025; or

(B) September 30, 2024.
SEC. 183. PROHIBITION ON AVAILABILITY OF FUNDS FOR PROCUREMENT OF CERTAIN BATTERY TECHNOLOGY.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2024 or any subsequent fiscal year for the Department of Defense may be obligated or expended to procure battery technology produced by Contemporary Amperex Technology Company, Limited (also known as “CATL”) or any subsidiary or affiliate of such Company.

SEC. 184. PLAN TO EXPEDITE INTEGRATION OF LONG-RANGE ANTI-SHIP MISSILES INTO LEGACY AIRCRAFT FLEETS.

(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 to expedite the full integration of the Long-Range Anti-Ship Missile into covered legacy aircraft fleets.

(b) Elements.—The plan under subsection (a) shall include, with respect to each covered legacy aircraft fleet, the following:

(1) An analysis of the operational benefits of integrating Long-Range Anti-Ship Missiles into the fleet.
(2) The feasibility of integrating the Universal Armament Interface on Long-Range Anti-Ship Missile weapon platforms.

(3) The timeline, cost, and any increased production capacity requirements associated with such plan.

(4) Identification of any obstacles to the timely integration of such capability.

(5) Recommendations for expediting the timeline described under paragraph (3), including an explanation of any resources required to expedite such timeline.

(6) Recommendations for mitigating the obstacles identified under paragraph (4), including an explanation of any resources required to mitigate such obstacles.

(c) COVERED LEGACY AIRCRAFT DEFINED.—In this section, the term “covered legacy aircraft fleet” means—

(1) the B–52 bomber aircraft fleet;

(2) the F–16 fighter aircraft fleet; and

(3) any other aircraft fleet the Secretary of Defense determines appropriate for inclusion in the plan under subsection (a).
TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2024 for the use of the Department of Defense for research, development, test, and evaluation, as specified in the funding table in section 4201.

Subtitle B—Program Requirements, Restrictions, and Limitations

SEC. 211. NAVAL AIR WARFARE RAPID CAPABILITIES OFFICE.

Chapter 803 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 8029. Naval Air Warfare Rapid Capabilities Office

“(a) Establishment.—There is established within the Department of the Navy a program office to be known as the Naval Air Warfare Rapid Capabilities Office (in this section referred to as the ‘Office’).

“(b) Location.—The Office shall be co-located with the headquarters of the Naval Air Warfare Center Weapons Division.
“(c) HEAD OF OFFICE.—The head of the Office shall be the designee of the Secretary of the Navy, and shall report to the Chief of Naval Operations.

“(d) MISSION.—The mission of the Office shall be—

“(1) to contribute to the development and testing of low-cost, rapid reaction targeting and weapon systems, electronic warfare and other non-kinetic capabilities, and integrated targeting solutions to fulfill naval and joint military operational requirements; and

“(2) to contribute to the rapid development, testing, and fielding of new unclassified and classified naval air warfare capabilities.

“(e) ACQUISITION AUTHORITIES.—The acquisition authorities of the Office are as follows:

“(1) The Secretary of the Navy shall ensure that the head of the Office may use available alternative or rapid acquisition pathways for procurement.

“(2) The Joint Capabilities Integration and Development System process shall not apply to acquisitions by the Office.

“(f) REQUIRED PROGRAM ELEMENTS.—

“(1) IN GENERAL.—The Secretary of the Navy shall ensure, within budget program elements for naval air warfare programs, that—
“(A) there are separate, dedicated program elements for naval air warfare rapid capabilities; and

“(B) the Office executes the responsibilities of the Office using such program elements.

“(2) ADMINISTRATION.—The Office shall manage the program elements for naval air warfare rapid capabilities required by paragraph (1).

“(g) BOARD OF DIRECTORS.—

“(1) ESTABLISHMENT.—The Secretary of the Navy shall establish a Board of Directors for the Office (to be known as the ‘Naval Air Warfare Rapid Capabilities Board of Directors’) to provide coordination, oversight, and approval of projects of the Office.

“(2) MEMBERS.—The Board of Directors shall include the following members:

“(A) The Secretary of the Navy.

“(B) The Chief of Naval Operations.

“(C) The Commander of the Naval Air Systems Command.

“(D) The Commander, Naval Air Forces.

“(h) ANNUAL REPORTS.—

“(1) IN GENERAL.—On an annual basis, the head of the Office shall submit to the Naval Air Warfare Rapid Capabilities Board of Directors and the
Committees on Armed Services of the Senate and the House of Representatives a report on the activities of the Office.

“(2) ELEMENTS.—Each report under paragraph
(1) shall include, with respect to the year preceding the date of the report, a description of—

“(A) funding allocations for the projects of the Office;

“(B) the naval air warfare capability gaps addressed by the Office;

“(C) the progress of the Office in developing, testing, and fielding capabilities described in subsection (d); and

“(D) any barriers to the ability of the Office to carry out its mission, including any legislative or regulatory barriers.”.

SEC. 212. CLARIFICATION OF ROLE OF PARTNERSHIP INTERMEDIARIES TO PROMOTE DEFENSE RESEARCH AND EDUCATION.

Section 4124(f)(2) of title 10, United States Code, is amended—

(1) by striking “that assists” and inserting “that—

“(A) assists”;
(2) by striking the period at the end and inserting “; and”; and
(3) by adding at the end the following new subparagraph:
“(B) facilitates technology transfer from industry or academic institutions to a Center.”.

SEC. 213. MODIFICATION OF SUPPORT FOR RESEARCH AND DEVELOPMENT OF BIOINDUSTRIAL MANUFACTURING PROCESSES.

Section 215(c)(1) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 10 U.S.C. 4841 note) is amended by inserting “active pharmaceutical ingredients, key starting materials for such ingredients,” after “commodity chemicals,”.

SEC. 214. CERTAIN DISCLOSURE REQUIREMENTS FOR UNIVERSITY RESEARCH FUNDED BY THE DEPARTMENT OF DEFENSE.

(a) DISCLOSURES REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall require the principal investigator of any covered research program at an institution of higher education to accurately and completely disclose to the Department of Defense the following:

(1) At the time of application for funding from the Department of Defense for a covered research pro-
gram, disclose, with respect to each researcher who is expected to participate in the program—

(A) date and place of birth, country of citizenship, and immigration status in the case of a foreign national;

(B) educational background from undergraduate education onwards;

(C) professional and employment background, as applicable, including any history of working for a foreign government or on foreign government sponsored projects;

(D) all previous and concurrent research, academic and corporate positions, ties, or relationships;

(E) past and current affiliation with foreign governments, including foreign political parties or organizations, and military ties, as applicable, in case of foreign national;

(F) past or current involvement in any foreign talent programs;

(G) memberships in foreign and United States academic and professional associations and organizations; and

(H) a list of all publications published anywhere in any language, peer reviewed or non-
peer reviewed, including all mentions of foreign
funding, research collaborations, and in kind
support that supported the research and publica-
tion.

(2) Disclose the information specified in para-
graph (1) with respect to any researcher who joins a
covered program after funding is awarded by the De-
partment of Defense not later than 90 days after the
researcher joins the program.

(3) Beginning not later than one year after
funding is awarded by the Department of Defense for
a covered program, and annually thereafter through
the end of the award period, disclose—

(A) any direct, indirect, formal, or informal
collaboration that the principal investigator, ei-
ther independently or as the lead of the covered
program, enters into with any third-party per-
sons or entities, including the identity and na-
tionality of the third party collaborator, the na-
ture of the collaboration (whether direct, indirect,
formal or informal) and the terms and condi-
tions of such collaboration; and

(B) any change of status with regard to a
researcher who was the subject of a disclosure
under paragraphs (1) or (2), including any de-
parture of such researcher from the program, the
terms of such departure, change of immigration
status, and change in foreign ties and collabora-
tion.

(b) **Form; Public Availability of Information.**—
Each disclosure under subsection (a) shall be submitted in
unclassified form and shall be made available on a publicly
accessible website of the Federal Government.

(c) **Definitions.**—In this section—

(1) **The term “covered research program”** means
any research program, research project, or other re-
search activity (including classified and unclassified
research) that is—

(A) conducted by an institution of higher
education; and

(B) funded, in whole or in part, by the De-
partment of Defense.

(2) **The term “institution of higher education”**
has the meaning given such term in section 102 of the
Higher Education Act of 1965 (20 U.S.C. 1002) and
includes any department, program, project, faculty,
researcher, or other individual, entity, or activity of
such institution.

(3) **The term “researcher”** means any person who
has access to research information under a covered re-
search program, including the principal investigator
and any graduate students, post-doctoral fellows, or
visiting scholars participating in such program.

SEC. 215. CONSORTIA TO ASSIST IN PROTECTION OF SEN-
SITIVE RESEARCH PERFORMED ON BEHALF
OF THE DEPARTMENT OF DEFENSE.

(a) In General.—The Secretary of Defense, acting
through the Under Secretary of Defense for Research and
Engineering, may enter into contracts or other agreements
with one or more eligible consortia to assist institutions of
higher education in protecting sensitive research performed
on behalf of the Department of Defense.

(b) Activities.—A eligible consortium that enters into
a contract or other agreement with the Secretary of Defense
under subsection (a) shall carry out activities to assist in-
stitutions of higher education in protecting sensitive re-
search performed on behalf of the Department of Defense.

Such activities may include—

(1) conducting effective due diligence in vetting
visiting scholars;

(2) assisting institutions in meeting applicable
research security requirements, including through the
use of common procedures and practices and shared
infrastructure, as appropriate;
(3) providing training to employees and offices of the institution that have responsibilities relating to research security; and

(4) providing advice and assistance to institutions in establishing and maintaining research security programs.

(c) CONSIDERATIONS.—In selecting consortia to receive a contract or other agreement under subsection (a), the Secretary of Defense shall consider the following:

(1) The geographic diversity of the members of the consortium and the extent to which the consortium is able to maximize coverage of different regions of the United States.

(2) Any ratings of members of the consortium made by the Defense Counterintelligence and Security Agency as part of the Agency’s annual Security Vulnerability Assessment ratings.

(3) Whether and to what extent the consortium uses best practices for research security as outlined by the National Institutes of Science and Technology.

(4) Demonstrated excellence in security programs, including receipt of awards for excellence in counterintelligence and outstanding achievement in industrial security.
(d) PERFORMANCE METRICS.—The Secretary of Defense shall establish metrics to measure the performance of each consortium with which the Secretary enters into a contract or other agreement under subsection (a).

(e) NOTIFICATION AND REPORT.—For any year in which the Secretary of Defense exercises the authority provided under subsection (a), the Secretary shall submit to the congressional defense committees a report that—

(1) identifies each eligible consortium with which the Secretary entered into a contract or other agreement under such subsection; and

(2) evaluates the performance of the eligible consortium.

(f) ELIGIBLE CONSORTIUM DEFINED.—In this section, the term “eligible consortium” has the meaning given by the Secretary of Defense.

SEC. 216. CONSORTIUM ON USE OF ADDITIVE MANUFACTURING FOR ARMY AVIATION AND MISSILE CAPABILITY DEVELOPMENT.

(a) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army shall establish a consortium to facilitate the use of additive manufacturing for the development of aviation and missile capabilities for the Army. The consortium shall be known as the “Consortium on Additive Manufacturing for
Aviation and Missile Capability Development” (referred to in this section as the “Consortium”).

(b) COMPOSITION.—The Consortium shall be composed of qualified organizations, selected by the Secretary of the Army, that have functions and expertise relevant to additive manufacturing and aviation and missile programs of the Army. At a minimum, the consortium shall include—

(1) the Army Aviation and Missile Command;

(2) the Army Combat Capabilities Development Command Aviation & Missile Center;

(3) the Army Space and Missile Defense Command;

(4) one or more organizations from private sector industry;

(5) one or more institutions of higher education or other research institutions; and

(6) departments and agencies of the Federal Government with demonstrated expertise in the use of additive manufacturing in space flight.

(c) ACTIVITIES.—The Consortium shall—

(1) facilitate the use of additive manufacturing for the aviation and missile programs of the Army to significantly reduce logistic footprints, material costs, delivery lead-times, and extended logistical supply...
chain dependencies that often challenge weapon system readiness for forward deployed warfighters;

(2) develop standards and a certification process for the use of additive manufacturing in aviation and missile programs of the Army, including additive material and part certification requirements for additive manufactured items intended for use in military aircraft and missiles; and

(3) explore ways to adapt and apply the standards developed under paragraph (2) across other aviation and missile programs of the Department of Defense to enhance efficiency, cost savings, readiness levels, and safety.

SEC. 217. SUPPORT FOR DEFENSE INNOVATION ACTIVITIES OF THE NORTH ATLANTIC TREATY ORGANIZATION.

(a) In General.—Subject to the availability of appropriations, the Secretary of Defense, acting through the Under Secretary of Defense for Research and Engineering, is authorized to make funds available to the North Atlantic Treaty Organization for the joint fund established for the Defence Innovation Accelerator for the North Atlantic initiative (commonly known as “DIANA”).

(b) Report.—Note later than six months after the date of the enactment of this Act, and every six months
thereafter until the date specified in subsection (c), the Secretary of Defense shall submit to the Committees on Armed Services and Foreign Affairs of the House of Representatives and the Committees on Armed Services and Foreign Relations of the Senate a report on expenditures and activities related to carrying out the requirements of this section.

(c) SUNSET.—The authority under this section shall terminate on the date that is five years after the date of the enactment of this Act.

SEC. 218. NEXT GENERATION AIR DOMINANCE FAMILY OF SYSTEMS DEVELOPMENT PROGRAM ACCOUNTABILITY MATRICES.

(a) SUBMITTAL OF MATRICES.—Concurrent with the President’s annual budget request submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2025—

(1) the Secretary of the Air Force shall submit to the congressional defense committees and the Comptroller General of the United States the matrices described in subsection (b) relating to the Next Generation Air Dominance piloted fighter aircraft and the autonomous, uncrewed Collaborative Combat Aircraft programs of the Air Force; and

(2) the Secretary of the Navy shall submit to the congressional defense committees and the Comptroller...
General of the United States the matrices described in subsection (b) relating to the Next Generation Air Dominance piloted fighter aircraft and the autonomous, uncrewed Collaborative Combat Aircraft programs of the Navy and the Marine Corps.

(b) MATRICES DESCRIBED.—The matrices described in this subsection are the following:

(1) ENGINEERING MANUFACTURING AND DEVELOPMENT GOALS.—A matrix that identifies, in six month increments, key milestones, development and testing events, and specific performance goals for the engineering manufacturing and development phase (referred to in this section as the “EMD phase”) of the programs described in subsection (a), and which shall be subdivided, at a minimum, according to the following:

(A) Technology readiness levels of major components and subsystems and key demonstration and testing events.

(B) Design maturity.

(C) Software maturity.

(D) Subsystem and system-level integration maturity.
(E) Manufacturing readiness levels for critical manufacturing operations and key demonstration and testing events.

(F) Manufacturing operations.

(G) System verification, validation, and key flight test events.

(H) Reliability.

(I) Availability for flight operations.

(J) Maintainability.

(2) Cost.—A matrix expressing, in six month increments, the total cost for the Secretary’s service cost position for the EMD phase and low initial rate of production lots of the programs described in subsection (a) and a matrix expressing the total cost for the prime contractor’s estimate for such EMD phase and production lots, both of which shall be phased over the entire EMD period and subdivided according to the costs of the following:

(A) Air vehicle.

(B) Propulsion.

(C) Mission systems.

(D) Vehicle subsystems.

(E) Air vehicle software.

(F) Systems engineering.

(G) Program management.
(H) System test and evaluation.

(I) Support and training systems.

(J) Contract fee.

(K) Engineering changes.

(L) Direct mission support, including Congressional General Reductions.

(M) Government testing.

(N) Ancillary aircraft equipment.

(O) Initial spares.

(P) Contractor support.

(Q) Modifications.

(c) **Semiannual Update of Matrices.**—

(1) **In general.**—Not later than 180 days after the date on which the Secretaries concerned submit the matrices required by subsection (a), concurrent with the submittal of each annual budget request to Congress under section 1105 of title 31, United States Code, thereafter, and not later than 180 days after each such submittal, each Secretary concerned shall submit to the congressional defense committees and the Comptroller General of the United States updates to the matrices described in subsection (b).

(2) **Elements.**—Each update submitted under paragraph (1) shall detail progress made toward the goals identified in the matrix described in subsection
(b)(1) and provide updated cost estimates as described in subsection (b)(2).

(3) Treatment of Initial Matrices as Baseline.—The initial matrices submitted pursuant to subsection (a) shall be treated as the baseline for the full EMD phase and low-rate initial production of the programs described in subsection (a) for purposes of the updates submitted pursuant to paragraph (1) of this subsection.

(d) Assessment by Comptroller General of the United States.—Not later than the date that is 60 days after the date on which the Comptroller General of the United States receives an update to a matrix under subsection (c)(1), the Comptroller General shall review the sufficiency of such matrix and submit to the congressional defense committees an assessment of such matrix, including by identifying cost, schedule, or performance trends.

(e) Key Performance Parameter Requirements.—

(1) In General.—Each Secretary concerned shall develop key performance parameters (referred to in this section as “cost KPPs”) for the threshold and objective costs of the programs described in subsection (a) under the jurisdiction of such Secretary and shall include those values as program performance require-
ments in any capability development document or
system requirements document for the program in-
volved. Each cost KPP shall include, for each cost cat-
ergy specified in paragraph (2)—

(A) a threshold value indicating the highest
acceptable cost for that category, as determined
by the Secretary concerned; and

(B) an objective value indicating the lowest
cost expected to be achieved for that category, as
determined by the Secretary concerned.

(2) COST CATEGORIES SPECIFIED.—The cost cat-
egories specified in this paragraph are the following:

(A) Flyaway unit cost.

(B) Gross/weapon system unit cost.

(C) Aircraft cost-per-tail-per-year.

(D) Aircraft cost-per-flight-hour.

(f) COST LIMITATIONS FOR COLLABORATIVE COMBAT
AIRCRAFT.—

(1) CATEGORIZATION OF AIRCRAFT.—Each Sec-
retary concerned shall categorize each Collaborative
Combat Aircraft to be procured by such Secretary
into one of following categories:

(A) EXPENDABLE CCA.—An aircraft shall
be categorized as “expendable CCA” if it is an
aerospace vehicle that is designed not to return
to a basing location after its mission sortie profile is executed and is characterized as an acceptable combat loss.

(B) ATTRITABLE CCA.—An aircraft shall be categorized as “attributable CCA” if it is an aerospace vehicle that is designed to be used for multiple mission sortie profiles but may not return to a basing location after a mission sortie profile is flown and is characterized as an occasional combat loss.

(C) EXQUISITE CCA.—An aircraft shall be categorized as “exquisite CCA” if it is an aerospace vehicle designed to be used for multiple mission sortie profiles and is intended to return to a basing location after each sortie profile is flown and is not considered an acceptable combat loss.

(2) Cost Limitations by Category.—Each Secretary concerned shall ensure that the flyaway unit cost (including the cost of any onboard mission systems)—

(A) for an aircraft categorized as expendable CCA under paragraph (1)(A), does not exceed $3,000,000.00;
(B) for an aircraft categorized as attritable CCA under paragraph (1)(B), does not exceed $10,000,000.00; and

(C) for an aircraft categorized as exquisite CCA under paragraph (1)(C), does not exceed $25,000,000.00.

(g) DEFINITIONS.—In this section, the term “Secretary concerned” means—

(1) the Secretary of the Navy, with respect to aircraft programs of the Navy and the Marine Corps; and

(2) the Secretary of the Air Force, with respect to aircraft programs of the Air Force.

SEC. 219. CONTINUOUS CAPABILITY DEVELOPMENT AND DELIVERY PROGRAM FOR F–35 AIRCRAFT.

(a) DESIGNATION OF MAJOR SUBPROGRAM.—In accordance with section 4203 of title 10, United States Code, the Secretary of Defense shall designate all Block 4 and Technical Refresh–3 elements of the F–35 aircraft acquisition program, collectively, as a single major subprogram of the F–35 aircraft acquisition program.

(b) PROCUREMENT OF F-35 DEVELOPMENTAL TESTING AIRCRAFT.—

(1) IN GENERAL.—From the aircraft described in paragraph (2), the Program Executive Officer for the
F–35 aircraft program shall designate for Lot 18 production, two F–35A aircraft, two F–35B aircraft, and two F–35C aircraft to be manufactured and delivered in a necessary configuration that would adequately support future F–35 developmental testing activities.

(2) Aircraft Described.—The aircraft described in this paragraph are F–35 aircraft authorized to be procured using funds made available for fiscal year 2024.

SEC. 220. PROCESS TO ENSURE THE RESPONSIBLE DEVELOPMENT AND USE OF ARTIFICIAL INTELLIGENCE.

(a) Process Required.—The Secretary of Defense, acting through the Chief Digital and Artificial Intelligence Officer, shall develop and implement a process—

(1) to assess whether an artificial intelligence technology used by the Department of Defense is functioning responsibly;

(2) to report and remediate any artificial intelligence technology that is determined not to be functioning responsibly; and

(3) in a case in which efforts to remediate such technology have been unsuccessful, to discontinue the
use of the technology until effective remediation is achievable.

(b) ADDITIONAL REQUIREMENTS.—In developing and implementing the process required under subsection (a), the Secretary of Defense shall—

(1) develop clear criteria to determine if an artificial intelligence technology is functioning responsibly, which shall include consideration of such criteria previously developed by the Department of Defense;

(2) take steps to integrate such process across the organizations and elements of the Department of Defense, including the combatant commands; and

(3) provide information on such process to relevant personnel of the Department of Defense including—

(A) personnel responsible for developing and deploying artificial intelligence technologies;

(B) end users of such technologies, including members of the Army, Navy, Air Force, Marine Corps, and Space Force who use such technologies in military operations; and

(C) such other personnel as the Secretary determines appropriate.
(c) **DEADLINES FOR IMPLEMENTATION.**—The Secretary of Defense shall—

1. commence the implementation of the process required under subsection (a) not later than 120 days after the date of the enactment of this Act; and

2. fully implement such process not later than one year after such date of enactment.

(d) **INTERIM BRIEFING.**—Not later than 160 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 progress of the Secretary in developing and implementing the process required under subsection (a). At a minimum, such briefing shall include an explanation of the criteria developed by the Secretary under subsection (b)(1).

(e) **FINAL REPORT.**—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the progress of the Secretary in developing and implementing the process required under subsection (a), including the progress of the Secretary with respect to each element specified in subsection (b).
SEC. 221. PILOT PROGRAM TO COMMERCIALIZIZE PROTOTYPE TYPES OF THE DEPARTMENT OF THE AIR FORCE.

(a) In General.—Not later than one year after the date of enactment of this Act, the Secretary of the Air Force, acting through the Assistant Secretary of the Air Force for Acquisition, Technology, and Logistics, shall carry out a pilot program to award grants to applicants for a project to commercialize a prototype of the Department of the Air Force.

(b) Funding.—In carrying out the pilot program under this section, the Secretary of the Air Force may only expend amounts designated as budget activity 6 (RDT&E management support) as that budget activity classification is set forth in volume 2B, chapter 5 of the Department of Defense Financial Management Regulation (DOD 7000.14-R).

(c) Amount.—A single award under this section may not exceed $10,000,000.

(d) Application.—An applicant desiring to participate in the pilot program under this section submit an application to the Secretary of the Air Force in such time, in such manner, and containing such information as the Secretary may require.
(e) **Consultation.**—In carrying out the pilot program under this section, the Secretary of the Air Force may consult with—

(1) service acquisition executives (as defined in section 101 of title 10, United States Code);

(2) eligible entities that carry out activities pursuant to a procurement technical assistance program funded under chapter 388 of title 10, United States Code; and

(3) such other individuals and organizations as the Secretary determined appropriate.

(f) **Briefing.**—Not later than December 31, 2024, the Assistant Secretary of the Air Force for Acquisition, Technology, and Logistics shall provide to the congressional defense committees a briefing on the implementation of the pilot program under this section and any related policy issues.

(g) **Report.**—Each time the Assistant Secretary of the Air Force for Acquisition, Technology, and Logistics awards a grant under this section, the Assistant Secretary shall submit to the congressional defense committees a notification on such exercise.

(h) **Termination.**—The pilot program established under this section shall terminate on the date that is five years after the date of the enactment of this Act.
SEC. 222. PILOT PROGRAM ON NEAR-TERM QUANTUM COMPUTING APPLICATIONS.

(a) Pilot Program.—The Secretary of Defense shall carry out a pilot program under which the Secretary, in partnership with the entities specified in subsection (b), establishes and operates a program that enables organizations of the Department of Defense, including the Armed Forces, to test and evaluate how quantum and quantum-hybrid applications may be used—

(1) to solve technical problems and research challenges identified under section 234(e) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 4001 note) and such other near-term technical problems and challenges facing the Department and the Armed Forces as the Secretary may identify; and

(2) to provide capabilities needed by the Department and the Armed Forces in the near-term.

(b) Entities Specified.—The Secretary of Defense shall seek to carry out the pilot program under subsection (a) in partnership with—

(1) a federally funded research and development center; and

(2) one or more private-sector entities with expertise in quantum computing and quantum information science.
(c) ACTIVITIES.—Under the pilot program, the Secretary of Defense, in partnership with the entities specified in subsection (b), shall—

(1) convene a group of experts and organizations to identify challenges faced by the Department of Defense, including the Armed Forces, that have the potential to be addressed by quantum and quantum-hybrid applications;

(2) develop and deploy demonstrations, proofs of concept, pilot programs, and other measures to address the challenges identified under paragraph (1) using quantum and quantum-hybrid applications;

(3) ensure that any quantum or quantum-hybrid application based solutions identified under the program are capable of development and deployment in 24 months or less;

(4) assess and utility of commercial quantum and quantum-hybrid applications for meeting the near-term needs of warfighters; and

(5) seek to build and strengthen relationships between the Department of Defense and nontraditional defense contractors (as defined in section 3014 of title 10, United States Code) in the technology industry that may have unused or underused solutions to spe-
specific operational challenges of the Department relating to quantum and quantum-hybrid applications.

(d) Briefing and Reports.—

(1) Interim briefing.—Not later than March 1, 2024, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing that—

(A) identifies the federally funded research and development center and any private-sector entities the Secretary has partnered with for purposes of carrying out the pilot program under subsection (a); and

(B) describe the plan of the Secretary for developing and operating the program.

(2) Annual report.—On an annual basis during each year in which the pilot program under subsection (a) is carried out, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report that includes—

(A) a description of the problem sets and capabilities that were evaluated by organizations of the Department of Defense under the program;

(B) an explanation of whether and to what extent the program resulted in the identification
of potential solutions based on quantum and quantum-hybrid applications;

(C) any potential barriers to the use of quantum and quantum-hybrid applications to solve near-term problems for the Department of Defense, including the Armed Forces; and

(D) recommendations regarding how the Department of Defense can better leverage and deploy quantum and quantum-hybrid applications to address near-term military applications and operational needs.

(e) DEADLINE FOR COMMENCEMENT.—The Secretary of Defense shall commence the pilot program under this section not later than March 1, 2024.

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

(g) DEFINITIONS.—In this section:

(1) The term “near-term” means a period of 24 months or less.

(2) The term “quantum and quantum-hybrid applications” means algorithms and applications which use quantum mechanics through quantum processing units, including—
(A) quantum-classical hybrid applications which are applications that use both quantum computing and classical computing hardware systems;

(B) annealing and gate systems; and

(C) all qubit modalities (including superconducting, trap ion, and photonics).

SEC. 223. PILOT PROGRAM ON ACCESS TO SMALL BUSINESS ADVANCED TECHNOLOGY FOR ARMY GROUND VEHICLE SYSTEMS.

(a) Program Required.—Beginning not later than 90 days after the date of the enactment of this Act, the Secretary of the Army shall carry out a pilot program under which the Secretary seeks to establish an arrangement between the U.S. Army Ground Vehicle Systems Center and a non-profit research institute operating a contested logistics research center to enhance access to small business advanced technology through a Defense Commercial Solutions Opening contract entered into under section 3458 of title 10, United States Code.

(b) Termination.—The authority to carry out the pilot program under this section shall terminate five years after the date of the enactment of this Act.
SEC. 224. PROHIBITION ON AVAILABILITY OF FUNDS FOR GAIN-OF-FUNCTION RESEARCH.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2024 for the Department of Defense may be obligated or expended to conduct research for the purpose of enhancing the pathogenicity, transmissibility, or host range of a microorganism or virus (commonly known as “gain-of-function research”).

SEC. 225. LIMITATION ON AVAILABILITY OF FUNDS PENDING DOCUMENTATION ON FUTURE ATTACK RECONNAISSANCE AIRCRAFT PROGRAM.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2024, and available for the Office of the Secretary of the Army for the travel of persons, not more than 70 percent may be obligated or expended until the date on which the Secretary submits to the congressional defense committees the analysis of alternatives document for the Future Attack Reconnaissance Aircraft program.

SEC. 226. F–35 PROPULSION AND THERMAL MANAGEMENT MODERNIZATION PROGRAM.

(a) Program Requirements.—

(1) Establishment and Validation of Requirements.—The Secretary of the Air Force (with respect to F–35A aircraft of the Air Force) and the Secretary of the Navy (with respect to F–35B and F–
35C aircraft of the Navy and the Marine Corps) shall each—

(A) establish requirements for the propulsion, power and cooling, thermal management, and electrical power systems of the F–35 aircraft system that adequately supports the planned service-life and all planned mission systems hardware and software capability upgrades for such aircraft system;

(B) validate the requirements; and

(C) provide the validated requirements to the Program Executive Officer for the F–35 aircraft acquisition program.

(2) Cost-benefit and technical risk analysis.—

(A) In general.—Based on the requirements established and validated under paragraph (1), the Program Executive Officer for the F–35 aircraft acquisition program shall conduct a complete and comprehensive cost-benefit and technical risk analysis that evaluates and determines the upgrades and modernization required of the F–35 aircraft system to support all of the requirements established under such paragraph.
(B) ELEMENTS.—The cost-benefit and technical risk analysis conducted under subparagraph (A) shall assess, at a minimum, the cost, risk, modernization, integration activities, and acquisition strategy required for the upgrade and modernization options available for the following major subsystems of F–35 aircraft:

(i) The aircraft propulsion system and gearbox.

(ii) The power and thermal management system.

(iii) The fuel thermal management system.

(iv) The electrical power system.

(v) The engine ice protection system.

(vi) Mission systems hardware, avionics, sensors, and weapons.

(vii) Any additional systems of the F–35 aircraft system the Program Executive Officer determines to be relevant to support the planned service-life requirements for each variant of such aircraft.

(C) LIMITATION ON COMMENCEMENT.—The Program Executive Officer may not commence the analysis required under subparagraph (A)
until the requirements established under paragraph (1) have been provided to the Officer.

(D) INDEPENDENT COST ESTIMATE.—In developing the cost-benefit analysis under subparagraph (A), the Program Executive Officer shall obtain an independent cost estimate from an organization within the Department of Defense that is not directly associated with the Office of the Program Executive Officer, the Department of the Air Force, or the Department of the Navy.

(E) REPORT.—Following the completion of the analysis under subparagraph (A) but not later than July 1, 2024, the Program Executive Officer shall submit to the congressional defense committees a report on the results of the analysis.

(3) DESIGNATION OF MAJOR SUBPROGRAM.—In accordance with section 4203 of title 10, United States Code, the Secretary of Defense shall designate all activities relating to the modernization, upgrade, and integration of the major subsystems included in the analysis under paragraph (2)(A), collectively, as a single major subprogram of the F–35 aircraft acquisition program.
(b) DEFINITION.—In this section, the term “F–35 propulsion and thermal management modernization program” means the program of the Department of Defense to modernize the propulsion, power and cooling, thermal management, and electrical power systems of the F–35 aircraft system.

Subtitle C—Energetics and Other Munitions Matters

SEC. 241. ESTABLISHMENT OF JOINT ENERGETICS TRANSITION OFFICE.

(a) ESTABLISHMENT.—Subchapter I of chapter 301 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 4015. Joint Energetics Transition Office

“(a) ESTABLISHMENT.—The Secretary of Defense shall establish a Joint Energetics Transition Office (referred to in this section as the ‘Office’) within the Office of the Secretary of Defense. The Office shall carry out the activities described in subsection (c) and shall have such other responsibilities relating to energetics as the Secretary may specify. The Joint Program Executive Officer for Armaments and Ammunition, as the Single Manager for Conventional Ammunition designated by the Secretary of the Army, shall act as executive agent for conventional energetics develop-
ment and shall report directly to the head of the Office on matters relating to energetics for conventional ammunition.

“(b) HEAD OF OFFICE.—The Secretary of Defense shall designate an individual to serve as the head of the Office. The head of the Office shall report directly to the Deputy Secretary of Defense without intervening authority.

“(c) RESPONSIBILITIES.—The Office shall do the following:

“(1) Manage the development of energetics systems, which shall include—

“(A) establishing a dedicated program under budget activity 3 (advanced technology development) or budget activity 4 (advanced component development and prototypes) (as such budget activity classifications are set forth in volume 2B, chapter 5 of the Department of Defense Financial Management Regulation (DOD 7000.14-R))—

“(i) to mature, prototype, demonstrate, and test novel energetic materials and technologies, including new energetics manufacturing technologies; and

“(ii) to integrate novel energetic materials and technologies into weapon systems;
“(B) administering a joint service qualification and certification group to—

“(i) identify, review, and assess all laws, regulations, policies, and directives affecting the development and availability of energetic materials for defense purposes, including any applicable waiver authorities;

“(ii) based on such review and assessment, make recommendations to the Secretary of Defense regarding potential changes to laws, regulations, policies, and directives that may affect the development and availability of energetic materials for defense purposes; and

“(iii) to the extent practicable, establish uniform safety requirements for the qualification process for energetic materials applicable from the stage at which such materials are discovered through the stage at which such materials are integrated into weapon systems; and

“(C) establishing and operating a public-private partnership—

“(i) to serve as a liaison to the Department of State for information on the appli-
capability of International Traffic in Arms Regulations (subchapter M of chapter I of title 22, Code of Federal Regulations) or successor regulations across the energetics enterprise of the United States (including Government, industry, and academia); and

“(ii) to facilitate the efficient and effective exchange of information, collaboration, and sharing of resources among entities in such enterprise.

“(2) Establish prototyping demonstration programs for advanced technologies to speed the maturation of new energetic materials and the integration of such materials into weapon systems.

“(3) Establish energetics cross-functional teams that include representatives of the research and development community, acquisition program offices, acquisition requirements offices, and industry to speed the transition of energetic materials and technologies from the research and development phase to integration into weapon systems.

“(4) Reassess the effectiveness and goals of insensitive munitions regulations and conduct a Mil-Standard/Mil-Spec Review to update munitions regu-
lations to be more specific and measurable and to re-
duce or eliminate unnecessary standards.

“(5) Use technologies such as artificial intel-
ligence and machine learning to identify, assess, and
synthesize novel energetic compounds.

“(6) Develop strategies and roadmaps, applicable
across the Future Years Development Program and
Program Objective Memorandum process, for energetic
materials and technologies to enable the transition of
such technologies to future operational capabilities for
the warfighter.

“(7) Coordinate with relevant stakeholders to
support the advantage of the United States in devel-
oping energetic materials.

“(d) REPORTS.—The head of the Office shall provide
a monthly written report to the Secretary of Defense, the
Assistant Secretary of the Army for Acquisition, Logistics,
and Technology, the Under Secretary of Defense for Acquisi-
tion and Sustainment, and the Under Secretary of Defense
for Research and Engineering on the activities of the Office.
Such report shall include—

“(1) a detailed update on progress and status for
each of the responsibilities described in subsection (c);

“(2) any shortfalls in resources related to proto-
typing demonstration programs, emerging technical
opportunities, or that result in increased costs or delayed performance in fulfilling the responsibilities described in subsection (c); and

“(3) any other issues as determined by the Secretary of Defense.

“(e) DEFINITIONS.—In this section:

“(1) The term ‘energetic materials’ means critical chemicals that—

“(A) release large amounts of energy in a short amount of time; and

“(B) are capable of being used in explosives that create lethal effects in warheads.

“(2) The term ‘insensitive munitions’ means munitions that are designed to remain unexploded when exposed to stimuli representative of severe but credible accidents.”.

(b) PROGRESS REPORTS.—

(1) INITIAL REPORT.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate an initial report on the status of the establishment of the Joint Energetics Transition Office under section 4015 of title 10,
United States Code (as added by subsection (a)), including a description of any actions taken to staff and resource the Office as of the date of the report.

(2) Final report.—Not later than one year after the submission of the initial report under paragraph (1), the Secretary of Defense shall submit to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate a final report on the status of the establishment of the Joint Energetics Transition Office, including a description of any actions taken to staff and resource the Office since the date of the initial report.

SEC. 242. CONSIDERATION OF LETHALITY AS A KEY PERFORMANCE PARAMETER FOR MUNITIONS.

(a) Establishment of Performance Parameter.—The Secretary of Defense shall ensure—

(1) that lethality is considered, as appropriate, as a key performance parameter in the analysis of alternatives conducted for purposes of procuring any new munition or modifying an existing munition; and

(2) that if lethality is not determined to be an appropriate key performance parameter under paragraph (1), the Secretary shall document the justifica-
tion for such determination and include such docu-
mentation in the analysis of alternatives.

(b) **Consideration of Energetic Materials**.—In

assessing the lethality of a munition for purposes of the per-
formance parameter described under subsection (a), the Sec-
retary shall include the margin of effectiveness and in-
creased system capacities afforded by the potential use of
novel or alternative energetic materials in the munition.

(c) **Energetic Materials Defined**.—In this sec-
tion, the term “energetic materials” has the meaning given
that term in section 4015(e) of title 10, United States Code
(as added by section 241).

**SEC. 243. PILOT PROGRAM ON INCORPORATION OF THE CL20 COMPOUND IN CERTAIN WEAPON SYSTEMS.**

(a) **Pilot Program Required**.—The Secretary of
Defense shall carry out a pilot program under which the
Secretary incorporates the CL20 compound as the energetic
material for the main fill in the warheads or propellants
of three weapon systems under development by the Depart-
ment of Defense.

(b) **Additional Requirement**.—Each of the three
weapon systems selected under subsection (a) shall be a
weapon system that does not, as of the date of the enactment
of this Act, already incorporate the CL20 compound as the
energetic material for the main fill in the warhead or propellant of the system.

(c) **BRIEFING.**—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall provide to the congressional defense committees a briefing on progress of the Secretary in carrying out the pilot program under this section, including a timeline for incorporating the CL20 energetic compound into each of the weapon systems selected under subsection (a).

**SEC. 244. ASSESSMENT OF ENERGETICS INDUSTRIAL BASE.**

(a) **Assessment.**—The Deputy Secretary of Defense shall conduct an assessment of the supply chains for energetic materials and the status of the energetics industrial base to identify opportunities—

(1) to accelerate the development of critical energetic materials; and

(2) to enhance the ability of the Department of Defense to access such materials for defense purposes.

(b) **Elements.**—The assessment under subsection (a) shall include an analysis of—

(1) any shortfalls in the supply chain for energetic materials existing as of the date of the assessment or that are projected to occur in the future;

(2) expansion of the energetics industrial base to include critical subcontractor and supplier limita-
tions and options to expand industry participation to alleviate such limitations;

(3) options for using the authorities provided under the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.) to improve the ability of the Department of Defense to acquire energetic materials, including the potential use of priority ratings (as described in the Defense Priorities and Allocation System pursuant to part 700 of title 15, Code of Federal Regulations (or any successor regulation)) for contracts involving energetic materials; and

(4) the potential use of Government-owned, contractor-operated ammunition production facilities to support alternative energetics formulations.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Deputy Secretary of Defense shall submit to the congressional defense committees a report on the results of the assessment conducted under subsection (a).

(d) DEFINITIONS.—In this section:

(1) The term “energetic materials” has the meaning given that term in section 4015(e) of title 10, United States Code (as added by section 241).

(2) The term “energetics industrial base” means—
(A) the organizations and elements of the Department of Defense concerned with the research and development of energetic materials and technologies; and

(B) contractors and suppliers of energetic materials and technologies.

SEC. 245. LIMITATION ON SOURCING CHEMICAL MATERIALS FOR MUNITIONS FROM CERTAIN COUNTRIES.

(a) LIMITATION.—The Secretary of Defense may not procure a chemical material for munitions specified in subsection (b) from any country other than a country specified in subsection (c).

(b) CHEMICAL MATERIALS SPECIFIED.—The chemical materials for munitions specified in this subsection are the chemicals listed under the heading “Task 1: Domestic Production of Critical Chemicals” in section 3.0E of the document of the Department of Defense titled “Statement of Objectives (SOO) for Critical Chemicals Production” (FOA: FA8650-19-S-5010, Appendix VI, Call: 012) and dated December 5, 2022.

(c) COUNTRIES SPECIFIED.—The countries specified in this subsection are the following:

(1) India.

(2) Any member country of the North Atlantic Treaty Organization.
(3) Any country that is designated as a major non-NATO ally for purposes of section 2350a(i)(2) of title 10, United States Code.

(d) EFFECTIVE DATE.—The requirements of this section shall take effect on the date that is the later of—

(1) the date of the enactment of the National Defense Authorization Act for Fiscal Year 2025; or

(2) September 30, 2024.

Subtitle D—Plans, Reports, and Other Matters

SEC. 261. HYPERSONIC TESTING STRATEGY AND EVALUATION OF POTENTIAL HYPERSONIC TEST RANGES.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2024, and available for the Office of the Under Secretary of Defense for Policy for the travel of persons, not more than 90 percent may be obligated or expended until the date on which the Secretary of Defense submits to the congressional defense committees the strategy required under section 237(c) of the National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263).

(b) BIENNIAL UPDATES TO HYPERSONICS TESTING STRATEGY.—Section 237(c) of the National Defense Author-
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ization Act for Fiscal Year 2023 (Public Law 117–263) is amended by adding at the end the following new paragraph:

“(4) BIENNIAL UPDATES.—

“(A) IN GENERAL.—Not less frequently than once every two years after the submittal of the initial strategy under paragraph (1), the Secretary of Defense shall—

“(i) revise and update the strategy; and

“(ii) submit the revised and updated strategy to the appropriate congressional committees.

“(B) SUNSET.—The requirement to prepare and submit updates under this paragraph shall terminate on December 31, 2030.”.

(c) EVALUATION OF POTENTIAL HYPERSONIC TEST RANGES.—

(1) STUDY.—The Secretary of Defense shall conduct a study to evaluate not fewer than two possible locations in the United States, selected in consultation with the Under Secretary of Defense for Research and Engineering, that have potential to be used as additional corridors for long-distance hypersonic system testing.
(2) Activities Under National Environment Policy Act.—Following the completion of the study under paragraph (1), the Secretary of Defense shall initiate any activities required under the National Environment Policy Act of 1969 (42 U.S.C. 4321 et seq.) in connection with the conduct of long-distance hypersonic system testing at the locations evaluated under the study.

(3) Report.—Not later than December 31, 2024, the Secretary of Defense shall submit to the congressional defense committees a report on the results of the study conducted under paragraph (1).

SEC. 262. Modification to Annual Reports on Critical Technology Areas Supportive of the National Defense Strategy.


(1) by striking “2025” and inserting “2029”;

(2) by redesignating subparagraphs (A) through (D) as clauses (i) through (iv), respectively;

(3) by striking “including a description” and inserting “including—

“(A) a description”;
(4) by striking the period at the end and inserting a semicolon; and

(5) by adding at the end the following new subparagraphs:

“(B) for each technology area identified under subsection (a)(1)—

“(i) a list of each program element that funds research, development, test, and evaluation activities within that area; and

“(ii) for each such program element—

“(I) identification of the total amount of funds obligated or expended for research, development, test, and evaluation under that program element in support of the technology area in the fiscal year preceding the date of the report;

“(II) an estimate of the total amount of funds expected to be obligated or expended for research, development, test, and evaluation under that program element in support of the technology area for the fiscal year in which the report is submitted and each of the following two fiscal years; and
“(III) an explanation of the reasons for such funding allocations; and

“(C) an assessment of any policies, processes, or systems of the Department of Defense that have been modified, or that are expected to be modified, as a result of the Department’s investments and other efforts in the technology areas identified under subsection (a)(1) to compete in an era of strategic competition, with an emphasis on those policies, processes, or systems involved in transitioning technologies from the research and development phase to formal acquisition programs or operational use within the Department.”.

SEC. 263. INTELLECTUAL PROPERTY STRATEGY.

(a) STRATEGY.—The Secretary of Defense, in coordination with the Under Secretary of Defense for Research and Engineering, shall develop and implement an intellectual property strategy to enhance the ability of the Department of Defense to procure emerging capabilities and technologies as described in subsection (b).

(b) REQUIRED ELEMENTS.—The strategy under subsection (a) shall include the following:

(1) Plans for using intellectual property to enhance the ability of the Department of Defense to in-
novate and invest in new warfighting capabilities to outpace adversaries of the United States in the areas of new and emerging technology.

(2) Recommendations on the use of intellectual property and its purpose and benefits—

(A) within research and engineering programs of the Department; and

(B) in the context of strategic competition, including in hybrid warfare and deterrence.

(3) Strategies for promoting and encouraging members of the Armed Forces to create and produce new tools and technologies for the Department.

(4) Concepts and actionable steps for accelerating, to the extent practicable, the procurement and fielding of emerging capabilities and technologies.

(5) Methods for encouraging innovation, solutions that scale, and the use of patents across the Department of Defense by establishing an integrated, cross-service approach to the identification, prioritization, development, and fielding of emerging capabilities and technologies.

(6) Steps to implement measures to protect against the theft of intellectual property.

(7) Enforcement mechanisms to ensure intellectual property rights are protected.
(c) OPTIONAL ELEMENTS.—The strategy under subsection (a) may include the following:

(1) Identification of how intellectual property may be used to enhance the innovation capabilities of the Department of Defense to neutralize the effects of intellectual property theft by competitors of the United States.

(2) An innovation warfare strategy to promote the creation of new and emerging technologies to secure the dominant economic and security position of the United States against adversaries, which may include strategies to—

(A) further develop the technological base of the Department of Defense and create intellectual property security tools needed to outpace adversaries and prevent technological overmatch;

(B) develop machine learning tools to identify possible future technologies;

(C) ensure that Federal research and development spending spur innovation as directed in the 2022 National Defense Strategy;

(D) secure positions that give the United States strategic advantages with respect to the acquisition, procurement, distribution, and protection of new and emerging technologies; and
(E) identity and develop cross-functional capabilities—

(i) for the implementation of the strategy under subsection (a); and

(ii) to facilitate the coordination of efforts to the extent feasible.

(3) Guidance to link priorities, goals, and investments with respect to intellectual property rights with individuals and entities that are critical to the functioning of specific programs of the Department of Defense, including by—

(A) developing and reinforcing relationships with academia, the acquisition workforce (as defined in section 101 of title 10, United States Code), the defense industry, and the commercial sector to create scalable solutions that are protected through intellectual property rights;

(B) developing a marketing strategy to make members of a covered Armed Force aware that the members may be able to patent inventions the members create while serving; and

(C) identifying funding, investments, personnel, facilities, and relationships with other departments and agencies of the Federal Govern-
ment without which defense capabilities would be severely degraded.

(4) Methods to support the coordination of acquisition priorities, programs, and timelines to meet requirements and security objectives of each covered Armed Force and the combatant commands with the research and engineering activities of the Department.

(5) Recommendations for changes to statute, regulations, or policies to support the achievement of the goals set forth in the strategy.

(6) Processes to inform senior leaders of the Department and Members of Congress of the potential effects of the intellectual property strategy on the development of policies and regulations guiding strategic competition with adversaries of the United States in the military and technology domains.

(7) Methods to support the efficient implementation of the strategy to address near-term, mid-term, and long-term capability gaps, with an emphasis on spurring innovation and overcoming, to the extent practicable, the gap between the research and development of emerging capabilities and technologies and the procurement and fielding of such capabilities and technologies.
(8) Methods to support the issuance and enforcement of patents within the Department of Defense.

(9) An assessment the potential supporting roles of military education institutions and science and technology reinvention laboratories (as designated under section 4121(b) of title 10, United States Code), including roles relating to encouraging innovation, raising awareness of intellectual property rights, and the conceptualization, development, testing, and implementation of innovative solutions for emerging capabilities and technologies.

(d) ALIGNMENT WITH NATIONAL DEFENSE STRATEGY.—The Secretary of Defense shall ensure that the strategy developed under subsection (a) aligns with the National Defense Strategy under section 113(g) of title 10, United States Code.

(e) REPORT.—Not later than February 1, 2024, the Secretary of Defense, in coordination with the Under Secretary of Defense for Research and Engineering, shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the intellectual property strategy developed under subsection (a).

(f) DEFINITIONS.—In this section:
The term “covered Armed Force” means the Army, Navy, Air Force, Marine Corps, or Space Force.

(2) The term “intellectual property” has the meaning given the term “IP” in Department of Defense Instruction 5010.44 titled “Intellectual Property (IP) Acquisition and Licensing” (issued October 16, 2019).

(3) The term “intellectual property rights” has the meaning given the term “IP rights” in Department of Defense Instruction 5010.44 titled “Intellectual Property (IP) Acquisition and Licensing” (issued October 16, 2019).

SEC. 264. STUDY ON ESTABLISHMENT OF CENTRALIZED PLATFORM FOR DEVELOPMENT AND TESTING OF AUTONOMY SOFTWARE.

(a) Study Required.—The Secretary of Defense, in coordination with the Chief Digital and Artificial Intelligence Officer, shall conduct a study to assess the feasibility and advisability of establishing a centralized platform for the development and testing of autonomy software.

(b) Elements.—The study under subsection (a) shall include, at a minimum, the following:

(1) An assessment of the status of efforts to resource and integrate autonomy software into systems
of the Department of Defense, including systems in use by the Department as of the date of the study and systems that may be used in the future.

(2) Identification of systems of the Department of Defense which are, or can be, integrated with autonomy software to enable the continuous operational capability of such systems in GPS- or communications-denied environments, including those systems identified in the report required under section 246 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2022 (Public Law 116–283; 135 Stat. 1622).

(3) An assessment of any gaps in—

(A) program funding relating to the acquisition of autonomy software;

(B) acquisition processes, including the planning, programming, budgeting, and execution process for acquiring and integrating autonomy-enabling capabilities across relevant programs of record;

(C) training capabilities relating to autonomy software;

(D) capabilities for testing, evaluating, verifying, and validating autonomy software in
all environments, including virtual and real-world environments; and

(E) efforts to test, resource, and scale commercially available autonomy software for use by the Department.

(4) A plan to address, to the extent practicable, the gaps assessed in paragraph (3), including—

(A) updated procedures to plan for the potential costs of autonomy software at the onset of the acquisition life cycle;

(B) plans to include, in greater detail, the projected costs of autonomy software for applicable programs of record in the future-years defense program submitted to Congress under section 221 of title 10, United States Code; and

(C) plans to standardize the acquisition of autonomy software for programs of record across the Armed Forces.

(c) Submittal to Congress.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the results of the study conducted under subsection (a).
(d) CDAO DEFINED.—In this section, the term “Chief Digital and Artificial Intelligence Officer” has the meaning given that term in section 846(b) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263).

SEC. 265. ANNUAL REPORT ON INCREMENTAL AND TRANSFORMATIONAL RESEARCH AND DEVELOPMENT.

(a) IN GENERAL.—Not later than 10 days after the date on which the budget of the President is submitted to Congress pursuant to section 1105 of title 31, United States Code, for each of fiscal years 2025 through 2029, the Under Secretary of Defense for Research and Engineering shall submit to the congressional defense committees a report that identifies—

(1) the number of incremental research and development projects that are in progress within the Department of Defense as of the date of the report and the total amount of funding allocated to such projects; and

(2) the number of transformational research and development projects that are in progress within the Department of Defense as of the date of the report and the total amount of funding allocated to such projects.

(b) DEFINITIONS.—In this section:
(1) The term “incremental research and development project” means a covered research activity that is in the research and development phase as of the date of the submittal of the report under subsection (a) and that is expected to achieve initial operational capability by not later than five years after such date.

(2) The term “transformational research and development project” means a covered research activity that is in the research and development phase as of the date of the submittal of the report under subsection (a) and that is expected to achieve initial operational capability by not earlier than five years after such date.

(3) The term “covered research activity” means a program, project, or other activity of the Department of Defense designated as budget activity 1 (basic research), budget activity 2 (applied research), or budget activity 3 (advanced technology development), as such budget activity classifications are set forth in volume 2B, chapter 5 of the Department of Defense Financial Management Regulation (DOD 7000.14-R).
SEC. 266. CONGRESSIONAL NOTIFICATION OF CHANGES TO DEPARTMENT OF DEFENSE POLICY ON AUTONOMY IN WEAPON SYSTEMS.

Not later than 30 days after making a modification to Department of Defense Directive 3000.09 (relating to autonomy in weapon systems) the Secretary of Defense shall provide to the congressional defense committees a briefing that includes—

(1) a description of the modification; and

(2) an explanation of the reasons for the modification.

SEC. 267. SENSE OF CONGRESS ON DUAL USE INNOVATIVE TECHNOLOGY FOR THE ROBOTIC COMBAT VEHICLE OF THE ARMY.

(a) FINDINGS.—Congress finds the following:

(1) The Army is developing the Robotic Combat Vehicle using a sound and innovative acquisition strategy. The Robotic Combat Vehicle program is leveraging dual-use commercial innovation for its autonomous driving system.

(2) The Army’s Robotic Combat Vehicle Software Pathways program will take an agile and phased approach to the ultimate solution, which is an autonomous, artificial intelligence-based navigation software. The technical focus will be on developing robust software pathways for the Army to conduct vehicle
navigation in increasingly complex terrain, diverse operational conditions, and GPS-challenged environments, while still providing the ability to remotely operate the vehicle.

(3) The Army’s acquisition strategy for the Robotic Combat Vehicle is smartly separating the platform ground combat vehicle prototypes from the autonomous software system. This approach is standard in the private sector and modern product development. With this approach, the Robotic Combat Vehicle program is establishing a blueprint for future autonomous development programs of the Department of Defense.

(4) By using this dual acquisition approach, the Army will receive the best value for the taxpayer as it will leverage private sector investments made on autonomous software and create an interoperable software stack for use on future applications.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Army should continue to use the software acquisition pathway approach and leverage dual-use, innovative commercial technology for the Robotic Combat Vehicle program;
(2) the Army should consider a similar framework for future ground vehicle programs, such as the Optionally Manned Fighting Vehicle program and the Common Tactical Truck program; and

(3) the other Armed Forces should consider using a similar dual acquisition approach for their autonomous ground vehicle programs.

**TITLE III—OPERATION AND MAINTENANCE**

**Subtitle A—Authorization of Appropriations**

**SEC. 301. AUTHORIZATION OF APPROPRIATIONS.**

Funds are hereby authorized to be appropriated for fiscal year 2024 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4301.

**Subtitle B—Energy and Environment**

**SEC. 311. EQUIVALENT AUTHORITY TO CARRY OUT CERTAIN PROJECTS AT FACILITIES OF THE NATIONAL GUARD AND THE AIR NATIONAL GUARD.**

(a) Revision of Definition.—Section 2700(4) of title 10, United States Code, is amended—

(1) by striking “State-owned”;
(2) by striking “owned and operated by a State when such land is”; and

(3) by striking “even though such land is not under the jurisdiction of the Department of Defense” and inserting: “without regard to—

“(A) the owner or operator of the facility; or

“(B) whether the facility is under the jurisdiction of the Department of Defense or a military department.”.

(b) INCLUSION UNDER DEFENSE ENVIRONMENTAL RESTORATION PROGRAM.—Section 2701 of title 10, United States Code, is amended—

(1) in subsection (a)(1), by striking “State-owned”;

(2) in subsection (c)(1)(D), by striking “State-owned”; and

(3) in subsection (d)(1), by inserting “or at a National Guard facility” after “Secretary’s jurisdiction”.

(c) ENVIRONMENTAL RESTORATION ACCOUNTS.—Section 2703(g)(1) of such title is amended by inserting “; a National Guard facility,” after “Department of Defense”.

(d) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) REPEAL OF PROVISION.—Section 2707 of such title is amended by striking subsection (e).
(2) Reference Update.—Section 345(f)(1) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1646; 10 U.S.C. 2715 note) is amended by striking “facility where military activities are conducted by the National Guard of a State pursuant to section 2707(e) of title 10, United States Code” and inserting “National Guard Facility, as such term is defined in section 2700 of title 10, United States Code”.

Sec. 312. Modifications to Pilot Program on Use of Sustainable Aviation Fuel.

Section 324(g) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 136 Stat. 2518; 10 U.S.C. note prec. 2922) is amended by striking paragraph (2) and inserting the following new paragraphs:

“(2) The term ‘applicable material’ means the following:

“(A) Monoglycerides, diglycerides, and triglycerides.

“(B) Free fatty acids.

“(C) Fatty acid esters.

“(D) Municipal solid waste.

“(E) Renewable natural gas.
“(3) The term ‘biomass’ has the meaning given such term in section 45K(c)(3) of the Internal Revenue Code of 1986.

“(4) The term ‘lifecycle greenhouse gas emissions reduction percentage’ means, with respect to non-petroleum-based jet fuel, the percentage reduction in lifecycle greenhouse gas emissions achieved by such fuel as compared with petroleum-based jet fuel, as determined using the following:

“(A) The most up-to-date Carbon Offsetting and Reduction Scheme for International Aviation which has been adopted by the International Civil Aviation Organization with the agreement of the United States.

“(B) The most up-to-date determinations under the model known as the ‘Greenhouse gases, Regulated Emissions, and Energy use in Transportation’ model developed by Argonne National Laboratory, or any successor model.

“(5) The term ‘sustainable aviation fuel’ means the portion of liquid fuel that is not kerosene and that—

“(A) meets the requirements of—

“(i) ASTM International Standard D7566; or
“(ii) the Fischer Tropsch provisions of
ASTM International Standard D1655,
Annex A1;
“(B) is not derived from coprocessing an
applicable material (or materials derived from
an applicable material) with a feedstock which is
not biomass;
“(C) is not derived from palm fatty acid
distillates or petroleum; and
“(D) has a lifecycle greenhouse gas emis-
sions reduction percentage of at least 50 per-
cent.”.

SEC. 313. REQUIRED DETERMINATION ON AVAILABILITY OF
CHARGING STATIONS PRIOR TO REPLACE-
MENT OF NON-TACTICAL VEHICLE FLEET OF
DEPARTMENT OF DEFENSE.

(a) Determination Required.—Section 328 of the
James M. Inhofe National Defense Authorization Act for
Fiscal Year 2023 (Public Law 117–263; 136 Stat. 2519)
is amended—

(1) in subsection (a), by inserting “and the de-
termination described in subsection (c)” after “the re-
port described in subsection (b)”;

(2) by redesignating subsections (c) and (d) as
subsections (e) and (f), respectively;
by inserting after subsection (b) the following new subsections:

“(c) DETERMINATION.—The determination described in this subsection is a determination by the Secretary of Defense that, with respect to the potential replacement of the existing non-tactical vehicle fleet of the Department with an exclusively electric non-tactical vehicle fleet, there is infrastructure to support such electric non-tactical vehicle fleet (such as charging stations) available in each covered command area of operations at a level sufficient—

“(1) to ensure that military logistics and operational requirements within such area would not be negatively affected as a result of a lack of such infrastructure in peacetime; and

“(2) to ensure that military logistics and operational requirements within such area would not be negatively affected as a result of a lack of such infrastructure in the event of a conflict (including a conflict in which an adversary may target electric grid requirements within such area).

“(d) ASSESSMENTS.—On an annual basis until such time as the Secretary is able to make the determination described in subsection (c), the Secretary of Defense shall submit to the Committees on Armed Services of the House of
Representatives and the Senate an assessment as to whether such determination may be made.’’; and

(4) in subsection (f), as redesignated by paragraph (2)—

(A) by redesignating paragraphs (3) through (8) as paragraphs (4) through (9), respectively; and

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

“(3) The term ‘‘covered command area of operations’’ refers to the area of operations of each of the following:

“(A) The United States Indo-Pacific Command.

“(B) The United States European Command.

“(C) The United States Central Command.

“(D) The United States Africa Command.

“(E) The United States Northern Command.

“(F) The United States Southern Command.”.

(b) DEADLINE FOR FIRST ASSESSMENT.—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 the first assessment required under section 328(d) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (as amended by subsection (a)).

SEC. 314. MODIFICATION TO PROTOTYPE AND DEMONSTRATION PROJECTS FOR ENERGY RESILIENCE AT CERTAIN MILITARY INSTALLATIONS.

(a) Modification to Covered Technologies for Prototype and Demonstration Projects.—Section 322(c)(6) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 136 Stat. 2511; 10 U.S.C. 2911 note) is amended by adding at the end the following:

“(C) Hydrogen creation, storage, and power generation using natural gas or renewable electricity.”.

(b) Applicability.—This section and the amendments made by this section shall apply with respect to covered prototype and demonstration projects (as defined in section 322(k) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 136 Stat. 2511; 10 U.S.C. 2911 note)) commencing on or after the date of the enactment of this Act.
SEC. 315. AUTHORITY TO TRANSFER CERTAIN FUNDS AS PAYMENT RELATING TO NAVAL AIR STATION, MOFFETT FIELD, CALIFORNIA.

(a) Authority to Transfer Funds.—

(1) Transfer Amount.—The Secretary of the Navy may transfer an amount of not more than $438,250 to the Hazardous Substance Superfund established under subchapter A of chapter 98 of the Internal Revenue Code of 1986, in accordance with section 2703(f) of title 10, United States Code. Any such transfer shall be made without regard to section 2215 of such title.

(2) Source of Funds.—Any transfer under this subsection shall be made using funds authorized to be appropriated by this Act for fiscal year 2024 for the Department of Defense Base Closure Account established by section 2906(a) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note).

(b) Purpose of Transfer.—A transfer under subsection (a) shall be for the purpose of satisfying a stipulated penalty assessed by the Environmental Protection Agency on May 4, 2018, regarding former Naval Air Station, Moffett Field, California, under the Federal Facility Agreement for Naval Air Station, Moffett Field, which was entered into between the Navy and the Environmental Protection Agency in 1990 pursuant to section 120 of the Com-

(c) ACCEPTANCE OF PAYMENT.—If the Secretary of the Navy makes a transfer under subsection (a), the Administrator for the Environmental Protection Agency shall accept the amount transferred as payment in full of the penalty referred to in subsection (b).

SEC. 316. REQUIREMENT FOR SECRETARY OF DEFENSE TO DEVELOP PLAN FOR TRANSITION OF JOINT TASK FORCE RED HILL.

(a) PLAN FOR TERMINATION REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense, in consultation, to the maximum extent practicable, with appropriate Federal, State, and local stakeholders, shall develop a plan for the termination of and transition from the Joint Task Force Red Hill.

(2) ELEMENTS.—Under such plan, the Secretary shall—

(A) subject to subsection (b), determine the date on which the Joint Task Force Red Hill (or any successor organization) shall be terminated;

(B) designate appropriate officials or entities to be responsible for—

(i) engaging and communicating with communities in proximity to the Red Hill
Bulk Fuel Storage Facility following such termination;

(ii) communicating, in a clear and consistent manner, with the heads of relevant Federal and State agencies and such communities with respect to all operations involving the Red Hill Bulk Fuel Storage Facility; and

(iii) ensuring the attendance of appropriate experts and public relations professionals at any public meeting or event relating to such operations;

(C) coordinate and communicate with such communities and the heads of applicable State regulatory authorities with respect to—

(i) such termination; and

(ii) the responsibilities designated under subparagraph (B);

(D) ensure adequate resourcing and personnel to meet continued community engagement requirements and priorities of the Department of Defense; and

(E) provide for or update any plan relating to the defueling of the Red Hell Bulk Fuel Storage Facility and removal of other potential con-
taminants stored at such facilities following such termination.

(3) DEADLINE.—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 the plan under paragraph (1).

(b) AVAILABILITY OF PLAN.—The Secretary shall make such plan and any supporting documents available to the public and State and local elected officials.

(c) RESTRICTION ON TERMINATION AUTHORITY.—The Secretary of Defense may not terminate the Joint Task Force Red Hill before the date that is 30 days after the date on which the Secretary submits to the congressional defense committees such report.

SEC. 317. DESIGNATION OF OFFICIAL RESPONSIBLE FOR COORDINATION OF RENEGOTIATION OF CERTAIN LAND LEASES OWNED BY DEPARTMENT OF DEFENSE IN HAWAII.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall designate an official to be responsible for, in coordination with appropriate officials from the covered military departments and the United States Indo-Pacific Command—
(1) coordinating Department of Defense-wide efforts relating to the renegotiation of land leases owned by the Department of Defense in the State of Hawai‘i expiring between 2029 and 2031;

(2) representing the Department of Defense during any such renegotiation; and

(3) ensuring clear and consistent communication to such State, State and local elected officials, and the public of the needs and priorities of the Department of Defense with respect to joint land use in such State.

(b) SELECTION.—In making the designation under subsection (a), the Secretary of Defense may appoint an individual with a significant background and expertise in—

(1) relevant legal and technical aspects of land lease issues; and

(2) working with State and local elected officials and the public in such State.

(c) NOTIFICATION.—Not later than 30 days after the Secretary of Defense makes such designation, the Secretary shall submit to the congressional defense committees and the Governor of Hawai‘i a notification that includes the name and contact information of the individual designated under subsection (a).
(d) COVERED MILITARY DEPARTMENT DEFINED.—In this section, the term “covered military department” means—

(1) the Department of the Army;

(2) the Department of the Navy; and

(3) the Department of the Air Force.

SEC. 318. PROHIBITION AND LIMITATION ON AVAILABILITY OF FUNDS FOR CERTAIN ENERGY PROGRAMS OF DEPARTMENT OF DEFENSE.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense for any operational energy program (including an operational energy program that uses renewable energy) may be provided to an entity owned or controlled by the Russian Federation or the Chinese Communist Party.

(b) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for the Assistant Secretary of Defense for Acquisition and Sustainment, not more than 50 percent may be obligated or expended until the Assistant Secretary submits to the Committees on Armed Services of the House of Representatives and the Senate a report on operational energy programs of the Department of Defense that includes—
(1) a list of all operational energy programs of
record;

(2) a description of—

(A) how each such program improves readiness or capabilities;

(B) how each such program shall be sustained (including in a contested environment); and

(C) the life-cycle costs of each such program, including cost avoidance over such life-cycle.

(c) DEFINITIONS.—In this section:

(1) The term “operational energy”—

(A) has the meaning given that term in section 2924 of title 10, United States Code; and

(B) includes renewable energy used by non-tactical power systems and generators deployed to a contested environment.

(2) The term “renewable energy” includes electricity generated from solar energy and energy stored in a lithium battery.

SEC. 319. ANALYSIS OF ALTERNATIVES FOR BATTLEFIELD STORAGE AND DISTRIBUTION OF ELECTRIC POWER.

(a) ANALYSIS.—Not later than one year after the date of the enactment of this Act, the Secretary of the Army shall
conduct an analysis of potential alternatives to systems for
the storage and distribution of electric power, for prospec-
tive use by the Army on the battlefield or in other austere
environments.

(b) SCOPE.—

(1) STUDY GUIDANCE.—In conducting the anal-
ysis of potential alternatives under subsection (a), the
Secretary shall develop study guidance under which
such analysis is required to include for consideration
as such potential alternatives the full range of mili-
tary and commercially available capabilities for the
storage and distribution of electric power.

(2) OTHER CONSIDERATIONS.—The Secretary
shall ensure that, for each potential alternative ana-
lyzed pursuant to subsection (a), such analysis in-
cludes a detailed evaluation of the cost and capabili-
ties thereof, including with respect to the following:

(A) The per-unit cost of the potential alter-
native.

(B) The mobility of the potential alter-
native.

(C) The capability of the potential alter-
native to store and distribute electric power nec-
essary for the charging of soldier-worn devices of
members of the Army on the battlefield.
(D) The capability of the potential alternative to store electric power for, or distribute electric power to, multiple systems (including through a network or microgrid), to sustain tactical command posts.

(E) Any other capabilities the Secretary determines necessary to meet operational requirements.

(c) REPORT.—Not later than 90 days after the date on which the Secretary completes the analysis under subsection (a), the Secretary shall submit to the congressional defense committees a report containing the following:

(1) The results of such analysis, including the results of—

(A) consideration of the full range of capabilities specified in subsection (b)(1); and

(B) the evaluations required under subsection (b)(2).

(2) An assessment of the types of analyses the Secretary conducted under this section to determine the costs and benefits associated with the prospective use by the Army on the battlefield or in other austere environments of commercially available potential alternatives referred to in subsection (b)(1), including—
(A) an identification of whether, and to what extent, the Secretary—

(i) conducted such analyses using best practices;

(ii) fully addressed concerns with such prospective use relating to acquisition, operational requirements, or user communities; and

(iii) evaluated such prospective use based on total cost, capabilities, and interoperability with existing or planned systems of the Army; and

(B) a description of how the Secretary—

(i) determined the requirements applicable to such commercially available potential alternatives (including pursuant to subsection (b)(2)(E)); and

(ii) evaluated the cost of, delivery and interoperability schedule of, risks posed by, and other considerations (including those listed in subsection (b)(2)) relating to each such potential alternative.

(d) MICROGRID DEFINED.—In this section, the term “microgrid” has the meaning given that term in section 323
Subtitle C—Treatment of Perfluoroalkyl Substances and Polyfluoroalkyl Substances

SEC. 331. IMPROVEMENTS RELATING TO EXPOSURES TO PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES.

(a) INCLUSION OF EXPOSURE TO PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES AS PART OF PERIODIC HEALTH ASSESSMENTS AND DEPLOYMENT ASSESSMENTS.—

(1) Periodic health assessments.—The Secretary of Defense shall ensure that any periodic health assessment provided to a member of the Armed Forces includes an evaluation of whether the member has been—

(A) based or stationed at a military installation identified by the Department of Defense as a location with a known or suspected release of perfluoroalkyl substances or polyfluoroalkyl substances during the period in which the member was based or stationed at the military installation; or
(B) exposed to such substances, including by evaluating any information in the health record of the member.

(2) DEPLOYMENT ASSESSMENTS.—Section 1074f(b)(2) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

“(E) An assessment of whether the member was—

“(i) based or stationed at a military installation identified by the Department as a location with a known or suspected release of perfluoroalkyl substances or polyfluoroalkyl substances during the period in which the member was based or stationed at the military installation; or

“(ii) exposed to such substances, including by assessing any information in the health record of the member.”.

(b) PROVISION OF BLOOD TESTING TO DETERMINE EXPOSURE TO PERFLUOROALKYL SUBSTANCES OR POLYFLUOROALKYL SUBSTANCES.—

(1) Provision.—If a covered evaluation of a member of the Armed Forces results in a positive determination of potential exposure to perfluoroalkyl
substances or polyfluoroalkyl substances, the Secretary of Defense shall provide to that member, during that covered evaluation, blood testing to determine and document potential exposure to such substances.

(2) Inclusion in Health Record.—The results of blood testing of a member of the Armed Forces conducted under paragraph (1) shall be included in the health record of the member.

(c) Documentation of Exposure to Perfluoroalkyl Substances or Polyfluoroalkyl Substances.—

(1) Registry.—

(A) Establishment.—The Secretary of Defense shall establish a registry of members of the Armed Forces who have been exposed to, or are suspected to have been exposed to, perfluoroalkyl substances or polyfluoroalkyl substances.

(B) Inclusion in Registry.—The Secretary shall include a member of the Armed Forces in the registry established under subparagraph (A) if a covered evaluation of the member establishes that the member—

(i) was based or stationed at a location identified by the Department of Defense as
a location with a known or suspected release of perfluoroalkyl substances or polyfluoroalkyl substances during the period in which the member was based or stationed at the location; or

(ii) was exposed to such substances.

(C) Blood Testing.—The results of any blood test conducted under subsection (b)(1) shall be included in the registry established under subparagraph (A) for any member of the Armed Forces included in the registry.

(D) Election.—A member of the Armed Forces may elect not to be included in the registry established under subparagraph (A).

(2) Provision of Information.—The Secretary of Defense shall provide to a member of the Armed Forces additional information on perfluoroalkyl substances and polyfluoroalkyl substances and the potential impact of exposure to such substances if a covered evaluation of such member establishes that the member—

(A) was based or stationed at a location identified by the Department of Defense as a location with a known or suspected release of perfluoroalkyl substances or polyfluoroalkyl sub-
stances during the period in which the member
was based or stationed at the location; or

(B) was exposed to such substances.

(3) Rule of Construction.—Nothing in this
subsection may be construed to preclude eligibility of
a veteran for benefits under the laws administered by
the Secretary of Veterans Affairs by reason of the ex-
posure of the veteran to perfluoroalkyl substances or
polyfluoroalkyl substances not being recorded in a
covered evaluation.

(d) Covered Evaluation Defined.—In this section,
the term “covered evaluation” means the following:

(1) A periodic health assessment conducted in ac-
cordance with subsection (a)(1).

(2) A deployment assessment conducted under
section 1074f(b)(2) of title 10, United States Code, as
amended by subsection (a)(2).

SEC. 332. PRIZES FOR DEVELOPMENT OF TECHNOLOGY FOR
THERMAL DESTRUCTION OF
PERFLUOROALKYL SUBSTANCES OR
POLYFLUOROALKYL SUBSTANCES.

(a) Prizes.—Section 330 of the National Defense Au-
thorization Act for Fiscal Year 2021 (Public Law 116–283;
10 U.S.C. 2661 note prec.), as amended by section 343 of
the James M. Inhofe National Defense Authorization Act
for Fiscal Year 2023 (Public Law 117–263; 136 Stat. 2530), is further amended—

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

“(3) Technology for the thermal destruction of perfluoroalkyl substances or polyfluoroalkyl substances.”; and

(2) in subsection (g), by striking “October 1, 2024” and inserting “December 31, 2026”.

(b) Authorization of Appropriations.—There is authorized to be appropriated to the Department of Defense for fiscal year 2024 $1,000,000 to carry out this section.

SEC. 333. RESTRICTION ON DEPARTMENT OF DEFENSE ACQUISITION OF COVERED ITEMS CONTAINING OR PRODUCED USING CERTAIN SUBSTANCES.

(a) Modification.—Section 333 of the National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 3062 note; 134 Stat. 3531) is amended to read as follows:

“(a) Prohibition Beginning April 1, 2023.—

“(1) Prohibition.—During the period beginning on April 1, 2023, and ending on April 1, 2025,
the Secretary of Defense may not acquire any covered item that contains perfluorooctane sulfonate (PFOS) or perfluorooctanoic acid (PFOA).

“(2) COVERED ITEM DEFINED.—In this subsection, the term ‘covered item’ means—

“(A) nonstick cookware or cooking utensils for use in galleys or dining facilities; and

“(B) upholstered furniture, carpets, and rugs that have been treated with stain-resistant coatings.

“(b) PROHIBITION BEGINNING APRIL 1, 2025.—

“(1) PROHIBITION.—Beginning on April 1, 2025, the Secretary of Defense may not acquire any covered item that contains or is produced using any of the following:

“(A) Perfluorooctane sulfonate (PFOS).

“(B) Perfluorooctanoic acid (PFOA).

“(C) Perfluorobutane sulfonate (PFBS).

“(D) Perfluorobutanoic acid (PFBA).

“(E) Perfluorohexanoic acid (PFHxA).

“(F) Perfluoroheptanoic acid (PFHpA).

“(G) Perfluorohexanesulfonic acid (PFHxS).

“(H) Perfluoroheptane sulfonic acid (PFHpS).
“(I) Perfluorononanoic acid (PFNA).

“(J) Perfluorodecanoic Acid (PFDA).

“(K) Perfluoroundecanoic acid (PFUnA).

“(L) Perfluorododecanoic acid (PFDoDA).

“(M) Perfluorooctanesulfonamide (PFOSA or FOSA).

“(N) Hexafluoropropylene Oxide (HFPO) Dimer Acid (GenX).

“(2) IMPLEMENTATION.—In carrying out this subsection, the Secretary shall include the prohibition under paragraph (1) as a term in any contract or other agreement entered into on or after April 1, 2025, by the Secretary for the acquisition of a covered item.

“(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed as—

“(A) requiring the disposal of, or otherwise affecting, covered items acquired by the Secretary of Defense prior to April 1, 2025; or

“(B) imposing an obligation on the Secretary to test covered items to confirm the absence of perfluoroalkyl substances or polyfluoroalkyl substances.

“(4) DEFINITIONS.—In this subsection:

“(A) The term ‘covered item’ means—
“(i) non-stick cookware or food service
ware for use in galleys or dining facilities;
“(ii) food packaging materials;
“(iii) cleaning products, including
floor waxes;
“(iv) carpeting;
“(v) rugs, curtains, or upholstered fur-
niture;
“(vi) sunscreen;
“(vii) shoes and clothing for which
treatment with a perfluoroalkyl substance or
polyfluoroalkyl substance is not necessary
for an essential function; and
“(viii) such other items as may be de-
termined by the Secretary.
“(B) The term ‘perfluoroalkyl substance’
means a man-made chemical of which all of the
carbon atoms are fully fluorinated carbon atoms.
“(C) The term ‘polyfluoroalkyl substance’
means a man-made chemical containing at least
one fully fluorinated carbon atom and at least
one nonfluorinated carbon atom.”.

(b) ANNUAL REPORTS.—

(1) REPORTS.—Not later than 270 days after the
date of the enactment of this Act, and annually there-
after, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report containing a detailed description of the following:

(A) Steps taken to identify covered items acquired by the Secretary of Defense that contain or are produced using perfluoroalkyl substances or polyfluoroalkyl substances.

(B) Steps taken to limit the acquisition by the Secretary of covered items that contain or are produced using perfluoroalkyl substances or polyfluoroalkyl substances.

(C) Planned steps of the Secretary to limit the acquisition of covered items that contain or are produced using perfluoroalkyl substances or polyfluoroalkyl substances.

(2) DEFINITIONS.—In this subsection, the terms “covered item”, “perfluoroalkyl substance”, and “polyfluoroalkyl substance” have the meanings given those terms in section 333(b) of the National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 3062 note; 134 Stat. 3531), as amended by subsection (a).
Subtitle D—Logistics and Sustainment

SEC. 341. REPEAL OF COMPTROLLER GENERAL REVIEW REQUIREMENT RELATING TO CORE LOGISTICS CAPABILITIES.

Section 2464(e) of title 10, United States Code, is repealed.

SEC. 342. DISAGGREGATION OF CERTAIN INFORMATION IN ANNUAL REPORT RELATING TO PERFORMANCE OF DEPOT-LEVEL MAINTENANCE.

Section 2466(d)(1) of title 10, United States Code, is amended by inserting “, including an analysis of such information disaggregated by depot” after “sectors”.

SEC. 343. FOREIGN MILITARY SALES EXCLUSION IN CALCULATION FOR CERTAIN WORKLOAD CARRYOVER OF DEPARTMENT OF ARMY.


“(1) applies a material end of period exclusion;

and

“(2) excludes from the calculated carryover amount the proceeds of any foreign military sale.”.
SEC. 344. MATTERS RELATING TO BRIEFINGS ON SHIPYARD INFRASTRUCTURE OPTIMIZATION PROGRAM OF THE NAVY.

(a) Modification to Briefing Requirement.—

Section 355(b)(2) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 8013 note) is amended by adding at the end the following new subparagraph:

“(D) A risk analysis of how the schedule for such project affects the availability schedule for submarines and aircraft carriers, including the following:

“(i) A timeline for the completion of such project, including construction dates and dates of planned maintenance at each shipyard under such project.

“(ii) Contingency maintenance plans if such project is delayed, including any backup location for maintenance availabilities determined by the Chief Naval Officer and any resulting alteration in plans or schedules for maintenance.

“(iii) The effect on public shipyards should a delay to such project result in the implementation of a contingency plan pursuant to clause (ii), including the effect on
the workforce and workload capacity at the
public shipyard with respect to which such
project is conducted.

“(iv) A cost-benefit analysis of the po-
tential for private shipyards to assist with
such workload should such project be de-
layed, including an identification of any
gaps in the capability of private shipyards
to conduct the maintenance described in
clause (ii).

“(v) An assessment of whether greater
flexibilities in authorities are necessary to
better support fleet maintenance needs and
the Shipyard Infrastructure Optimization
Program.”.

(b) Briefing on Implementation Status.—Not
later than February 1, 2024, the Secretary of the Navy shall
provide to the congressional defense committees a briefing
on the status of the implementation of the Shipyard Infra-
structure Optimization Program of the Department of the
Navy. Such briefing shall include, with respect to each cov-
ered project, the information specified in each of subpar-
agraphs (A) through (D) of section 355(b)(2) of the National
Defense Authorization Act for Fiscal Year 2022, as amended
by subsection (a).
SEC. 345. PILOT PROGRAM ON OPTIMIZATION OF AERIAL REFUELING AND FUEL MANAGEMENT IN CONTESTED LOGISTICS ENVIRONMENTS THROUGH USE OF ARTIFICIAL INTELLIGENCE.

(a) Pilot Program.—Not later than 90 days after the date of the enactment of this Act, the Chief Digital and Artificial Intelligence Officer of the Department of Defense, in collaboration with the Under Secretary of Defense for Acquisition and Sustainment and the Chief of Staff of the Air Force, shall commence a pilot program to optimize the logistics of aerial refueling and fuel management in the context of contested logistics environments through the use of advanced digital technologies and artificial intelligence.

(b) Objectives.—The objectives of the pilot program under subsection (a) shall include the following:

(1) Assessing the feasibility and effectiveness of artificial intelligence-driven approaches in enhancing aerial refueling operations and fuel management processes.

(2) Identifying opportunities to reduce fuel consumption, decrease operational costs, and minimize the environmental impact of fuel management while maintaining military readiness.

(3) Evaluating the interoperability and compatibility of artificial intelligence-enabled systems with...
the existing logistics infrastructure of the Department of Defense.

(4) Enhancing situational awareness and decision-making capabilities through real-time data analysis and predictive modeling.

(5) Addressing potential challenges and risks associated with the integration of artificial intelligence and other advanced digital technologies, including challenges and risks involving cybersecurity concerns.

(c) COORDINATION AND CONSULTATION.—In carrying out the pilot program under subsection (a), the Chief Digital and Artificial Intelligence Officer shall—

(1) coordinate the activities carried out under such pilot program with the Commander of the United States Transportation Command and the Commander of the United States Indo-Pacific Command, to ensure such pilot program aligns with existing operational requirements; and

(2) seek to consult with relevant experts in the fields of artificial intelligence, logistics, aviation, and fuel management.

(d) REPORT.—Not later than 270 days after the date of the enactment of this Act, the Chief Digital and Artificial Intelligence Officer shall submit to the Committees on Armed Services of the House of Representatives and the
Senate a report on the initial findings and planned future activities of the pilot program under subsection (a). Such report shall include an assessment of the potential operational efficiencies and benefits derived from the artificial intelligence-driven approaches employed under such pilot program.

(e) **Termination.**—The authority to conduct the pilot program under subsection (a) shall terminate on January 1, 2027.

**SEC. 346. LIMITATION ON AVAILABILITY OF FUNDS PENDING QUARTERLY BRIEFING ON AVAILABILITY OF AMPHIBIOUS WARSHIPS.**

(a) **Limitation.**—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2024 for Administration and Servicewide Activities, Operation and Maintenance, Navy, not more than 50 percent may be obligated or expended until a period of 30 days has elapsed following the date on which the Secretary of the Navy provides the first briefing required under subsection (b).

(b) **Quarterly Briefings Required.**—

(1) **In General.**—Not later than 30 days after the date of the enactment of this Act, and once every 90 days thereafter until September 30, 2026, the Secretary of the Navy shall provide to the congressional
defense committees a briefing on the operational status of the amphibious warship fleet of the Armed Forces.

(2) ELEMENTS.—Each briefing under paragraph (1) shall include, with respect to each amphibious warship, the following:

(A) The average operational availability of the amphibious warship during the 90-day period preceding the date of the briefing.

(B) The number of days the amphibious warship was underway during such period for the following purposes (disaggregated by purpose):

(i) Training for the purpose of supporting mission essential tasks of the Marine Corps, including—

(I) unit-level well-deck or flight-deck operations training of the Marine Corps; and

(II) integrated training for Amphibious Ready Groups and Marine Expeditionary Unit.

(ii) Deployment (not inclusive of scheduled or unscheduled in-port maintenance).
(C) The expected completion date for any maintenance for the amphibious warship that is in progress as of the date of the briefing, including scheduled and unscheduled maintenance.

(D) An update on any delays in the completion of such scheduled or unscheduled maintenance, and on any casualty reports, of the amphibious warship, affecting—

(i) scheduled unit-level well-deck or flight-deck operations training of the Marine Corps;

(ii) scheduled mission essential task certifications of the Marine Corps, including with respect to mobility, communications, amphibious well-deck operations, aviation operations, and warfare training; or

(iii) the composition, or deployment dates, of Amphibious Ready Group-Marine Expeditionary Units that are deployed or scheduled to be deployed.

(c) DEFINITIONS.—In this section:

(1) The term “amphibious warship” means a ship that is included in the battle force inventory of the Department of the Navy in accordance with the
instruction from the Secretary of the Navy published on June 28, 2022, titled “General Guidance for the Classification of Naval Vessels and Battle Force Ship Counting Procedures” (SECNAVINST 5030.8), or any successor instruction, and is classified pursuant to such instruction as—

(A) a general purpose amphibious assault ship;

(B) a multi-purpose amphibious assault ship;

(C) an amphibious transport dock; or

(D) a dock landing ship.

(2) The term “Amphibious Ready Group-Marine Expeditionary Unit” includes a minimum of three amphibious warships, of which—

(A) one is a general purpose amphibious assault ship or a multi-purpose amphibious assault ship; and

(B) at least one is an amphibious transport dock in the Flight I generation.

SEC. 347. REQUIREMENT FOR SECRETARY OF NAVY TO COMPLETE COMMON READINESS MODELS.

(a) REQUIREMENT.—Not later than December 31, 2025, the Secretary of the Navy shall complete the establishment of common readiness models for each maritime or...
(b) REPORT.—Not later than March 1, 2024, the Secretary of the Navy shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report that details the metrics and models used by the Secretary of the Navy for determining the readiness of each maritime or aviation major weapon system of the Department of the Navy.

(c) ELEMENTS.—The report under subsection (b) shall include, at a minimum, and with respect to the applicable major weapon system—

(1) detailed information on—

(A) the metrics used by the Secretary of the Navy to assess the effect of variations in funding for the system (by dollar amount) on the readiness of the system, to inform budgetary decisions; and

(B) the modeling capabilities that take into account and optimize predictive maintenance, supply, and manpower resources and are used by the Secretary of the Navy to inform decisions relating to the readiness of the system; and

(2) an assessment of the extent to which such metrics and modeling capabilities account for the de-
tailed requirements and design of the system, including by providing for, as appropriate, interface with the digital thread and digital twin of the system.

(d) **Major Weapon System Defined.**—In this section, the term “major weapon system” has the meaning given that term in section 3455(f) of title 10, United States Code.

**SEC. 348. Plan Regarding Condition and Maintenance of Prepositioned Stockpiles of Army.**

(a) **Plan Required.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Army shall develop a plan to improve the required inspection procedures for the prepositioned stockpiles of the Army, for the purpose of identifying deficiencies and conducting maintenance repairs at levels necessary to ensure such prepositioned stockpiles are mission-capable.

(b) **Implementation.**—Not later than 30 days after the date on which the Secretary completes the development of the plan under subsection (a), and not less frequently than twice each year thereafter, the Secretary shall inspect the prepositioned stockpiles of the Army in accordance with the procedures under such plan.

(c) **Briefings.**—
(1) Briefing on Plan.—Not later than 120 days after the date of the enactment of this Act, the Secretary of the Army shall provide to the congressional defense committees a briefing on the plan developed under subsection (a).

(2) Briefings on Status of Prepositioned Stockpiles.—Not later than 180 days after the date of the enactment of this Act, and every 90 days thereafter, the Secretary of the Army shall provide to the congressional defense committees a briefing on the status and condition of the prepositioned stockpiles of the Army.

Subtitle E—Reports and Other Matters

SEC. 361. MODIFICATION TO JOINT SAFETY COUNCIL.

Title 10, United States Code, is amended—

(1) by redesignating the second section 184 (relating to the Joint Safety Council) as section 185;

(2) in section 185(d), as so redesignated—

(A) by redesignating paragraphs (7) through (9) as paragraphs (8) through (10), respectively;

(B) by inserting after paragraph (6) the following new paragraph (7):
“(7) Ensuring each military department has in place, for the safety management system and program described in paragraphs (5) and (6), respectively, of that military department—

“(A) a resolution plan that identifies specific corrective and preventative actions to address the causes of mishaps; and

“(B) an implementation plan for such system and program.”;

(C) in paragraph (8), as redesignated by subparagraph (A), by striking “the safety management systems described in paragraphs (9) and (10)” and inserting “the safety management system and program described in paragraphs (5) and (6), respectively”; and

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

“(11) Not later than one year after the initial identification of corrective and preventative actions by a military department pursuant to a resolution plan under paragraph (7)(A), and periodically thereafter, reviewing and validating each such identified corrective and preventative action to ensure the action is effective.
“(12) Ensuring any related change in methods, tactics, or procedures necessary for the conduct of such identified corrective and preventative actions have been implemented.”.

SEC. 362. RECOGNITION OF SERVICE OF MILITARY WORKING DOGS.

Section 1125 of title 10, United States Code, is amended—

(1) by inserting “(a) GENERAL AUTHORITY.—” before “The Secretary of Defense”; and

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

“(b) RECOGNITION OF SERVICE OF MILITARY WORKING DOGS.—The Secretary of Defense shall create a decoration or other appropriate recognition to recognize military working dogs under the jurisdiction of the Secretary that are killed in action or perform an exceptionally meritorious or courageous act in service to the United States.”.

SEC. 363. IMPROVEMENTS RELATING TO END-TO-END TRAVEL MANAGEMENT SYSTEM OF THE DEPARTMENT OF DEFENSE.

(a) TERMINATION AND REPLACEMENT OF DEFENSE TRAVEL SYSTEM.—Except as provided in subsection (b)—

(1) the Secretary of Defense shall—
(A) terminate the end-to-end travel management system of the Department of Defense known as the “Defense Travel System” on December 31, 2025; and

(B) establish and maintain a program to replace the system specified in subparagraph (A) with a new system for end-to-end travel management of the Department of Defense (including the management of travel related expense processes) that is a fully integrated commercial system, for the purpose of improving efficiency and customer satisfaction with respect to Department travel; and

(2) not later than December 21, 2025, the Secretary of each military department shall complete the transition to the replacement system specified in paragraph (1)(B), including by ensuring the enterprise resource planning system of that military department is integrated into such replacement system by such date.

(b) WAIVER.—The Secretary of Defense may issue a waiver for the termination and transition deadlines under subsection (a) if the Secretary—

(1) determines such waiver necessary; and
(2) submits to the Committees on Armed Services of the House of Representatives and the Senate a notification and justification of such determination.

(c) BRIEFINGS.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter until the date on which the respective requirement has been completed—

(1) the Secretary of Defense shall provide to the Committees on Armed Services of the House of Representatives and the Senate a briefing on the efforts and progress of the Department of Defense with respect to the requirements under subsection (a)(1); and

(2) the Secretary of each military department shall provide to such committees a briefing on the efforts and progress of that military department with respect to the requirements under subsection (a)(2).

(d) LIMITATION ON AVAILABILITY OF FUNDS PENDING BRIEFING.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2024 for the Defense Travel Management Office, not more than 20 percent may be obligated or expended until the date on which the Secretary of Defense provides to the Committees on Armed Services of the House of Representatives and the Senate a briefing on the plan of the Secretary to complete the requirements under subsection (a)(1).
SEC. 364. DIVERSITY, EQUITY, AND INCLUSION PERSONNEL

GRADE CAP.

(a) In General.—The Secretary of the military department concerned may not appoint to, or otherwise employ in, any position with a duty described in subsection (b) a military or civilian employee with a rank or grade in excess of GS–10 not adjusted for locality.

(b) Covered Duties.—A duty described in this subsection is the following:

(1) Developing, refining, and implementing diversity, equity, and inclusion policy.

(2) Leading working groups and councils to developing diversity, equity, and inclusion goals and objectives to measure performance and outcomes.

(3) Creating and implementing diversity, equity, and inclusion education, training courses, and workshops for military and civilian personnel.

(c) Applicability to Current Employees.—Any military or civilian employee appointed to a position with a duty described in subsection (b) who holds a rank or grade in excess of that authorized under subsection (a) shall be reassigned to another position not later than 180 days after the date of the enactment of this Act.
SEC. 365. PROHIBITION ON ELIMINATION OF CAISSON PLATOON AND SUPPORT BY SUCH PLATOON OF MILITARY FUNERAL SERVICES AT ARLINGTON NATIONAL CEMETERY.

(a) Establishment.—There is established in the Department of the Army an equine unit, to be known as the Caisson Platoon, assigned to the 3rd Infantry Regiment of the Army, for the purpose of conducting military and State funerals and for other purposes.

(b) Prohibition on Elimination.—The Secretary of the Army may not eliminate the Caisson Platoon of the 3rd Infantry Regiment of the Army established under subsection (a).

(c) Briefing.—

(1) In General.—Not later than 60 days after the date of the enactment of this Act, and not less frequently than every 180 days thereafter until March 31, 2027, the Secretary of the Army shall provide to the congressional defense committees a briefing on the health, welfare, and sustainment of military working equids.

(2) Elements.—Each briefing under paragraph (1) shall include the following:

(A) An assessment of the ability of the Caisson Platoon of the 3rd Infantry Regiment of the Army to support military funeral operations
within Arlington National Cemetery, including
milestones associated with achieving full oper-
ational capability for the Caisson Platoon.

(B) An update on the plan of the task force
of the Army on military working equids to pro-
mote, support, and sustain animal health and
welfare.

(C) An update on the plan of such task
force to ensure that support by the Caisson Pla-
toon of Arlington National Cemetery and State
funerals is never suspended again.

SEC. 366. ASSESSMENT ON USE OF CERTAIN AREAS IN
SOUTHEASTERN UNITED STATES FOR TEST-
ING AND TRAINING IN SUPPORT OF PACIFIC
DETERRENCE INITIATIVE.

(a) Assessment.—The Secretary of Defense shall con-
duct an assessment of the capacity of the Department of
Defense to routinely train, test, evaluate, and qualify the-
ter-level operations in support of the Pacific Deterrence
Initiative using test or training areas located in the south-
eastern region of the United States, for the purpose of in-
creasing the capacity and rate of force readiness with re-
spect to deterrence and defense at theater-level distances.

(b) Elements.—The assessment under subsection (a)
shall include the following:
(1) An assumption, for purposes of evaluating the capacity described in such subsection, that the Secretary of Defense will conduct at least one tabletop exercise per fiscal quarter to inform and advance operationally relevant testing and training in the Pacific context (across domains), employing test or training areas located in the southeastern region of the United States.

(2) An identification of any test or training area located outside of the area of responsibility of the United States Indo-Pacific Command (and in particular, in the southeastern region of the United States) with the potential to be used to expand the capacity and persistence of theater-level operations, including any such areas owned or operated by any Federal department or agency, State, institution of higher education, or commercial entity.

(3) An analysis of the combined capability of the total test or training areas identified under paragraph (2) to simulate various public, private, and academic initiatives in support of the Pacific Deterrence Initiative while advancing military readiness.

(4) An identification of the coordination, scheduling, reimbursement processes, and other requirements necessary for the potential use of such test or
training areas to advance the challenge of distance in
the area of responsibility of the United States Indo-
Pacific Command and accelerate development in such
area or responsibility (across domains).

(5) With respect to missions conducted in the
area of responsibility of the United States Indo-Pa-
cific Command, an analysis of—

(A) the estimated frequency of use, sched-
uling lead time, cost, and other requirements as-
associated with each test or training area located
in the southeastern region of the United States
and identified under paragraph (2) for purposes
of such missions; and

(B) any other permissions required to in-
crease force readiness levels using such test or
training areas in support of stated national
strategic objectives.

(6) A review of any test or training areas identi-
fied under paragraph (2) that may enhance efforts of
the Department to train at scale and range, when
persistently networked into a live, virtual and con-
structive Pacific environment.

(7) An assessment of any cost savings or time
savings that may result from the use of test or train-
ing areas located in the southeastern region of the
United States to advance force readiness with respect to operations in the area of responsibility of the United States Indo-Pacific Command.

(8) A recurring assessment of training and operations necessary to fulfill integrate priority list line items.

(c) REPORT.—Not later than 180 days after the date of the enactment, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report containing the findings of the assessments under subsection (a).

(d) TEST OR TRAINING AREA DEFINED.—In this section, the term “test or training area” includes any range or other facility that may be used by the Secretary of Defense for testing or training purposes.

**TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS**

**Subtitle A—Active Forces**

**SEC. 401. END STRENGTHS FOR ACTIVE FORCES.**

The Armed Forces are authorized strengths for active duty personnel as of September 30, 2024, as follows:

(1) The Army, 452,000.

(2) The Navy, 347,000.

(3) The Marine Corps, 172,300.

(4) The Air Force, 324,700.
Subheading B—Reserve Forces

SEC. 411. END STRENGTHS FOR SELECTED RESERVE.

(a) In General.—The Armed Forces are authorized strengths for Selected Reserve personnel of the reserve components as of September 30, 2024, as follows:

(1) The Army National Guard of the United States, 325,000.

(2) The Army Reserve, 174,800.

(3) The Navy Reserve, 57,200.

(4) The Marine Corps Reserve, 33,600.


(6) The Air Force Reserve, 69,600.

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

(b) End Strength Reductions.—The end strengths prescribed by subsection (a) for the Selected Reserve of any reserve component shall be proportionately reduced by—

(1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at the end of the fiscal year; and

(2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty
(other than for training or for unsatisfactory participation in training) without their consent at the end of the fiscal year.

(c) **End Strength Increases.**—Whenever units or individual members of the Selected Reserve of any reserve component are released from active duty during any fiscal year, the end strength prescribed for such fiscal year for the Selected Reserve of such reserve component shall be increased proportionately by the total authorized strengths of such units and by the total number of such individual members.

**SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.**

Within the end strengths prescribed in section 411(a), the reserve components of the Armed Forces are authorized, as of September 30, 2024, the following number of Reserves to be serving on full-time active duty or full-time duty, in the case of members of the National Guard, for the purpose of organizing, administering, recruiting, instructing, or training the reserve components:

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

(2) The Army Reserve, 16,511.

(3) The Navy Reserve, 10,327.

(5) The Air National Guard of the United States, 25,713.

(6) The Air Force Reserve, 6,070.

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

The minimum number of military technicians (dual status) as of the last day of fiscal year 2024 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, 7,990.

(3) For the Air National Guard of the United States, 9,830.

(4) For the Air Force Reserve, 6,882.

SEC. 414. MAXIMUM NUMBER OF RESERVE PERSONNEL AUTHORIZED TO BE ON ACTIVE DUTY FOR OPERATIONAL SUPPORT.

During fiscal year 2024, the maximum number of members of the reserve components of the Armed Forces who may be serving at any time on full-time operational support duty under section 115(b) of title 10, United States Code, is the following:
(1) The Army National Guard of the United States, 17,000.

(2) The Army Reserve, 13,000.

(3) The Navy Reserve, 6,200.

(4) The Marine Corps Reserve, 3,000.

(5) The Air National Guard of the United States, 16,000.

(6) The Air Force Reserve, 14,000.

Subtitle C—Authorization of Appropriations

SEC. 421. MILITARY PERSONNEL.

(a) Authorization of Appropriations.—Funds are hereby authorized to be appropriated for fiscal year 2024 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in the funding table in section 4401.

(b) Construction of Authorization.—The authorization of appropriations in the subsection (a) supersedes any other authorization of appropriations (definite or indefinite) for such purpose for fiscal year 2024.
TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy

SEC. 501. REMOVAL OF EXEMPTION RELATING TO ATTENDING PHYSICIAN TO THE CONGRESS FOR CERTAIN DISTRIBUTION AND GRADE LIMITATIONS.

Section 525 of title 10, United States Code, is amended—

(1) by striking subsection (f); and

(2) by redesignating subsection (g) as subsection (f).

SEC. 502. NUMBER OF GENERAL OFFICERS AND FLAG OFFICERS ON ACTIVE DUTY.

(a) INCREASE IN AUTHORIZED STRENGTH FOR THE SPACE FORCE.—Subsection (a)(5) of section 526a of title 10, United States Code, is amended in by striking “21” and inserting “25”.

(b) EXPANSION OF EXCLUSION FOR THE SPACE FORCE FOR JOINT DUTY REQUIREMENTS.—Subsection (b)(2)(E) of such section is amended by striking “6” and inserting “10”.

(c) TEMPORARY ADDITIONAL JOINT POOL ALLOCATION.—Section 501(a)(3) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 525 note) is amended—
(1) by striking “positions authorized by para-
graph (2)” and inserting “positions designated under
subsection (b)(1) of section 526a of title 10, United
States Code”; and

(2) by striking “30” and inserting “22”.

SEC. 503. PROMOTIONS AND TRANSFERS BETWEEN COMPO-
MENTS OF CERTAIN ARMED FORCES OR TO
OTHER CERTAIN ARMED FORCES.

(a) PROMOTION AND TRANSFER OF A WARRANT OFFI-
CER BETWEEN COMPONENTS OF AN ARMED FORCE OR TO
ANOTHER ARMED FORCE.—Section 578 of title 10, United
States Code, is amended by adding at the end the following
new subsection:

“(g)(1) Notwithstanding subsection (d), and subject to
regulations prescribed by the Secretary of Defense, in the
case of a warrant officer in a covered armed force who is
selected for promotion by a selection board convened under
this chapter, and who, before the placement of the warrant
officer’s name on the applicable promotion list, is approved
for transfer to another component of the same covered armed
force or to another covered armed force, the Secretary of
the military department concerned may place the warrant
officer’s name on a corresponding promotion list of the new
component or covered armed force without regard to the
warrant officer’s competitive category.
“(2) A promotion under this subsection shall be made pursuant to section 12242 of this title.

“(h) In this section, the term ‘covered armed force’ means the Army, Navy, Marine Corps, Air Force, or Space Force.”.

(b) Officers Transferred to Reserve Active-Status List.—Section 624 of such title is amended by adding at the end the following new subsections:

“(e)(1) Notwithstanding subsection (a)(2), in the case of an officer in a covered armed force who is selected for promotion by a selection board convened under this chapter, and, prior to the placement of the officer’s name on the applicable promotion list, is approved for transfer to the reserve active-status list of the same covered armed force or another covered armed force, the Secretary of the military department concerned may place the officer’s name on a corresponding promotion list on the reserve active-status list without regard to the officer’s competitive category.

“(2) An officer’s promotion under this subsection shall be made pursuant to section 14308 of this title.

“(f)(1) Notwithstanding subsection (a)(3), in the case of an officer who (1) is placed on an all-fully-qualified-officers list, and (2) is subsequently approved for transfer to the reserve active-status list, the Secretary of the military department concerned may place the officer’s name on an
appropriate all-fully-qualified-officers list on the reserve active status list.

“(2) An officer’s promotion under this subsection shall be made pursuant to section 14308 of this title.

“(g) In this section, the term ‘covered armed force’ means the Army, Navy, Marine Corps, Air Force, or Space Force.”.

(c) DATE OF RANK.—Section 14308(c) of such title is amended—

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

(2) by inserting, after paragraph (2), the following new paragraph (3):

“(3) The Secretary of the military department concerned may adjust the date of rank of an officer whose name is placed on a reserve active-status promotion list pursuant to subsection (e) or (f) of section 624 of this title.”.

SEC. 504. MODIFICATION TO GRADE OF ATTENDING PHYSICIAN TO THE CONGRESS.

Section 715 of title 10, United States Code, is amended to read as follows:

“§ 715. Attending Physician to the Congress: grade

“An officer serving as Attending Physician to the Congress, while so serving, holds the grade of O–6.”.

"HR 2670 RH1S"
SEC. 505. VERIFICATION OF THE FINANCIAL INDEPENDENCE OF FINANCIAL SERVICES COUNSELORS IN THE DEPARTMENT OF DEFENSE.

(a) Verification of Financial Independence.—

Section 992 of title 10, United States Code, is amended—

(1) in subsection (b)(2)(A)—

(A) in clause (i), by striking “and” at the end;

(B) in clause (ii)—

(i) by striking “may” and inserting “shall”;

(ii) by striking “installation by any means elected by the Secretary from among the following:” and inserting “installation—”;

(iii) in subclause (I)—

(I) by striking “Through” and inserting “through”; and

(II) by striking “Defense.” and inserting “Defense;”;

(iv) in subclause (II)—

(I) by striking “By contract” and inserting “by contract”; and

(II) by striking “Internet.” and inserting “Internet; or”; and

(v) in subclause (III)—
(I) by striking “Through” and inserting “through”; and

(II) by striking “counseling.” and inserting “counseling; and”; and

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

“(iii) may not provide financial services through any individual unless such individual agrees to submit financial disclosures annually to the Secretary.”;

(2) in subsection (b)(2)(B), by striking “installation by any of the means set forth in subparagraph (A)(ii), as elected by the Secretary concerned.” and inserting “installation in accordance with the requirements established under subparagraph (A)(ii) and (iii).”; and

(3) in subsection (b)(4)—

(A) by inserting “(A)” before “The Secretary”; and

(B) by inserting at the end the following new subparagraphs:

“(B) In carrying out the requirements of subparagraph (A), the Secretary concerned shall establish a requirement that each financial services counselor under paragraph (2)(A)(i), and any other individual providing coun-
selying on financial services under paragraph (2), submit financial disclosures annually to the Secretary.

“(C) The Secretary concerned shall review all financial disclosures submitted pursuant to subparagraph (B) to ensure the counselor, or the individual providing counseling, is free from conflict as required under this paragraph.

“(D) If the Secretary concerned determines that a financial services counselor under paragraph (2)(A)(i), or any other individual providing counseling on financial services under paragraph (2), is not free from conflict as required under this paragraph, the Secretary shall ensure that the counselor, or the individual providing counseling, does not provide such services until such time as the Secretary determines that such conflict is resolved.”.

(b) REPORT ON FINANCIAL INDEPENDENCE.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, each Secretary concerned shall submit to Congress a report on the percentage of financial services counselors under paragraph (2)(A)(i) of section 992(b) of title 10, United States Code (as amended by subsection (a)), and other individuals providing counseling on financial services under paragraph (2) of such section (as amended by subsection (a)) whom the Secretary determined to be free from conflicts as required under paragraph (4) of such section (as amended by subsection (a)).
(c) **SECRETARY CONCERNED DEFINED.—** In this section, the term “Secretary concerned” shall have the meaning given to such term in section 101 of title 10, United States Code.

**SEC. 506. RETIRED GRADE FOR THE DIRECTOR OF ADMISSIONS OF A SERVICE ACADEMY.**

(a) **UNITED STATES MILITARY ACADEMY.—** Section 7342 of title 10, United States Code, is amended—

(1) by inserting “, or the Director of Admissions,” before “of the United States Military Academy”; and

(2) by striking “as such a professor” and inserting “in such position”.

(b) **UNITED STATES NAVAL ACADEMY.—** Section 8470a(a) of title 10, United States Code, is amended—

(1) in paragraph (2), by inserting “and subject to paragraph (3),” after “subsection (b),”; and

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

“(3) Upon retirement, an officer of the Navy or Marine Corps serving as a permanent professor, or the Director of Admissions, of the United States Naval Academy in the grade of captain or colonel, and whose service in such position has been long and distinguished, may, in the discretion
of the President, be retired in the grade of rear admiral (lower half) or brigadier general.”.

(c) United States Air Force Academy.—Section 9342 of title 10, United States Code, is amended—

(1) by inserting “, or the Director of Admissions,” before “of the United States Air Force Academy”; and

(2) by striking “as such a professor” and inserting “in such position”.

SEC. 507. ESTABLISHMENT OF LEGISLATIVE LIAISON OF THE SPACE FORCE.

Chapter 903 of title 10, United States Code, is amended by inserting, after section 9023, the following new section:—

§ 9023a. Legislative Liaison of the Space Force

“(a) Establishment.—There is a Legislative Liaison of the Space Force.

“(b) Functions.—The Legislative Liaison shall perform legislative affairs functions under the direction of the Chief of Space Operations.”.

Subtitle B—Reserve Component Management

SEC. 511. GRADES OF CERTAIN CHIEFS OF RESERVE COMPONENTS.

(a) In General.—
(1) **CHIEF OF ARMY RESERVE.**—Section 7038(b) of title 10, United States Code, is amended by striking paragraph (4) and inserting the following:

“(4) The Chief of Army Reserve, while so serving, holds the grade of lieutenant general.”.

(2) **CHIEF OF NAVY RESERVE.**—Section 8083(b) of such title is amended by striking paragraph (4) and inserting the following:

“(4) The Chief of Navy Reserve, while so serving, holds the grade of vice admiral.”.

(3) **COMMANDER, MARINE FORCES RESERVE.**—Section 8084(b) of such title is amended by striking paragraph (4) and inserting the following:

“(4) The Commander, Marine Forces Reserve, while so serving, holds the grade of lieutenant general.”.

(4) **CHIEF OF AIR FORCE RESERVE.**—Section 9038(b) of such title is amended by striking paragraph (4) and inserting the following:

“(4) The Chief of Air Force Reserve, while so serving, holds the grade of lieutenant general.”.

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall take effect on the day that is one year after the date of the enactment of this Act and shall apply to appointments made after such date.
SEC. 512. REMOVAL OF PROHIBITION ON ACTIVE DUTY MEMBERS OF THE AIR FORCE RESERVE POLICY COMMITTEE.

Section 10305 of title 10, United States Code, is amended—

(1) by striking “not on active duty” each place it appears; and

(2) in subsection (c), by inserting “of the reserve components” after “among the members”.

SEC. 513. REMOVAL OF PROHIBITION ON ACTIVE DUTY MEMBERS OF THE AIR FORCE RESERVE POLICY COMMITTEE.

Section 10305 of title 10, United States Code, is amended—

(1) by striking “not on active duty” each place it appears; and

(2) in subsection (c), by inserting “of the reserve components” after “among the members”.

SEC. 514. GRADE OF VICE CHIEF OF THE NATIONAL GUARD BUREAU.

Section 10505 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(c) GRADE.—(1) The Vice Chief of the National Guard Bureau shall be appointed to serve in the grade of general.
“(2) The Secretary of Defense shall designate, pursuant to subsection (b) of section 526 of this title, the position of Vice Chief of the National Guard Bureau as one of the general officer and flag officer positions to be excluded from the limitations in subsection (a) of such section.”.

SEC. 515. TRANSFERS OF OFFICERS BETWEEN THE ACTIVE AND INACTIVE NATIONAL GUARD.

Section 303 of title 32, United States Code, is amended by inserting after subsection (c) the following new subsections:

“(d) ARMY NATIONAL GUARD.—Under regulations prescribed by the Secretary of the Army—

“(1) an officer of the Army National Guard who fills a vacancy in a federally recognized unit of the Army National Guard may be transferred from the active Army National Guard to the inactive Army National Guard;

“(2) an officer of the Army National Guard transferred to the inactive Army National Guard pursuant to paragraph (1) may be transferred from the inactive Army National Guard to the active Army National Guard to fill a vacancy in a federally recognized unit;

“(3) a warrant officer of the Army National Guard who fills a vacancy in a federally recognized
unit of the Army National Guard may be transferred from the active Army National Guard to the inactive Army National Guard; and

“(4) a warrant officer of the Army National Guard transferred to the inactive Army National Guard pursuant to paragraph (1) may be transferred from the inactive Army National Guard to the active Army National Guard to fill a vacancy in a federally recognized unit.

“(e) AIR NATIONAL GUARD.—Under regulations prescribed by the Secretary of the Air Force—

“(1) an officer of the Air National Guard who fills a vacancy in a federally recognized unit of the Air National Guard may be transferred from the active Air National Guard to the inactive Air National Guard; and

“(2) an officer of the Air National Guard transferred to the inactive Air National Guard pursuant to paragraph (1) may be transferred from the inactive Air National Guard to the active Air National Guard to fill a vacancy in a federally recognized unit.”.

SEC. 516. AUTHORIZATION FOR FIREGUARD PROGRAM.

(a) AUTHORITY.—Chapter 5 of title 32, United States Code, is amended by adding at the end the following new section:
§510. Authorization for FireGuard Program

“(a) AUTHORIZATION.—The Secretary of Defense may use members of the National Guard to carry out a program to aggregate, analyze, and assess multi-source remote sensing information for interagency partnerships in the detection and monitoring of wildfires, and to support any emergency response to such wildfires. Such a program shall be known as the ‘FireGuard Program’.

“(b) RESOURCES; LIMITATION.—If the Secretary carries out a program under this section, the Secretary—

“(1) shall transfer the functions, personnel, assets, and capabilities of the FireGuard Program, in existence on the day before the date of enactment of the National Defense Authorization Act for Fiscal Year 2024, to the FireGuard Program authorized under this section;

“(2) may direct the Director of the National Geospatial-Intelligence Agency to provide such assistance as the Secretary determines necessary to carry out the FireGuard Program; and

“(3) may not reduce support, or transfer responsibility for support to an interagency partner, for the FireGuard Program authorized under this section.”.
(b) Clerical Amendment.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“510. Authorization for FireGuard Program.”.

(c) Conforming Amendment.—The National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) is amended by striking section 515.

SEC. 517. DESIGNATION OF AT LEAST ONE GENERAL OFFICER OF THE MARINE CORPS RESERVE AS A JOINT QUALIFIED OFFICER.

The Secretary of Defense shall ensure that at least one general officer of the Marine Corps Reserve is designated as a joint qualified officer.

SEC. 518. REPORT ON FOREIGN DISCLOSURE OFFICER AND FOREIGN MILITARY SALES OFFICER BILLETS.

(a) Sense of Congress.—Congress—

(1) recognizes the critical importance of the Australia-United Kingdom-United States (hereinafter referred to as “AUKUS”) trilateral agreement;

(2) believes that appropriate staffing in the Department of Defense must be committed to ensuring its success;

(3) finds that more seamless and expedient transfer of advanced defense technologies both to and from allies and partners is—
(A) in the national security interest of the United States; and

(B) critical to ensuring retention of a technological edge over adversaries;

(4) exhorts the Secretary of Defense to commit resources to ensuring full-time equivalents and billets for foreign disclosure officers as well as foreign military sales officers in the Department are fully staffed to support the fulsome review and expedient transfer of defense articles to AUKUS parties; and

(5) encourages the Secretary of Defense to prioritize the hiring and retention of individuals in these roles.

(b) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report identifying gaps in the level of staffing necessary to accomplish AUKUS-related efforts in the Department of Defense, including those described in subsection (a). The report shall also include—

(1) an assessment of any personnel shortfalls;

(2) a detailed plan for ensuring that existing positions described in subsection (a) are prioritized for hiring and retention;
(3) an assessment of future staffing needs to ensure the noted goal of more rapid technology transfer to AUKUS parties;

(4) a plan for the implementation of the recommendations included in the report, including an explanation of any additional funding, authorities, or organizational changes needed for the implementation of such recommendations; and

(5) any other matters determined appropriate by the Secretary.

Subtitle C—General Service Authorities and Military Records

SEC. 521. REQUIREMENT TO CLASSIFY CERTAIN PERSONS AS UNACCOUNTED FOR FROM WORLD WAR II UNDER CERTAIN CONDITIONS.

Section 1509 of title 10, United States Code, is amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e), the following new subsection:

“(f) REINVESTIGATION OF CERTAIN REMAINS.—(1) With respect to a person described in subsection (a)(1) whom the designated Agency Director determined is accounted for, such designated Agency Director shall deter-
mine such person to be unaccounted for if the identification,
by a practitioner of an appropriate forensic science, of re-
 mains as those of such person, demonstrated discrepancies.

“(2) Upon request of the primary next of kin of a per-
 son whom the designated Agency Director determined unac-
counted for pursuant to paragraph (1), the designated
Agency Director shall—

“(A) exhume the remains of such person; and
“(B) direct the senior medical examiner assigned
or detailed under subsection (b)(2) to investigate such
remains using state-of-the-art technology.”.

SEC. 522. AUTHORITY TO DESIGNATE CERTAIN SEPARATED
MEMBERS OF THE AIR FORCE AS HONORARY
SEPARATED MEMBERS OF THE SPACE FORCE.

Chapter 933 of title 10, United States Code, is amend-
ed by adding at the end the following new section:

“§ 9254. Authority to designate certain separated
members of the Air Force as honorary sepa-
rated members of the Space Force

“(a) AUTHORITY.—The Secretary of the Air Force may
prescribe regulations that authorize an eligible individual
to be designated as an honorary separated member of the
Space Force. An eligible individual so designated may be
referred to as a ‘Legacy Guardian’.
“(b) ELEMENTS.—Regulations prescribed under this section may include the following elements:

“(1) Eligibility criteria, including applicable dates of service and constructive service credit, for designation under this section.

“(2) An application process through which an eligible individual, or a survivor of a deceased eligible individual, may apply for such designation of such eligible individual.

“(3) A certificate, approved device, or other insignia of such designation.

“(c) RULE OF CONSTRUCTION.—Designation of an eligible individual under this section shall not be construed to entitle such eligible individual to any benefit in addition to those established by this section or pursuant to regulations prescribed under this section.

“(d) ELIGIBLE INDIVIDUAL DEFINED.—In this section, the term ‘eligible individual’ means an individual—

“(1) whom the Secretary of the Air Force determines served in support of space operations as a member of the Air Force; and

“(2) who separates (or previously separated) from the armed forces as a member of the Air Force.”.
SEC. 523. MILITARY PERSONNEL: RECRUITING; MERIT-BASED DETERMINATIONS.

(a) RECRUITING.—Not later than September 30, 2024, the Secretary of Defense shall prescribe regulations that any effort to recruit an individual to serve in a covered Armed Force may not take into account the race or gender of such individual.

(b) MERIT-BASED DETERMINATIONS.—Not later than September 30, 2024, the Secretary of Defense shall prescribe regulations that, with regards to a military accession, assignment, selection, or promotion—

(1) a determination shall be made on the basis of merit in order to advance those individuals who exhibit the talent and abilities necessary to promote the national security of the United States;

(2) a candidate shall be evaluated on the bases of qualifications, performance, integrity, fitness, training, and conduct;

(3) no determination may be based on favoritism or nepotism; and

(4) no quota may be used.

(c) COVERED ARMED FORCE DEFINED.—In this section, the term “covered Armed Force” means the following:

(1) The Army.

(2) The Navy.

(3) The Marine Corps.
(4) The Air Force.

(5) The Space Force.

SEC. 524. IMPROVEMENTS TO MEDICAL STANDARDS FOR

ACCESSION TO CERTAIN ARMED FORCES.

(a) IMPROVEMENTS.—Not later than one year after the
date of the enactment of this Act, and every two years there-
after, the Secretary of Defense shall—

(1) conduct an assessment of the prescribed med-
ical standards and medical screening processes re-
quired for the appointment of an individual as an of-

c per, or enlistment of an individual as a member, in
each covered Armed Force;

(2) taking into account the findings of such as-

sessment—

(A) update such standards and processes, as

may be necessary; and

(B) take such steps as may be necessary to

improve the waiver process for individuals who
do not meet such prescribed medical standards;

and

(3) submit to the Committees on Armed Services

of the House of Representatives and the Senate a re-
port containing, with respect to the most recently con-
ducted assessment under paragraph (1)—
(A) the findings of that assessment and a
description of the actions carried out pursuant to
paragraph (2); and

(B) recommendations by the Secretary for
any legislative action the Secretary determines
necessary to further improve such standards and
processes.

(b) COVERED ARMED FORCE.—In this section, the
term “covered Armed Force” means the Army, Navy, Air
Force, Marine Corps, or Space Force.

SEC. 525. PROTECTIONS FOR MEMBERS OF CERTAIN ARMED
FORCES WHO REFUSE TO RECEIVE VACCINA-
ATIONS AGAINST COVID-19.

(a) PROHIBITION ON ADVERSE ACTION.—The Sec-
retary of the military department concerned may not take
any adverse action against a member of a covered Armed
Force solely on the basis that such member refuses to receive
a vaccination against COVID-19.

(b) REINSTATMENT.—

(1) REQUEST; CONSIDERATION.—At the request
of a covered individual during the two years following
the date of the involuntary separation of the covered
individual, the Secretary of the military department
concerned shall consider reinstating such covered in-
dividual—
(A) as a member of the covered Armed Force concerned; and

(B) in the grade held by such covered individual immediately before the involuntary separation of the covered individual.

(2) TREATMENT OF PERIOD BETWEEN SEPARATION AND REINSTATEMENT.—The Secretary of the military department concerned shall treat the period of time between the involuntary separation of a covered individual and the reinstatement of such covered individual under paragraph (1) as a period of inactivation from active service under the following provisions of section 710 of title 10, United States Code:

(A) Subsection (b).

(B) Subparagraphs (B) through (D) of paragraph (2) of subsection (f).

(C) Paragraph (4) of subsection (f).

(D) Subsection (g).

(c) DEFINITIONS.—In this section:

(1) The term “covered Armed Force” means the Army, Navy, Marine Corps, Air Force, or Space Force.

(2) The term “covered individual” means an individual involuntarily separated from a covered Armed Force solely on the basis of the refusal of such
individual to receive a vaccination against COVID-19.

SEC. 526. REVIEWS OF CHARACTERIZATION OF ADMINISTRATIVE DISCHARGES OF CERTAIN MEMBERS ON THE BASIS OF FAILURE TO RECEIVE COVID-19 VACCINE.

(a) MANDATORY REVIEW.—A board established under section 1553 of title 10, United States Code, shall grant a request pursuant to such section to review the characterization of a discharge or dismissal of a former member of a covered Armed Force if such discharge or dismissal was solely based on the failure of such former member to obey a lawful order to receive a vaccine for COVID-19.

(b) PRIORITY.—A board described in subsection (a) shall consider a request described in such subsection before any other request on the docket of such board.

(c) COVERED ARMED FORCE DEFINED.—In this section, the term “covered Armed Force” means the Army, Navy, Marine Corps, Air Force, or Space Force.
SEC. 527. CERTAIN MEMBERS DISCHARGED OR DISMISSED
ON THE SOLE BASIS OF FAILURE TO OBEY A
LAWFUL ORDER TO RECEIVE A VACCINE FOR
COVID-19: COMMUNICATION STRATEGY REGARDING REINSTATEMENT PROCESS.

(a) Communication Strategy Required.—Not later than six months after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretaries of the military departments, shall communicate, to a covered individual, the current, established, process by which a covered individual may be reinstated in the covered Armed Force concerned.

(b) Report.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report on implementation of the communication strategy under subsection (a).

(c) Definitions.—In this section:

(1) The term “covered individual” means an individual discharged or dismissed from a covered Armed Force on the sole basis of failure to obey a lawful order to receive a vaccine for COVID-19.

(2) The term “covered Armed Force” means the Army, Navy, Marine Corps, Air Force, or Space Force.
SEC. 528. PILOT PROGRAM ON CARDIAC SCREENINGS FOR MILITARY ACCESSIONS.

(a) Establishment.—Not later than September 30, 2024, the Secretary of Defense shall carry out a pilot program to provide an electrocardiogram to individuals who undergo military accession screenings. Each such electrocardiogram shall be provided—

(1) on a mandatory basis;

(2) at no cost to the recipient; and

(3) in a facility of the Department of Defense or by a member or employee of the military health system.

(b) Purposes.—In carrying out the pilot program, the Secretary shall—

(1) determine the costs (including protocols and personnel and equipment for each military entrance processing station) and benefits to the Department of providing an electrocardiogram to every individual who undergoes a military accession screening;

(2) develop and implement appropriate processes to assess the long-term impacts of electrocardiogram results on military service; and

(3) consult with experts in cardiology to develop appropriate clinical practice guidelines for cardiac screenings, diagnosis, and treatment.
(c) **BRIEFING.**—Not later than 180 days after the date on which the pilot program terminates, the Secretary shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the pilot program. Such briefing shall include the following:

1. **The results of all electrocardiograms provided to individuals under the pilot program—**
   - (A) disaggregated by Armed Force, race, and gender; and
   - (B) without any personally identifiable information.

2. **The rate of significant cardiac issues detected pursuant to electrocardiograms provided under the pilot program, disaggregated by Armed Force, race, and gender.**

3. **The number of individuals, if any, who were disqualified from accession based solely on the result of an electrocardiogram provided under the pilot program.**

4. **The cost of carrying out the pilot program.**

(d) **TERMINATION.**—The pilot program shall terminate after three years after its implementation.
Subtitle D—Military Justice

SEC. 531. PROHIBITION ON CERTAIN COMMUNICATIONS REGARDING COURTS-MARTIAL.

Section 837 of title 10, United States Code (article 37 of the Uniform Code of Military Justice), is amended by adding at the end the following new subsection:

“(e)(1) No court-martial convening authority, nor any other commanding officer, may provide a briefing concerning a pending court-martial, or allegations that may lead to a court-martial, to any subordinate who may be selected to serve as a member of such court-martial.

“(2) The prohibition in paragraph (1) shall not apply to a briefing provided in the course of a court-martial proceeding to a member of the armed forces who is participating in such proceeding.”.

SEC. 532. TECHNICAL AND CONFORMING AMENDMENTS TO THE UNIFORM CODE OF MILITARY JUSTICE.

(a) Technical Amendment Relating to Guilty Pleas for Murder.—Section 918 of title 10, United States Code (article 118 of the Uniform Code of Military Justice), is amended—

(1) by striking “he” each place it appears and inserting “such person”; and

(2) in the matter following paragraph (4), by striking the period and inserting “, unless such per-
son is otherwise sentenced in accordance with a plea
agreement entered into between the parties under sec-
tion 853a of this title (article 53a).”.

(b) Technical Amendments Relating to the
Military Justice Reforms in the National Defense
Authorization Act for Fiscal Year 2022.—

(1) Article 16.—Subsection (c)(2)(A) of section
816 of title 10, United States Code (article 16 of the
Uniform Code of Military Justice), is amended by
striking “by the convening authority”.

(2) Article 25.—Section 825 of title 10, United
States Code (article 25 of the Uniform Code of Mili-
tary Justice), is amended—

(A) in subsection (d)—

(i) in paragraph (1), by striking
“may, after the findings are announced and
before any matter is presented in the sen-
tencing phase, request, orally on the record
or in writing, sentencing by members” and
inserting “shall be sentenced by the military
judge”; and

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

“(2) In a capital case, if the accused is convicted of
an offense for which the court-martial may sentence the ac-
ursed to death, the accused shall be sentenced in accordance with section 853(c) of this title (article 53(c)).”;

(B) in subsection (e)—

(i) in paragraph (1), by striking “him” and inserting “the member being tried”; and

(ii) in paragraph (2)—

(I) in the first sentence, by striking “his opinion” and inserting “the opinion of the convening authority”; and

(II) in the second sentence, by striking “he” and inserting “the member”; and

(C) in subsection (f) in the second sentence—

(i) by striking “his authority” and inserting “the authority of the convening authority”; and

(ii) by striking “his staff judge advocate or legal officer” and inserting “the staff judge advocate or legal officer of the convening authority”.

(c) Authority of Special Trial Counsel With Respect to Certain Offenses Occurring Before Ef-
FECTIVE DATE OF MILITARY JUSTICE REFORMS ENACTED IN THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2022.—

(1) AUTHORITY.—Section 824a of title 10, United States Code, as added by section 531 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1692), is amended by adding at the end the following new subsection:

“(d) SPECIAL TRIAL COUNSEL AUTHORITY OVER CERTAIN OTHER OFFENSES.—

“(1) OFFENSES OCCURRING BEFORE EFFECTIVE DATE.—A special trial counsel may, at the sole and exclusive discretion of the special trial counsel, exercise authority over the following offenses:

“(A) An offense under section 917a (article 117a), 918 (article 118), section 919 (article 119), section 920 (article 120), section 920b (article 120b), section 920c (article 120c), section 928b (article 128b), or the standalone offense of child pornography punishable under section 934 (article 134) of this title that occurred on or before December 27, 2023.

“(B) An offense under section 925 (article 125), section 930 (article 130), or section 932 (article 132) of this title that occurred on or

“(C) An offense under section 925 (article 125) of this title alleging an act of nonconsensual sodomy that occurred before January 1, 2019.

“(D) A conspiracy to commit an offense specified in subparagraph (A), (B), or (C) as punishable under section 881 of this title (article 81).

“(E) A solicitation to commit an offense specified in subparagraph (A), (B), or (C) as punishable under section 882 of this title (article 82).

“(F) An attempt to commit an offense specified in subparagraph (A), (B), (C), (D), or (E) as punishable under section 880 of this title (article 80).

“(2) EFFECT OF EXERCISE OF AUTHORITY.—

“(A) TREATMENT AS COVERED OFFENSE.—

If a special trial counsel exercises authority over an offense pursuant to paragraph (1), the offense over which the special trial counsel exercises authority shall be considered a covered offense for purposes of this chapter.
“(B) KNOWN OR RELATED OFFENSES.—If a special trial counsel exercises authority over an offense pursuant to paragraph (1), the special trial counsel may exercise the authority of the special trial counsel under subsection (c)(2)(B) with respect to other offenses described in that subparagraph without regard to the date on which the other offenses occur.”.

(2) CONFORMING AMENDMENT TO EFFECTIVE DATE.—Section 539C(a) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 10 U.S.C. 801 note) is amended by striking “and shall” and inserting “and, except as provided in section 824a(d) of title 10, United States Code (article 24a(d) of the Uniform Code of Military Justice), shall”.

(d) EFFECTIVE DATE.—The amendments made by subsection (b) and subsection (c)(1) shall take effect immediately after the coming into effect of the amendments made by part 1 of subtitle D of title V of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) as provided in section 539C of that Act (10 U.S.C. 801 note).
SEC. 533. TREATMENT OF CERTAIN RECORDS OF CRIMINAL INVESTIGATIONS.

(a) GUIDANCE REQUIRED.—The Secretary of Defense shall develop and implement uniform guidance providing for the modification of titling and indexing systems to ensure that a record identifying a member or former member of the Armed Forces as the subject of a criminal investigation is removed from such system if that member or former member is cleared of wrongdoing as described in subsection (d).

(b) REVIEW AND DOCUMENTATION.—Not later than 60 days after the date of the enactment of this Act, each Secretary concerned, pursuant to the guidance issued by the Secretary of Defense under subsection (a) and in consultation with the appropriate Judge Advocate General, shall—

(1) review the titling and indexing systems of the defense criminal investigative organizations under the jurisdiction of such Secretary to identify each record in such system that pertains to a member or former member of the Armed Forces who has been cleared of wrongdoing as described in subsection (d);

(2) notify the defense criminal investigative organization involved of each record identified under paragraph (1); and

(3) direct the head of the organization to remove the record in accordance with subsection (c).
(c) **Deadline for Removal.**—The head of a defense criminal investigative organization that receives a notice under subsection (b)(2) with respect to a record in a titling or indexing system shall ensure that the record is removed from such system by not later than 30 days after the date on which the notice is received.

(d) **Disposition of Investigations.**—A member or former member of the Armed Forces who is the subject of a criminal investigation shall be considered to have been cleared of wrongdoing for purposes of subsection (a) if—

(1) the member or former member is found not guilty at military or civilian trial for the alleged offense;

(2) an investigation conducted by defense criminal investigative organization or another Federal or civilian law enforcement agency determines that—

(A) the member or former member is not responsible for the alleged offense; or

(B) was mistakenly identified as a subject;

(3) the alleged offense was addressed through non-judicial punishment imposed under section 815 of title 10, United States Code (article 15 of the Uniform Code of Military Justice) and the involuntary separation of the member was not required or recommended as part of such punishment;
(4) the investigation into the alleged offense has been open for 10 years or more and charges have not been filed;

(5) the member or former member is pardoned;

(6) the reasons specified for the charges are unsupported by the evidence of the offense for which the member or former member was under investigation as determined by—

   (A) a court-martial or other proceeding brought under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice).

   (B) an administrative proceeding within the Department of Defense or the Armed Force concerned.

   (C) a civilian court; or

(7) the Government makes a final determination not to prosecute the member or former member for the criminal offense for which the member or former member was under investigation.

(e) Prohibition on Involuntary Separation.—No member of an Armed Force may be involuntarily separated solely for—

(1) an offense for which the member is cleared of wrongdoing as described in subsection (d); or
(2) an offense for which the punishment of separation was not specifically recommended—

(A) by a court-martial under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice); or

(B) by a commander pursuant to the commander’s authority to impose non-judicial punishment under section 815 of such chapter (article 15 of the Uniform Code of Military Justice).

(f) EFFECT ON OTHER LAW.—The requirements of this section are in addition to any requirements imposed under section 549 of the National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263). This section shall supersede any provision of section 549 of the National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) that is inconsistent with this section, but only to the extent of the inconsistency.

(g) DEFINITIONS.—In this section:

(1) The term “defense criminal investigative organization” means—

(A) the Army Criminal Investigation Command;

(B) the Naval Criminal Investigative Service;
(C) the Air Force Office of Special Investigations;

(D) the Coast Guard Investigative Service;

(E) the Defense Criminal Investigative Service; and

(F) any other organization or element of the Department of Defense or an Armed Force that is responsible for conducting criminal investigations.

(2) The term “promotion board” has the meaning given such term in section 628 of title 10, United States Code.

(3) The term “Secretary concerned” has the meaning given that term in section 101 of title 10, United States Code.

(4) The term “selection board” has the meaning given such term in section 1558 of title 10, United States Code.

(5) The term “titling and indexing system” means any database or other records system used by a defense criminal investigative organization for purposes of titling and indexing (as those terms are defined in section 549(g) of the National Defense Authorization Act for Fiscal Year 2023 (Public Law
117–263)), including the Defense Central Index of Investigations (commonly known as “DCII”).

SEC. 534. LIMITATION ON AVAILABILITY OF FUNDS FOR RELOCATION OF ARMY CID SPECIAL AGENT TRAINING COURSE.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2024 for the Army may be obligated or expended to relocate an Army CID special agent training course until each of the requirements specified in paragraphs (1) and (2) of section 548(a) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) have been met.

(b) DEFINITIONS.—In this section, the terms “relocate” and “Army CID special agent training course” have the meanings given those terms in section 548(b) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263).

Subtitle E—Other Legal Matters

SEC. 541. SUPREME COURT REVIEW OF CERTAIN ACTIONS OF THE UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES.

(a) CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES.—
(1) In general.—Section 1259 of title 28, United States Code, is amended—

(A) in paragraph (3), by inserting “or denied” after “granted”; and

(B) in paragraph (4), by inserting “or denied” after “granted”.

(2) Technical and conforming amendments.—

(A) Title 10.—Section 867a(a) of title 10, United States Code (article 67a of the Uniform Code of Military Justice), is amended by striking “The Supreme Court may not review by a writ of certiorari under this section any action of the United States Court of Appeals for the Armed Forces in refusing to grant a petition for review.”.

(B) Time for application for writ of certiorari.—Section 2101(g) of title 28, United States Code, is amended to read as follows:

“(g) The time for application for a writ of certiorari to review a decision of the United States Court of Appeals for the Armed Forces, or the decision of a Court of Criminal Appeals that the United States Court of Appeals for the Armed Forces refuses to grant a petition to review, shall be as prescribed by rules of the Supreme Court.”.
(b) **Effective Date.**—

(1) **In general.**—Subject to paragraph (2), the amendments made by subsection (a) shall take effect upon the expiration of the 180-day period beginning on the date of the enactment of this Act and shall apply to any petition granted or denied by the United States Court of Appeals for the Armed Forces on or after that effective date.

(2) **Authority to prescribe rules.**—The authority of the Supreme Court to prescribe rules to carry out section 2101(g) of title 28, United States Code, as amended by subsection (a)(2)(B) of this section, shall take effect on the date of the enactment of this Act.

**SEC. 542. STUDY ON REMOVAL OF SEXUAL ASSAULT VICTIM ADVOCATES FROM THE CHAIN OF COMMAND OF VICTIMS.**

(a) **Study.**—The Secretary of Defense shall conduct a study to determine—

(1) the feasibility and advisability of requiring that any Sexual Assault Victim Advocate assigned to a victim under section 1565b of title 10, United States Code, be from outside the chain of command of the victim; and
(2) the potential effects of such a requirement on
the ability of the Armed Forces to implement sexual
assault prevention and response programs.

(b) REPORT.—Not later than one year after the date
of the enactment of this Act, the Secretary of Defense shall
submit to the Committees on Armed Services of the Senate
and the House of Representatives a report on the results
of the study conducted under subsection (a).

Subtitle F—Member Education

SEC. 551. MILITARY EDUCATION FOR SPECIAL OPERATIONS

FORCES.

(a) In General.—Section 167 of title 10, United
States Code, is amended as follows:

(1) In subsection (e)(2), by adding at the end the
following new subparagraph:

“(K) Providing for the education of members of
the special operations forces at degree-granting insti-
tutions of higher military education.”.

(2) In subsection (g)—

(A) in paragraph (1), by striking “and” at
the end;

(B) in paragraph (2), by striking the period
at the end and inserting “; and”; and

(C) by adding at the end the following:
“(3) joint special operations-peculiar education, leader preparation, and leader development, including payment of tuition fees for members attending degree-granting education programs.”.

(3) By adding at the end the following new subsection:

“(m) DEFINITIONS.—In this section:

“(1) The term ‘degree-granting institutions of higher military education’ means—

“(A) the professional military education schools;

“(B) the senior level service schools;

“(C) the intermediate level service schools;

“(D) the joint intermediate level service school;

“(E) the Naval Postgraduate School;

“(F) the United States Air Force Institute of Technology; and

“(G) the Service Academies.

“(2) The terms ‘intermediate level service school’, ‘joint intermediate level service school’, and ‘senior level service school’ have the meaning given such terms in section 2151 of this title.
“(3) The term ‘professional military education schools’ means the schools specified in section 2162 of this title.

“(4) The term ‘Service Academy’ has the meaning given such term in section 347 of this title.

“(5) The term ‘special operations-peculiar academic education’ means education at degree-granting institutions of higher military education that involves or impacts the United States Special Operations Command.”.

(b) AUTHORITY TO EXPEND CERTAIN FUNDS.—Consistent with such regulations as the Secretary of Defense may prescribe to carry out the amendments made this section, the Commander of the United States Special Operations Command may expend funds appropriated for Major Force Program 11 for fiscal year 2024 or subsequent fiscal years to support special operations-peculiar academic education at degree-granting institutions of higher military education.

SEC. 552. EXPANSION OF INDIVIDUALS ELIGIBLE TO SERVE AS ADMINISTRATORS AND INSTRUCTORS IN THE JUNIOR RESERVE OFFICERS’ TRAINING CORPS.

Section 2031 of title 10, United States Code, is amended—
(1) by striking subsections (e) and (f) and redesignating subsections (g) and (h) as subsections (e) and (f), respectively; and

(2) by amending subsection (d) to read as follows:

“(d)(1) Instead of, or in addition to, detailing officers and noncommissioned officers on active duty under subsection (c)(1), the Secretary of the military department concerned may authorize qualified institutions to employ, as administrators and instructors in the program, applicants who are—

“(A) retired officers and noncommissioned officers whose qualifications are approved by the Secretary and the institution concerned;

“(B) officers and noncommissioned officers who—

“(i) have completed at least eight years of service in the armed forces;

“(ii) have received honorable discharges not longer than five years before applying for such employment; and

“(iii) are approved by the Secretary of the military department concerned and the institution concerned;
“(C) officers and noncommissioned officers who are in an active status; or

“(D) officers and noncommissioned officers—

“(i) who are under 60 years of age;

“(ii) who but for age, would be eligible for retired pay for non-regular service under section 12731 of this title; and

“(iii) whose qualifications are approved by the Secretary of the military department concerned and the institution concerned.

“(2) Employment under this subsection shall be subject to the following conditions:

“(A) The Secretary of Defense shall prescribe a joint service instructor pay scale system to pay administrators and instructors employed under this subsection.

“(B) Subject to subparagraph (C), the Secretary of the military department concerned shall pay to an institution that employs an administrator or instructor under this subsection an amount equal to one-half of the pay paid by the Secretary of the military department concerned to such individual for any period.

“(C) The Secretary of the military department concerned may pay the institution more than the
amount set forth in subparagraph (B) if the Secretary concerned determines that—

“(i) the institution is in an educationally and economically deprived area; and

“(ii) such action is in the national interest.

“(D) Payments by the Secretary of the military department concerned under this subsection shall be made from funds appropriated for such purpose.

“(E) The Secretary of the military department concerned may require an individual employed under this subsection to transfer to the Individual Ready Reserve.”.

SEC. 553. PROHIBITION OF ESTABLISHMENT OR MAINTENANCE OF A UNIT OF THE JUNIOR RESERVE OFFICERS’ TRAINING CORPS AT AN EDUCATIONAL INSTITUTION OWNED, OPERATED, OR CONTROLLED BY THE CHINESE COMMUNIST PARTY.

Section 2031 of title 10, United States Code, as amended by section 552, is further amended by adding at the end the following new subsection:

“(g) No unit may be established or maintained at an educational institution that is owned, operated, or controlled by a person that—

“(1) is the People’s Republic of China;
“(2) is a member of the Chinese Communist Party;

“(3) is a member of the People’s Liberation Army;

“(4) is identified by the Secretary of Defense under section 1260H(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (10 U.S.C. 113 note) as a Chinese military company;

“(5) is included in the Non-SDN Chinese Military-Industrial Complex Companies List published by the Department of the Treasury; or

“(6) is owned by or controlled by or is an agency or instrumentality of any person described in paragraphs (1) through (5).”.

SEC. 554. INCLUSION OF ADVANCED RESEARCH PROGRAMS AT CERTAIN INSTITUTIONS OF PROFESSIONAL MILITARY EDUCATION. (a) UNITED STATES ARMY COMMAND AND GENERAL STAFF COLLEGE.—Chapter 751 of title 10, United States Code is amended by adding at the end the following new section:
§7423. Establishment of advanced research program

at the United States Army Command and

General Staff College

“Under regulations prescribed by the Secretary of the Army, the President of the United States Army Command and General Staff College shall establish, within the College, an advanced research program that examines the character of near-future operational-tactical warfighting at the high end of the conflict spectrum in East Asia. The program shall use wargaming, operations research, and systems analysis as the primary methodologies for developing scenarios for analysis under the program.”.

(b) NAVAL WAR COLLEGE.—Chapter 859 of title 10, United States Code is amended by adding at the end the following new section:

§8596. Establishment of advanced research program

at the Naval War College

“Under regulations prescribed by the Secretary of the Navy, the President of the Naval War College shall establish, within the College, an advanced research program that examines the character of near-future operational-tactical warfighting at the high end of the conflict spectrum in East Asia. The program shall use wargaming, operations research, and systems analysis as the primary methodologies for developing scenarios for analysis under the program.”.
(c) AIR UNIVERSITY.—Chapter 951 of title 10, United States Code is amended by inserting after section 9420 the following new section:

§9421. Establishment of advanced research program at the Air University

“Under regulations prescribed by the Secretary of the Air Force, the Commander of the Air University shall establish, within the University, an advanced research program that examines the character of near-future operational-tactical warfighting at the high end of the conflict spectrum in East Asia. The program shall use wargaming, operations research, and systems analysis as the primary methodologies for developing scenarios for analysis under the program.”.

(d) ANNUAL BRIEFINGS.—Not later than February 1 of each year, the President of the United States Army Command and General Staff College, the President of the Naval War College, and the Commander of the Air University shall each provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on wargaming outcomes and force structure recommendations resulting from activities conducted under the advanced research programs established under sections 7423, 8596, and 9421 of title 10, United States Code, respectively.
SEC. 555. PILOT PROGRAM FOR ENLISTED MEMBERS OF THE ARMY AND THE NAVY TO ATTEND THE NAVAL POSTGRADUATE SCHOOL.

(a) Establishment.—During fiscal year 2024, the Secretaries of the Army and the Navy shall each implement a pilot program to send enlisted members of the Army and the Navy, respectively, to earn master’s degrees at NPS, in programs determined appropriate by each such Secretary in coordination with the President of NPS.

(b) Eligibility.—A member of the Army or Navy shall be eligible to participate in such a pilot program on the same bases as a member of the Marine Corps pursuant to the MCGEP-E Pilot.

(c) Participants: Selection; Number.—The Secretary concerned shall select a member who applies to participate in such a pilot program on the same bases used to select a member of the Marine Corps pursuant to the MCGEP-E Pilot. Each Secretary concerned shall select a number of participants that equals the number of officers of the Armed Force concerned who attend NPS at the same time.

(d) Promotion of Pilot Program.—The Secretary concerned shall promote a pilot program under this section to encourage members to apply.

(e) Duties of Participants.—The Secretary concerned shall ensure that the duties of a member selected to
participate in such a pilot program are performed by another member of the Armed Force concerned until the participant returns to such duties.

(f) TERMINATION.—Each such pilot program shall terminate six years after commencement.

(g) REPORT.—Not more than one year after the completion of a pilot program, each Secretary concerned, in coordination with the Secretary of Defense, shall submit to the Committees on Armed Services of the House of Representatives and Senate a report on the pilot program. Each such report shall include the following:

(1) The evaluation of the Secretary concerned of the effects of the pilot program on—

(A) the career trajectories of participants (including effects on pay);

(B) retention of participants;

(C) recruitment;

(D) job performance of participants;

(E) merit-based promotions of participants;

and

(F) objectives outlined in the 2022 National Defense Strategy to modernize the Armed Forces, spur innovation, and outpace and outthink adversaries of the United States;
(2) The recommendation of the Secretary concerned regarding whether to make the pilot program permanent.

(3) An estimate of funding and any legislation necessary to make the pilot program permanent.

(4) Other matters the Secretary concerned determines appropriate.

(h) DEFINITIONS.—In this section:

(1) The term “MCGEP-E Pilot” means the Fiscal Year 2023 Marine Corps Graduate Education Program – Enlisted Pilot Program.

(2) The term “NPS” means the Naval Postgraduate School.

Subtitle G—Member Training

SEC. 561. INCREASE IN ACCESSION BONUS FOR NURSE OFFICER CANDIDATES.

Section 2130a(a) of title 10, United States Code, is amended—

(1) by striking “$20,000” and inserting “$40,000”; and

(2) by striking “$10,000” and inserting “$20,000”.


•HR 2670 RH1S
SEC. 562. SERVICE ACADEMIES: NUMBERS OF NOMINATIONS BY MEMBERS OF CONGRESS AND APPOINTMENTS BY THE SECRETARIES OF THE MILITARY DEPARTMENTS.

(a) United States Military Academy.—Section 7442 of title 10, United States Code, is amended—

(1) in subsection (a), in the matter following paragraph (10), by striking “10 persons” and inserting “15 persons”; and

(2) in subsection (b)(5), by striking “150” and inserting “250”.

(b) United States Naval Academy.—Section 8454 of title 10, United States Code, is amended—

(1) in subsection (a), in the matter following paragraph (10), by striking “10 persons” and inserting “15 persons”; and

(2) in subsection (b)(5), by striking “150” and inserting “250”.

(c) United States Air Force Academy.—Section 9442 of title 10, United States Code, is amended—

(1) in subsection (a), in the matter following paragraph (10), by striking “10 persons” and inserting “15 persons”; and

(2) in subsection (b)(5), by striking “150” and inserting “250”.

•HR 2670 RH1S
SEC. 563. INCREASE IN THE NUMBER OF NOMINEES FROM GUAM TO THE SERVICE ACADEMIES.

(a) United States Military Academy.—Section 7442 of title 10, United States Code, as amended by section 562, is further amended, in subsection (a)(8), by striking “Four” and inserting “Five”.

(b) United States Naval Academy.—Section 8454 of title 10, United States Code, as amended by section 562, is further amended, in subsection (a)(8), by striking “Four” and inserting “Five”.

(c) United States Air Force Academy.—Section 9442 of title 10, United States Code, as amended by section 562, is further amended, in subsection (a)(8), by striking “Four” and inserting “Five”.

SEC. 564. EXEMPTION OF CADET OR MIDSHIPMAN WHO REFUSES TO RECEIVE A VACCINATION AGAINST COVID–19 FROM REQUIREMENT TO REPAY TUITION AT MILITARY SERVICE ACADEMY.

(a) United States Military Academy.—Section 7448(f) of title 10, United States Code, is amended—

(1) by inserting “(1)” before “A cadet”; and

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

“(2) Paragraph (1) shall not apply to a cadet or former cadet who does not fulfill the terms of the agreement as specified under subsection (a), or the alternative obliga-
tion imposed under subsection (b), because such cadet or
former cadet was not tendered an appointment as a com-
missioned officer on the sole basis that the cadet or former
cadet refused to receive a vaccination against COVID–19.”.

(b) United States Naval Academy.—Section
8459(f) of title 10, United States Code, is amended—

(1) by inserting “(1)” before “A midshipman”; and

(2) by adding at the end the following new para-
graph:

“(2) Paragraph (1) shall not apply to a midshipman
or former midshipman who does not fulfill the terms of the
agreement as specified under subsection (a), or the alter-
native obligation imposed under subsection (b), because
such midshipman or former midshipman was not tendered
an appointment as a commissioned officer on the sole basis
that the midshipman or former midshipman refused to re-
ceive a vaccination against COVID–19.”.

(c) United States Air Force Academy.—Section
9448(f) of title 10, United States Code, is amended—

(1) by inserting “(1)” before “A cadet”; and

(2) by adding at the end the following new para-
graph:

“(2) Paragraph (1) shall not apply to a cadet or
former cadet who does not fulfill the terms of the agreement
as specified under subsection (a), or the alternative obligation imposed under subsection (b), because such cadet or former cadet was not tendered an appointment as a commissioned officer on the sole basis that the cadet or former cadet refused to receive a vaccination against COVID–19.”.

(d) RETROACTIVE APPLICABILITY.—The amendments made by this section shall have retroactive effect and apply to a cadet or midshipman at a military service academy who, on or after January 1, 2020, was not tendered an appointment as a commissioned officer in the Armed Forces on the sole basis that such cadet or midshipman refused to receive a vaccination against COVID–19.

SEC. 565. TRAINING ON THE NATIONAL DEFENSE STRATEGY FOR MEMBERS OF CERTAIN ARMED FORCES.

(a) DEVELOPMENT.—The Secretary of the military department concerned shall develop training to provide, to members of each Armed Force under the jurisdiction of such Secretary, an unclassified, comprehensive overview of the National Defense Strategy, including—

(1) the security environment facing the United States as outlined in the National Defense Strategy; and

(2) defense priorities outlined in the National Defense Strategy.
(b) **PROVISION; FREQUENCY.**—Such training shall be provided to a member of the Armed Forces—

1. during initial entry training;
2. at least once a year;
3. during a period of unit-level professional military education leadership training; and
4. at any other time determined by the Secretary of the military department concerned.

(c) **SURVEY AND REPORT.**—The Director of the Defense Manpower Data Center shall include in the annual status of forces survey a survey regarding the awareness of members of the Armed Forces of the mission of the Department of Defense in the National Defense Strategy. The results of such survey—

1. shall be submitted by the Secretary of Defense to the Committees on Armed Services of the Senate and the House of Representatives in a report; and
2. shall be used by the Secretary of a military department as a benchmark to evaluate and update training developed and provided under this section.
SEC. 566. PROHIBITION ON USE OF FEDERAL FUNDS FOR CERTAIN TRAINING OR EDUCATION THAT PROMOTES CRITICAL RACE THEORY.

(a) Prohibition.—No funds authorized to be appropriated by this Act may be used to promote critical race theory—

(1) at a Service Academy;

(2) in training provided to a member of the Armed Forces; or

(3) in professional military education.

(b) Definitions.—In this section:

(1) The term “critical race theory” means the theory that individuals, by virtue of race, ethnicity, color, or national origin, bear collective guilt and are inherently responsible for actions committed in the past by other individuals of such race, ethnicity, color, or national origin.

(2) The term “Service Academy” has the meaning given such term in section 347 of title 10, United States Code.

SEC. 567. SEX-NEUTRAL HIGH FITNESS STANDARDS FOR ARMY CLOSE COMBAT FORCE MILITARY OCCUPATIONAL SPECIALTIES.

(a) Implementation.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army shall implement sex-neutral fitness standards on the
Army Combat Fitness Test that are enhanced in each tested category for members in the following military occupational specialties or areas of concentration:

(1) 11A.
(2) 11B.
(3) 11C.
(4) 12A.
(5) 12B.
(6) 13A.
(7) 13F.
(8) 18A.
(9) 18B.
(10) 18C.
(11) 18D.
(12) 18E.
(13) 18F.
(14) 18Z.
(15) 19A.
(16) 19D.
(17) 25C assigned to infantry, calvary, and engineer line companies or troops in brigade combat teams and infantry battalions.
(18) 68W assigned to infantry, calvary, and engineer line companies or troops in brigade combat teams and infantry battalions.
(b) Briefing.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army provide a briefing to the Committees on Armed Services of the Senate and House of Representatives describing the methodology used to establish standards under subsection (a).

Sec. 568. Costs of Training on Critical Race Theory.

(a) In General.—Not later than May 1, 2024, and annually thereafter, the Secretary of Defense shall submit to Congress a report on, with regards to training on critical race theory provided by the Secretary during the previous calendar year—

(1) the number of hours spent by members of the Armed Forces and civilian employees of the Department of Defense; and

(2) total costs to the Department.

(b) Critical Race Theory Defined.—In this section, the term “critical race theory” means an ideology based on the following premises:

(1) Race is a socially constructed category that is used to oppress and exploit people of color.

(2) The law and legal institutions of the United States are inherently racist insofar as they function to create and maintain social, economic, and political inequalities between whites and nonwhites, especially African Americans.
SEC. 569. PUBLICATION OF TRAINING MATERIALS OF THE DEFENSE EQUAL OPPORTUNITY MANAGEMENT INSTITUTE.

Not later than September 30, 2024, the Secretary of Defense shall publish all materials created by the Defense Equal Opportunity Management Institute for the purpose of training members of the Armed Forces on the website of such Institute.

Subtitle H—Member Transition

SEC. 571. AMENDMENTS TO PATHWAYS FOR COUNSELING IN THE TRANSITION ASSISTANCE PROGRAM.

Section 1142(c)(1) of title 10, United States Code, is amended—

(1) in subparagraph (E), by striking “Disability” and inserting “Potential or confirmed disability”; and

(2) in subparagraph (F), by striking “Character” and inserting “Potential or confirmed character”.

SEC. 572. SKILLBRIDGE: STAFFING; BUDGETING; OUT-REACH; REPORT.

(a) In General.—Section 1143(e) of title 10, United States Code is amended—

(1) in paragraph (1)—

(A) by inserting “(A)” before “The Secretary concerned”; and
(B) by adding at the end the following new subparagraph:

“(B) The Secretary of a military department shall carry out one or more programs under this subsection.”;

(2) by redesignating paragraphs (3) and (4) as paragraphs (5) and (6), respectively; and

(3) by inserting after paragraph (2) the following new paragraphs:

“(3) To carry out this subsection, the Secretary concerned shall—

“(A) assign not fewer than two full-time equivalent positions; and

“(B) develop for each fiscal year a funding plan that includes funding lines across the future-years defense program under section 221 of this title.

“(4) For any program under this subsection, the Secretary concerned shall, on an annual basis—

“(A) circulate, to members serving on active duty under the jurisdiction of such Secretary concerned, information about the program (including eligibility requirements and the application process); and

“(B) conduct outreach to inform potential employers about Skillbridge, participating members, and how the program operates, and to increase the number
of, and types of, employers that hire program participants.”.

(b) REPORT.—Not later than March 1, 2024, the Secretary of a military department shall submit to the Committees on Armed Services of the Senate and House of Representatives a report regarding Skillbridge in such military department (disaggregated by Armed Force, in the case of the Departments of the Navy and the Air Force). Such report shall include the following:

(1) The office with primary responsibility for Skillbridge, including the number of personnel assigned to Skillbridge in such office.

(2) The anticipated funding amount.

(3) The annual number of participants during fiscal years 2019 through 2023.

(4) How such Secretary selects members to participate.

(5) How long it takes for a member to receive approval to participate.

(6) How many members, disaggregated by rank, who, after participating, receive a job offer from a participating employer.
SEC. 573. TROOPS-TO-TEACHERS PROGRAM: EXPANSION; EXTENSION.

Section 1154 of title 10, United States Code, is amended—

(1) in subsection (b)(2)—

(A) in subparagraph (A)(ii), by striking “; and” and inserting a semicolon;

(B) in subparagraph (B), by striking the period at the end and inserting “; and”; and

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

“(C) as administrators and instructors of the Junior Reserve Officers’ Training Corps under section 2031(d) of this title.”;

(2) in subsection (d)—

(A) in paragraph (3)—

(i) by redesignating subparagraph (D) as subparagraph (E); and

(ii) by inserting after subparagraph (C) the following new subparagraph (D):

“(D) If a member of the armed forces is applying for the Program to receive assistance for placement as an administrator or instructor of the Junior Reserve Officers’ Training Corps, the Secretary shall require the member to meet the requirements in section 2031(d) of this title.”; and
(B) in paragraph (4)(A)(ii)—

(i) by inserting “(I)” before “agree”;

(ii) by striking “; and” and inserting “; or” and

(iii) by adding at the end the following new subclause:

“(II) agree to seek employment as administrators or instructors under the Junior Reserve Officers’ Training Corps in secondary schools or in other schools under the jurisdiction of a local educational agency:

and”;

(3) in subsection (e)—

(A) in paragraph (1)(A)(ii), by inserting “administrator or instructor of the Junior Reserve Officers’ Training Corps,” before “or career”; and

(B) in paragraph (3)(B)(i), by inserting “administrator or instructor of the Junior Reserve Officers’ Training Corps,” before “or career”;

(4) in subsection (f)(1)(B), by inserting “administrator or instructor of the Junior Reserve Officers’ Training Corps,” before “or career”;
(5) in subsection (h)(2)(A), by inserting “administrators or instructors of the Junior Reserve Officers’ Training Corps,” before “and career”; and

(6) in subsection (k), by striking “2025” and inserting “2027”.

SEC. 574. REPORT ON THE TRANSITION ASSISTANCE PROGRAM.

(a) REPORT REQUIRED.—Not later than April 1, 2024, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the effectiveness, timeliness, and execution of TAP. The report under this section shall include the following elements:

(1) The average length of time before separation when a member of an Armed Force, eligible for TAP, begins preseparation counseling under TAP, disaggregated by—

(A) Armed Force; and

(B) whether such member is an enlisted member or an officer.

(2) The timeline and plan of action to implement the recommendations in GAO-23-104538, December 2022.

(3) Steps the Secretary plans to take, and the related timeline for such steps, to address the finding in
the report cited in paragraph (2) that approximately
70 percent of members did not begin preseparation
counseling under TAP at least one year before separa-
tion.

(4) The feasibility of ensuring that, by January
1, 2025, at least 75 percent of members eligible for
TAP begin preseparation counseling under TAP at
least one year before separation.

(5) The feasibility of implementing a pilot pro-
gram to provide grants to non-Federal entities that
provide industry-recognized certifications, job place-
ment assistance, and related employment services to
members eligible for TAP and spouses of such mem-
ers.

(6) The feasibility of a pilot program that would
require the military transition assistance teams of the
Department of Defense to contact a veteran at least
twice during each of the first three months after the
veteran separates from an Armed Force, regarding—

(A) transition to civilian life, including em-
ployment, access to benefits administered by the
Secretary of Veterans Affairs, education, and
family life; and

(B) concerns regarding such transition.
(7) Recommendations of the Secretary (including legislation) to improve the long-term effectiveness of TAP and the well-being of veterans.

(8) Other information the Secretary determines necessary to provide such Committees with a comprehensive description of the participation of the members in TAP and any other program administered by the Secretary that assists in the transition of members of the Armed Forces to civilian life.

(b) **TAP DEFINED.**—In this section, the term “TAP” means the Transition Assistance Program of the Department of Defense under sections 1142 and 1144 of title 10, United States Code.

**SEC. 575. SKILLBRIDGE: APPRENTICESHIP PROGRAMS.**

(a) **STUDY.**—Not later than September 30, 2024, the Secretary of Defense, in consultation with the Secretary of the Department in which the Coast Guard is operating, shall conduct a study to identify the private entities participating in Skillbridge that offer positions in registered apprenticeship programs to covered members.

(b) **RECRUITMENT.**—The Secretary shall consult with officials and employees of the Department of Labor who have experience with registered apprenticeship programs to facilitate the Secretary entering into agreements with entities that offer positions described in subsection (a) in areas
where the Secretary determines few such positions are available to covered members.

(c) DEFINITIONS.—In this section:

(1) The term “covered member” means a member of the Armed Forces eligible for Skillbridge.

(2) The term “registered apprenticeship program” means an apprenticeship program registered under the Act of August 16, 1937 (commonly known as the “National Apprenticeship Act”; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.).

(3) The term “Skillbridge” means an employment skills training program under section 1143(e) of title 10, United States Code.

SEC. 576. FEMALE MEMBERS OF CERTAIN ARMED FORCES AND CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE IN STEM.

(a) STUDY; REPORT.—Not later than September 30, 2024, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report containing the results of a study on how to—

(1) increase participation of covered individuals in positions in the covered Armed Forces or Department of Defense and related to STEM; and
(2) change Skillbridge to help covered individuals eligible for Skillbridge find civilian employment in positions related to STEM.

(b) DEFINITIONS.—In this section:

(1) The term “covered Armed Force” means the Army, Navy, Marine Corps, Air Force, or Space Force.

(2) The term “covered individual” means a female—

   (A) member of a covered Armed Force; or

   (B) civilian employee of the Department of Defense.

(3) The term “Skillbridge” means an employment skills training program under section 1143(e) of title 10, United States Code.

(4) The term “STEM” means science, technology, engineering, and mathematics.

SEC. 577. DEPARTMENT OF DEFENSE REPORT ON THIRD-PARTY JOB SEARCH TECHNOLOGY.

Not later than 180 days after the date of enactment of this Act, the Secretary of Defense shall submit to Congress a report on potential partnership opportunities with companies that provide third-party job search digital solutions to assist active duty service members and veterans up to two years post-separation from the military find employ-
ment following their active duty service. Such report shall include the potential use and effectiveness of any such partnerships.

Subtitle I—Decorations and Awards

SEC. 581. EXTENSION OF TIME TO REVIEW WORLD WAR I VALOR MEDALS.

(a) Extension.—Section 584(f) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 7271 note) is amended by striking “six” and inserting “eight”.

(b) Effective Date.—The amendment made by subsection (a) shall take effect as if enacted on the date of the enactment of such Act.

SEC. 582. AUTHORIZATION FOR AWARD OF THE MEDAL OF HONOR TO MARCELINO SERNA FOR ACTS OF VALOR DURING WORLD WAR I.

(a) Authorization.—Notwithstanding the time limitations specified in section 7274 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the President may posthumously award the Medal of Honor under section 7272 of such title to Marcelino Serna for the acts of valor described in the subsection (b).
(b) ACTS OF VALOR DESCRIBED.—The acts of valor described in this subsection are the actions of Marcelino Serna as a private in the Army during World War I, for which he was previously awarded the Distinguished-Service Cross.

Subtitle J—Other Personnel Matters, Reports, and Briefings

SEC. 591. ARMED FORCES WORKPLACE SURVEYS.

Subsection (c) of section 481 of title 10, United States Code, is amended—

(1) by redesignating paragraphs (3), (4), and (5) as paragraphs (4), (5), and (6), respectively; and

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

“(3) Indicators of the assault (including unwanted sexual contact) that give reason to believe that the victim was targeted, or discriminated against, or both, for a status in a group.”

SEC. 592. ELECTRONIC NOTARIZATION FOR MEMBERS OF THE ARMED FORCES.

Section 1044a of title 10, United States Code, is amended by adding at the end the following new subsection:

“(e)(1) A person named in subsection (b) may exercise the powers described in subsection (a) through electronic means, including under circumstances where the individual
with respect to whom such person is performing the notarial act is not physically present in the same location as such person.

“(2) A determination of the authenticity of a notarial act authorized in this section shall be made without regard to whether the notarial act was performed through electronic means.

“(3) A log or journal of a notarial act authorized in this section shall be considered for evidentiary purposes without regard to whether the log or journal is in electronic form.”.

SEC. 593. DUE DATE FOR REPORT ON EFFORTS TO PREVENT AND RESPOND TO DEATHS BY SUICIDE IN THE NAVY.

Section 599A(c) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) is amended by striking “180 days after the date of the enactment of this Act” and inserting “September 30, 2024”.

SEC. 594. POSTING OF PROMOTIONAL MATERIALS FOR THE 988 SUICIDE AND CRISIS LIFELINE AT MILITARY INSTALLATIONS.

The Secretary of the military department concerned shall post promotional materials (including brochures, posters, and informational sheets) for the 988 Suicide and Cri-
sis Lifeline at each military installation under the jurisdiction of such Secretary.

SEC. 595. PROHIBITION ON DRAG SHOWS AND DRAG QUEEN STORY HOUR.

None of the funds authorized to be appropriated by this Act may be obligated or expended for a drag show, drag queen story, or similar event.

SEC. 596. DEFENSE ADVISORY COMMITTEE ON DIVERSITY AND INCLUSION: REPORT; SUNSET.

(a) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report regarding how the Secretary appointed members to the Defense Advisory Committee on Diversity and Inclusion, including how the membership was fairly balanced consistent with section 1004(b)(2) of title 5, United States Code.

(b) SUNSET.—Consistent with section 1013(a)(2) of title 5, United States Code, the Defense Advisory Committee on Diversity and Inclusion shall terminate not later than September 19, 2024.
SEC. 597. FORCE STRUCTURE AND PERSONNEL REQUIREMENTS OF SPECIAL OPERATIONS FORCES: REVIEW; BRIEFING; REPORT.

(a) Review Required; Elements.—Not later than one year after the date of the enactment of this Act, the covered officials shall conduct a coordinated review of force structure and personnel requirements for special operations forces under the jurisdictions of the covered officials to carry out special operations activities regarding the following:

(1) Operational and campaign plans of the commander of a combatant command.


(3) The Joint Concept for Competing (dated February 10, 2023) and any additional relevant Joint Operating Concepts.

(4) Any Executive orders related to strategic competition.

(b) Briefing.—Not later than 180 days after the commencement of the review under subsection (a), the Secretary of Defense shall brief the Committees on Armed Services of the Senate and House of Representatives on the initial findings of the review.

(c) Report.—Not later than 90 days after completion of the review under subsection (a), the Secretary of Defense shall submit to the Committees on Armed Services of the
Senate and House of Representatives a report that includes the following:

(1) A summary of the findings of the review.

(2) Details of any proposed changes to force structure and personnel requirements.

(3) The costs associated with any changes identified in paragraph (2) and the time required to execute such changes.

(4) If the Secretary proposes a reduction in special operations forces force structure or personnel requirements, effects of such reductions on the ability to carry out plans described in subsection (a)(1).

(d) PROHIBITION.—The Secretary of Defense may not make any reduction in force structure, personnel requirements, or staffing levels to a special operations force until after the Secretary submits the report under subsection (c).

(e) DEFINITIONS.—In this section:

(1) The term “covered official” means the following.

(A) The Secretary of the Army.

(B) The Secretary of the Navy.

(C) The Secretary of the Air Force.

(D) The Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict.
(E) The Commander of United States Special Operations Command.

(2) The term “special operations activities” means the activities described in section 167(k) of title 10, United States Code.

(3) The term “special operations forces” means the forces described in section 167(j) of title 10, United States Code.

(4) The term “force structure”, when used with respect to an organization, means the type of organization, the mission of the organization, the personnel required to operate the organization, and the equipment required to execute the mission of the organization.

SEC. 598. PROHIBITION ON FEDERAL FUNDS FOR THE DEPARTMENT OF DEFENSE COUNTERING EXTREMISM WORK GROUP.

No funds authorized to be appropriated by this Act may be used to fund the Department of Defense Countering Extremism Work Group.

SEC. 599. DIGITAL AMBASSADOR PROGRAM OF THE NAVY: CESSATION; REPORT; RESTART.

(a) CESSATION.—The Secretary of the Navy shall cease all activities of the digital ambassador program of the Office of Information of the Department of the Navy. The Sec-
(b) **RESTART.**—The Secretary may not restart such program until 60 days after the date on which the Secretary submits to the Committees on Armed Services of the Senate and House of Representatives a report containing the following:

1. All policies and documents of the program.
2. The number of digital ambassadors designated.
3. The process and criteria for such designation.
4. The duties of a digital ambassador.
5. The online platforms (including social media) on which an individual is authorized under such program to perform duties of a digital ambassador.
6. The determination of the Secretary that such program complies with applicable laws, regulations, and guidance.

**SEC. 599A. REPORT ON MILITARY ONESOURCE.**

(a) **REPORT REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Rep-
resentatives a report regarding the Military OneSource pro-
gram of the Department of Defense.

(b) ELEMENTS.—The report under this section shall
include the following elements:

(1) A history of the program, including origin, development, and expansion.

(2) An accounting of costs to the Federal Govern-
ment to operate the program during fiscal years 2019 through 2023.

(3) Use of the program during fiscal years 2019 through 2023, including—

(A) the total number of individuals who
used the program, disaggregated by whether such use was through a phone call or the website;

(B) the number of members of the Armed Forces who have used the program, disaggregated by Armed Force, race, gender, age, marital status, and duty location; and

(C) the most commonly used services offered through the program.

(4) How records for such usage are kept and pro-
tected.

(5) A list of all services offered through the pro-
gram.

(6) The cost of any service to a member.
(7) Services to be added to the program.

(8) Criteria by which services offered through the program are added or discontinued.

**SEC. 599B. STUDY ON SERVICE BY NEURODIVERGENT INDIVIDUALS IN THE DEPARTMENT OF DEFENSE.**

(a) **In General.**—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into an agreement with a federally funded research and development center that meets the criteria described in subsection (b), under which such center shall conduct a study to—

(1) evaluate how the Secretary may maximize the talent of neurodivergent populations;

(2) determine the extent to which current policies prevent the contributions of neurodivergent populations in the Department of Defense; and

(3) develop recommendations for modifying internal policies and practices of the Department to improve employment of neurodivergent individuals in such Department.

(b) **Federally Funded Research and Development Center.**—A federally funded research and development center described in this subsection is such a center that the Secretary determines—

(1) primarily focus on studies and analysis;
(2) has a record of—

(A) conducting research and analysis using a multidisciplinary approach; and

(B) publishing analyses to inform public debate; and

(3) demonstrated specific competencies in—

(A) policies regarding military personnel and readiness, as applied to the national defense strategy;

(B) personnel assignment policies of the Department of Defense;

(C) evaluating the practices of the civilian workforce in integrating neurodivergent individuals;

(D) how such practices could be applied to the military; and

(E) military recruitment policies.

(c) STUDY.—A federally funded research and development center that enters into an agreement under subsection (a) shall conduct a comprehensive study on the recruitment and personnel management of neurodivergent individuals who are members of the covered Armed Forces and civilian employees of the Department of Defense. Such study shall—

(1) evaluate the diagnostic procedures of the Department and standards for neurodivergent condi-
tions, noting any inconsistencies or areas for improvement;

(2) evaluate how members with neurodivergent conditions are currently managed by the Secretaries of the military departments, including medical treatments and behavioral strategies;

(3) evaluate the unique skills and talents that neurodivergent individuals can bring to the Department of Defense, including in emerging fields like cyber operations and intelligence; and

(4) identify potential challenges or barriers to successful inclusion of neurodivergent individuals in such Department.

(d) REPORT.—Not later than 12 months after the date of the enactment of this Act, the center that conducts the study shall submit to the Secretary of Defense a report containing the following:

(1) The findings of the study under subsection (c).

(2) Recommendations for changes to—

(A) the medical evaluation process for initial accessions; and

(B) evaluations for military occupational specialty assignments.
(3) Any additional information determined appropriate regarding the improvement by the Secretary of recruitment, management, and retention of neurodivergent members of the covered Armed Forces and civilian employees of the Department of Defense.

(e) COVERED ARMED FORCE DEFINED.—In this section, the term “covered Armed Force” means the Army, Navy, Marine Corps, Air Force, or Space Force.

**TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS**

**Subtitle A—Basic Pay, Retired Pay, and Leave**

**SEC. 601. PARENTAL LEAVE PARITY FOR MEMBERS OF CERTAIN RESERVE COMPONENTS OF THE ARMED FORCES.**

(a) Parental Leave.—

(1) IN GENERAL.—Chapter 40 of title 10, United States Code, is amended by inserting after section 710 the following new section:

“§ 711. Parental leave for members of certain reserve components of the armed forces

“(a)(1) Under regulations prescribed by the Secretary of Defense, a member of a reserve component of the armed forces described in subsection (b) is allowed parental leave for a duration of up to 12 inactive-duty training periods,
under section 206 of title 37, during the one-year period beginning after the following events:

“(A) the birth or adoption of a child of the member and to care for such child; or

“(B) the placement of a minor child with the member for adoption or long-term foster care.

“(2)(A) The Secretary concerned, under uniform regulations to be prescribed by the Secretary of Defense, may authorized leave described under subparagraph (A) to be taken after the one-year period described in subparagraph (A) in the case of a member described in subsection (b) who, except for this subparagraph, would lose unused parental leave at the end of the one-year period described in subparagraph (A) as a result of—

“(i) operational requirements;

“(ii) professional military education obligations;

or

“(iii) other circumstances that the Secretary determines reasonable and appropriate.

“(B) The regulations prescribed under clause (i) shall require that any leave authorized to be taken after the one-year period described in subparagraph (A) shall be taken within a reasonable period of time, as determined by the Secretary of Defense, after cessation of the circumstances warranting the extended deadline;
“(b) A member described in this subsection is a member of the Army, Navy, Marine Corps, Air Force, or Space Force who is a member of—

“(1) the selected reserve who is entitled to compensation under section 206 of title 37; or

“(2) the individual ready reserve who is entitled to compensation under section 206 of title 37 when attending or participating in a sufficient number of periods of inactive-duty training during a year to count the year as a qualifying year of creditable service toward eligibility for retired pay.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 40 of such title is amended by inserting after the item relating to section 710 the following new item:

“711. Parental leave for members of the reserve component of the armed forces.”.

(b) COMPENSATION.—Section 206(a) of title 37, United States Code, is amended by amending paragraph (4) to read as follows:

“(4) for a regular period of instruction, period of appropriate duty, or such other equivalent training that a member would be required to perform but does not perform because such member was authorized to take parental leave pursuant to section 711 of title 10.”.
(c) Contribution of Leave Toward Entitlement to Retired Pay.—Section 12732(a)(2)(G) of title 10, United States Code, is amended by striking “12 per period” and all that follows through the end of the sentence and inserting the following: “1 per inactive-duty training period, under section 206 of title 37, during which the member is on parental leave under section 711 of this title.”.

(d) Credit for Retired Pay Purposes.—Section 602(b) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 12732 note) is amended—

(1) in paragraph (1), by striking “maternity leave” and all that follows through “birth of a child” and inserting “parental leave described in section 12732(a)(2)(G) of title 10, United States Code, taken by a member of the reserve components of the Armed Forces”;

(2) in paragraph (2), by striking “maternity leave” and all that follows through “childbirth event” and inserting “parental leave taken by the member”; and

(3) in paragraph (3), by striking “maternity leave” each place it appears and inserting “parental leave”.

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(e) Effective Date.—This section and the amendments made by this section shall take effect on October 1, 2024, and apply with respect to periods of parental leave that commence on or after such date.

SEC. 602. EXPANSION OF AUTHORITY OF THE SECRETARY OF A MILITARY DEPARTMENT TO PAY A MEMBER WHO IS ABSENT WITHOUT LEAVE OR OVER LEAVE FOR SUCH ABSENCE.

Section 503(a) of title 37, United States Code, is amended by inserting “or the Secretary of the military department concerned determines to pay such pay and allowances” before the period at the end.

SEC. 603. REPORT ON MODERNIZED RETIREMENT SYSTEM.

Not later than September 30, 2024, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report regarding implementation of the modernized retirement system pursuant to amendments in part I of subtitle D of title VI of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92). Such report shall include the following elements:

(1) An analysis of data collected on the effects of financial literacy training modules, including quantifiable outcomes that assess the effect of financial se-
curity training for members of the uniformed services
during fiscal years 2015 through 2023.

(2) Recommendations of the Secretary regarding
tools or resources needed for the Secretary to improve
financial literacy training for our such members.

Subtitle B—Bonus and Incentive
Pays

SEC. 611. ONE-YEAR EXTENSION OF CERTAIN EXPIRING
BONUS AND SPECIAL PAY AUTHORITIES.

(a) Authorities Relating to Reserve Forces.—
Section 910(g) of title 37, United States Code, relating to
income replacement payments for reserve component mem-
bers experiencing extended and frequent mobilization for ac-
tive duty service, is amended by striking “December 31,
2023” and inserting “December 31, 2024”.

(b) Title 10 Authorities Relating to Health
Care Professionals.—The following sections of title 10,
United States Code, are amended by striking “December 31,
2023” and inserting “December 31, 2024”:

(1) Section 2130a(a)(1), relating to nurse officer
candidate accession program.

(2) Section 16302(d), relating to repayment of
education loans for certain health professionals who
serve in the Selected Reserve.
(c) *Authorities Relating to Nuclear Officers.*—Section 333(i) of title 37, United States Code, is amended by striking “December 31, 2023” and inserting “December 31, 2024”.

(d) *Authorities Relating to Title 37 Consolidated Special Pay, Incentive Pay, and Bonus Authorities.*—The following sections of title 37, United States Code, are amended by striking “December 31, 2023” and inserting “December 31, 2024”:

1. Section 331(h), relating to general bonus authority for enlisted members.

2. Section 332(g), relating to general bonus authority for officers.

3. Section 334(i), relating to special aviation incentive pay and bonus authorities for officers.

4. Section 335(k), relating to special bonus and incentive pay authorities for officers in health professions.

5. Section 336(g), relating to contracting bonus for cadets and midshipmen enrolled in the Senior Reserve Officers’ Training Corps.

6. Section 351(h), relating to hazardous duty pay.

7. Section 352(g), relating to assignment pay or special duty pay.
(8) Section 353(i), relating to skill incentive pay or proficiency bonus.

(9) Section 355(h), relating to retention incentives for members qualified in critical military skills or assigned to high priority units.

(e) Authority to Provide Temporary Increase in Rates of Basic Allowance for Housing.—Section 403(b) of title 37, United States Code, is amended—

(1) in paragraph (7)(E), relating to an area covered by a major disaster declaration or containing an installation experiencing an influx of military personnel, by striking “December 31, 2023” and inserting “December 31, 2024”; and

(2) in paragraph (8)(C), relating to an area where actual housing costs differ from current rates by more than 20 percent, by striking “September 30, 2023” and inserting “December 31, 2024”.

SEC. 612. AUTHORIZATION OF MONTHLY BONUS PAY FOR A JUNIOR MEMBER OF THE UNIFORMED SERVICES DURING CALENDAR YEAR 2024.

(a) Authorization.—Beginning on January 1, 2024, if the Secretary concerned determines that prevailing economic conditions may adversely affect an eligible member, the Secretary concerned may pay a monthly bonus to each eligible member.
(b) AMOUNT OF PAY.—Each bonus payment under this section shall be in an amount equal to a percentage, determined by the Secretary concerned, of the rate—

(1) in effect on December 31, 2023; and

(2) of, for an eligible member—

(A) pay under section 204 of title 37, United States Code; or

(B) compensation under section 206 of title 37, United States Code.

(c) RELATIONSHIP TO OTHER PAY AND ALLOWANCES.—Bonus pay paid to an eligible member under this section is in addition to any other pay and allowances to which the eligible member is entitled.

(d) TERMINATION.—No bonus may be paid under this section after December 31, 2024.

(e) ELIGIBLE MEMBER DEFINED.—In this section, the term “eligible member” means a member of the uniformed services who—

(1) is entitled to pay or compensation described in subsection (b)(2); and

(2) is in a grade below E-6.
SEC. 613. DETERMINATION OF COLD WEATHER LOCATION

FOR PURPOSES OF ASSIGNMENT OR SPECIAL DUTY PAY.

For purposes of assignment or special duty pay under section 352 of title 37, United States Code, the Secretary concerned shall determine that a duty station is a cold weather location if, at such duty station, a member of the uniformed services receives training in—

(1) mountaineering;

(2) proficiency in an alpine environment; or

(3) proficiency in a cold weather environment.

Subtitle C—Allowances

SEC. 621. BASIC NEEDS ALLOWANCE: EXCLUSION OF BASIC ALLOWANCE FOR HOUSING FROM THE CALCULATION OF GROSS HOUSEHOLD INCOME OF AN ELIGIBLE MEMBER OF THE ARMED FORCES.

Section 402b(k)(1)(B) of title 37, United States Code, is amended—

(1) by striking “in the case” and all that follows through “portion of”; and

(2) by striking “that the Secretary concerned elects to exclude” and inserting “paid to such member”.

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SEC. 622. IMPROVED CALCULATION OF BASIC ALLOWANCE
FOR HOUSING FOR JUNIOR ENLISTED MEMBERS.

Section 403 of title 37, United States Code, is amended, in subsection (b)(5), by striking “and shall be based” and all that follows and inserting a period.

SEC. 623. EXPANSION OF AUTHORITY OF A COMMANDING OFFICER TO AUTHORIZE A BASIC ALLOWANCE FOR HOUSING FOR A MEMBER PERFORMING INITIAL FIELD OR SEA DUTY.

Section 403 of title 37, United States Code, as amended by section 622, is further amended, in subsection (f)—

(1) in paragraph (1)—

(A) by striking “certifies that the member was necessarily required to procure quarters at the member’s expense.” and inserting an em dash; and

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

“(A) certifies that the member was required to procure housing at the member’s expense; or

“(B) determines that quarters at the duty station or in the field environment are inadequate or an impediment to morale, good order, or discipline.”; and

(2) in paragraph (2)(B)—
(A) by striking “the Secretary may authorize” and inserting “a commanding officer may authorize”;

(B) by striking “who is serving in pay grade E–4 or E–5” and inserting “who is serving in a pay grade below E-6”; and

(C) by striking “members serving in pay grades E-4 and E-5” and inserting “such members. In authorizing an allowance under this subparagraph, the commanding officer shall consider the availability of quarters for the member and whether such quarters are inadequate or an impediment to morale, good order, or discipline”.

SEC. 624. DUAL BASIC ALLOWANCE FOR HOUSING FOR TRAINING.

Section 403 of title 37, United States Code, as amended by sections 622 and 623, is further amended, in subsection (g)(3), by striking “Paragraphs” and inserting “Except in the case of a member of a reserve component without dependents who is called or ordered to active duty to attend training for at least 140 days but fewer than 365 days, paragraphs”. 
SEC. 625. BASIC ALLOWANCE FOR HOUSING: PILOT PROGRAM TO OUTSOURCE RATE CALCULATION.

(a) In general.—Not later than September 30, 2024, the Secretary of Defense shall seek to enter into an agreement with a covered entity pursuant to which the covered entity shall calculate, using industry-standard machine learning and artificial intelligence algorithms, the monthly rates of BAH for not fewer than 15 MHAs.

(b) Report.—Not later than two years after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives a report containing the evaluation of the Secretary of the rates calculated by a covered entity pursuant to an agreement under subsection (a).

(c) Definitions.—In this section:

(1) The term “BAH” means the basic allowance for housing for members of the uniformed services under section 403 of title 37, United States Code.

(2) The term “covered entity” means a nationally recognized entity in the field of commercial real estate that has data on local rental rates in real estate markets across the United States.

(3) The term “MHA” means military housing area.
SEC. 626. INDEPENDENT ASSESSMENT OF HOUSING FOR MILITARY PERSONNEL IN GUAM.

(a) In General.—The Secretary of Defense shall seek to enter into an agreement with a federally funded research and development center for an independent assessment of housing of military personnel assigned to duty stations in Guam.

(b) Elements.—An assessment under subsection (a) shall include the following:

(1) A survey of the housing needs for current and future military personnel to be stationed in Guam, accommodating the varying needs of single and married members of the Armed Forces at various stages of their careers.

(2) Possible options for the Secretary to build new housing to accommodate future service members and resolve existing housing shortages.

(3) Possible strategies for the Secretary to mitigate the impact of military personnel on the local housing supply in Guam.

(c) Report.—An entity that enters into an agreement to conduct the assessment described in subsection (a) shall submit to the Secretary and the Committees on Armed Services of the Senate and House of Representatives a report containing the findings of the assessment not later than December 31, 2024.
Section 576(d) of the National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 10 U.S.C. 1792 note) is amended—

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

(2) by inserting, after paragraph (1) the following new paragraph (2):

“(2) BRIEFINGS ON IMPLEMENTATION.—Beginning on January 31, 2024, until the termination of the pilot program, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and the House of Representatives a quarterly briefing on the implementation of the pilot program. Each such briefing shall include the following:

“(A) The process for selecting child development centers under subsection (b).

“(B) How a special needs inclusion coordinator hired under the pilot program coordinates with the head of the child development center concerned and the commander of the military installation concerned.
“(C) How many special needs inclusion coordinators have been hired under the pilot program.”.

Subtitle D—Family Readiness and Survivor Benefits

SEC. 631. MODIFICATIONS TO TRANSITIONAL COMPENSATION FOR DEPENDENTS OF MEMBERS SEPARATED FOR DEPENDENT ABUSE.

(a) COVERED PUNITIVE ACTIONS.—Section 1059 of title 10, United States Code, is amended, in subsection (b)—

(1) in paragraph (1)(B), by striking “; or” and inserting a semicolon;

(2) in paragraph (2), by striking the period at the end and inserting a semicolon; and

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

“(3) who is—

“(A) convicted of a dependent-abuse offense in a district court of the United States or a State court; and

“(B) separated from active duty pursuant to a sentence of a court-martial, or administratively separated, voluntarily or involuntarily,
from active duty, for an offense other than the dependent-abuse offense; or

“(4) who is—

“(A) accused but not convicted of a dependent-abuse offense;

“(B) determined, as a result of a review by the commander of the member and based on a preponderance of evidence, to have committed the dependent-abuse offense; and

“(C) required to forfeit all pay and allowances pursuant to a sentence of a court-martial for an offense other than the dependent-abuse offense.”.

(b) Recipients of Payments.—Subsection (d) of such section is amended—

(1) in paragraph (1), by striking “resulting in the separation” and inserting “referred to in subsection (b)”;

(2) in paragraph (4)—

(A) by striking “determined as of the date” and inserting “determined—

“(A) as of the date”;

(B) by striking “offense or, in a case” and inserting “offense—

“(B) in a case”.

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(C) by striking the period at the end and inserting “; or”; and

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

“(C) in a case described in subsection (b)(4), as of, as applicable—

“(i) the first date on which the individual is held in pretrial confinement relating to the dependent-abuse offense of which the individual is accused after the 7-day review of pretrial confinement required by Rule 305(i)(2) of the Rules for Courts-Martial; or

“(ii) the date on which a review by a commander of the individual determines there is probable cause that the individual has committed that offense.”.

(c) COMMENCEMENT OF PAYMENT.—Subsection (e)(1) of such section is amended—

(1) in subparagraph (A)—

(A) in the matter preceding clause (i), by inserting after “offense” the following: “or an offense described in subsection (b)(3)(B)”; and

(B) in clause (ii), by striking “; and” and inserting a semicolon;
(2) in subparagraph (B)—

(A) by striking “(if the basis” and all that follows through “offense)”; and

(B) by striking the period at the end and inserting “; or” ; and

(3) by adding at the end the following new sub-
paragraph:

“(C) in the case of a member described in sub-
section (b)(4), shall commence as of, as applicable—

“(i) the first date on which the member is
held in pretrial confinement relating to the de-
pendent-abuse offense of which the member is ac-
cused after the 7-day review of pretrial confine-
ment required by Rule 305(i)(2) of the Rules for
Courts-Martial; or

“(ii) the date on which a review by a com-
mander of the member determines there is prob-
able cause that the member has committed that
offense.”.

(d) DEFINITION OF DEPENDENT CHILD.—Subsection
(l) of such section is amended, in the matter preceding
paragraph (1)—

(1) by striking “resulting in the separation of
the former member or” and inserting “referred to in
subsection (b) or”; and
(2) by striking “resulting in the separation of
the former member and” and inserting “and”.

(e) DELEGATION OF DETERMINATIONS RELATING TO
EXCEPTIONAL ELIGIBILITY.—Paragraph (4) of subsection
(m) of such section is amended to read as follows:

“(4) The Secretary concerned may delegate the author-
ity under paragraph (1) to the first general or flag officer
(or civilian equivalent) in the chain of command of the
member.”.

SEC. 632. LODGING EXPENSES FOR DEPENDENTS OF MEM-
BERS SEPARATED FOR DEPENDENT ABUSE.

Section 1059 of title 10, United States Code, as amend-
ed by section 631, is further amended—

(1) in the heading, by adding “; lodging ex-
penses” at the end;

(2) by redesignating subsections (k), (l), and (m)
as subsections (m), (n), and (l), respectively;

(3) by striking “subsection (k)” each place it ap-
pears and inserting “subsection (m)”; and

(4) by inserting, after subsection (j), the fol-
lowing new subsection (k):

“(k) LODGING EXPENSES.—A dependent or former de-
pendent entitled to payment of monthly transitional com-
pensation under this section shall, while receiving payments
in accordance with this section, be entitled to lodging expenses for a period not longer than 30 days.”.

SEC. 633. ACCESS TO COMMISSARY AND EXCHANGE PRIVILEGES FOR REMARRIED SURVIVING SPOUSES.

Section 1062 of title 10, United States Code, is amended—

(1) by striking “The Secretary of Defense” and inserting the following:

“(a) CERTAIN UNREMARRIED FORMER SPOUSES.—

The Secretary of Defense’’;

(2) by striking “commissary and exchange privileges” and inserting “use commissary stores and MWR retail facilities”;

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

“(b) CERTAIN REMARRIED SURVIVING SPOUSES.—The Secretary of Defense shall prescribe such regulations as may be necessary to provide that a surviving spouse of a deceased member of the armed forces, regardless of the marital status of the surviving spouse, is entitled to use commissary stores and MWR retail facilities to the same extent and on the same basis as an unremarried surviving spouse of a member of the uniformed services.”; and
(4) by adding at the end the following new subsection:

“(c) MWR RETAIL FACILITIES DEFINED.—In this section, the term ‘MWR retail facilities’ has the meaning given that term in section 1063 of this title.”.

SEC. 634. AUTHORITY FOR PEER MENTORING PROGRAM FOR MILITARY DEPENDENTS.

Subchapter I of chapter 88 of title 10, United States Code, is amended by inserting after section 1788a the following new section:

“§ 1788b. Authority for peer mentoring program

“(a) ESTABLISHMENT.—The Secretary of Defense may carry out a peer mentoring program for dependents of members. Under such program, a mentor shall seek to meet with a mentee once per month to discuss challenges for military families.

“(b) TRAINING.—A dependent who elects to serve as a mentor in such a program shall receive training from a mental health care provider.”.
SEC. 635. EXPANSION OF QUALIFYING EVENTS FOR WHICH A MEMBER OF THE UNIFORMED SERVICES MAY BE REIMBURSED FOR SPOUSAL RELICENSING OR BUSINESS COSTS DUE TO THE MEMBER’S RELOCATION.

Section 453(g) of title 37, United States Code, is amended—

(1) by striking the subsection heading and inserting “REIMBURSEMENT OF QUALIFYING SPOUSE RELICENSING COSTS AND BUSINESS COSTS”;

(2) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking “or qualified business costs” and inserting “and qualified business costs”;

(B) by amending subparagraph (A) to read as follows:

“(A) the member relocates to a new jurisdiction or geographic area as the result of—

“(i) an assignment to a duty station;

“(ii) a reassignment, either as a result of a permanent change of station or permanent change of assignment, between duty stations;

“(iii) a transfer from a regular component of a uniformed service into the Selected Reserve of the Ready Reserve of a uniformed service, if the member is authorized a final move from the
last duty station to the new jurisdiction or geographic area; or

“(iv) placement on the temporary disability retired list under chapter 61 of title 10; and”;

and

(C) in subparagraph (B), by striking “reassignment” and inserting “relocation”;

(3) in paragraph (2), by striking “reassignment” both places it appears and inserting “relocation”;

(4) in paragraph (4)—

(A) in subparagraph (A), by striking “movement described in” and all that follows through the semicolon and inserting “the member’s relocation described in paragraph (1);”;

and

(B) in subparagraph (B), by striking “reassignment” and inserting “relocation”; and

(5) in paragraph (5)—

(A) in subparagraph (A), by striking “movement described in” and all that follows through the semicolon and inserting “the member’s relocation described in paragraph (1);”;

and

(B) in subparagraph (B), by striking “reassignment” and inserting “relocation”.

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SEC. 636. STUDENT LOAN DEFERMENT FOR DISLOCATED MILITARY SPOUSES.

(a) In General.—Section 455(f) of the Higher Education Act of 1965 (20 U.S.C. 1087e(f)) is amended—

(1) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and

(2) by inserting after paragraph (3) the following:

“(4) DEFERMENT FOR DISLOCATED MILITARY SPOUSES.—

“(A) DURATION AND EFFECT ON PRINCIPAL AND INTEREST.—A borrower of a loan made under this part who meets the requirements of subparagraph (B) shall be eligible for a deferment for an aggregate period of 180 days, during which periodic installments of principal need not be paid, and interest—

“(i) shall not accrue, in the case of a—

“(I) Federal Direct Stafford Loan; or

“(II) a Federal Direct Consolidation Loan that consolidated only Federal Direct Stafford Loans, or a combination of such loans and Federal Stafford Loans for which the student
borrower received an interest subsidy under section 428; or

“(ii) shall accrue and be capitalized or paid by the borrower, in the case of a Federal Direct PLUS Loan, a Federal Direct Unsubsidized Stafford Loan, or a Federal Direct Consolidation Loan not described in clause (i)(II).

“(B) ELIGIBILITY.—A borrower of a loan made under this part shall be eligible for a deferment under subparagraph (A) if the borrower—

“(i) is the spouse of a member of the Armed Forces serving on active duty; and

“(ii) has experienced a loss of employment as a result of relocation to accommodate a permanent change in duty station of such member.

“(C) DOCUMENTATION AND APPROVAL.—

“(i) IN GENERAL.—A borrower may establish eligibility for a deferment under subparagraph (A) by providing to the Secretary—

“(I) the documentation described in clause (ii); or
“(II) such other documentation as the Secretary determines appropriate.

“(ii) DOCUMENTATION.—The documentation described in this clause is—

“(I) evidence that the borrower is the spouse of a member of the Armed Forces serving on active duty;

“(II) evidence that a military permanent change of station order was issued to such member; and

“(III)(aa) evidence that the borrower is eligible for unemployment benefits due to a loss of employment resulting from relocation to accommodate such permanent change in duty station; or

“(bb) a written certification, or an equivalent as approved by the Secretary, that the borrower is registered with a public or private employment agency due to a loss of employment resulting from relocation to accommodate such permanent change in duty station.”.
(b) EFFECTIVE DATE.—The amendments made by sub-
section (a) shall take effect 90 days after the date of the
enactment of this Act.

SEC. 637. GRANTS TO ASSIST CAREGIVERS IN MILITARY
FAMILIES.

(a) GRANTS.—Subject to the availability of appropria-
tions, the Secretary of Defense, acting through the Under
Secretary of Defense for Personnel and Readiness, shall
award grants to eligible nonprofit organizations to support
demonstration projects focused on addressing the challenges
and alleviating the burdens faced by caregivers in military
families.

(1) AMOUNT.—The Secretary shall award such
grants in amounts of not more than $1,500,000.

(2) DURATION.—The Secretary shall award such
grants for periods of three years and not more than
$500,000 per year.

(b) ELIGIBLE NONPROFIT ORGANIZATIONS.—To be eli-
gible to receive an award under this section, an eligible non-
profit organization shall—

(1) be a 501(c)(3) organization under the United
States Internal Revenue Code at the time of the enact-
ment of this Act;

(2) have a demonstrated capacity, through an ex-
isting data platform or other ongoing data collection
efforts, to effectively capture data for the purposes of informing program implementation and monitoring program effectiveness; and

(3) have a demonstrated history and expertise in the provision of educational, health, or social support services specific to caregivers.

(c) USE OF FUNDS.—An eligible nonprofit organization shall use amounts received from an award under this section to provide at least one of the following activities:

(1) Best-practice training for caregivers in military families focused on self-care and education related to family members’ conditions, collaboration with clinical health providers, and financial literacy.

(2) Reference and liaison services connecting caregivers in military families to Department of Defense resources, and to other Federal resources and programs for which they or their family members may qualify.

(3) Organization and facilitation of peer-support networks designed to connect caregivers in military families with each other as part of directed mental and behavioral health therapy.

(4) Development of pilot programs to identify and assess the impact of innovative ideas intended to support caregivers in military families.
(5) Capacity building to expand existing evidence-based programs, tailor existing programs to support the unique needs of caregivers in military families, or evaluate the effectiveness of existing programs in supporting caregivers in military families.

(d) APPLICATION.—To be eligible to receive a grant under this section, a qualified nonprofit organization shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require, including information describing in detail the services that the applicant will use grant funds to provide for caregivers in military families.

(e) DEFINITIONS.—In this section:

(1) The term “caregiver in a military family” shall refer to a member of the uniformed services in an active status, or the dependent of such a member, who is a caregiver for a family member.

(2) The terms “active status” and “uniformed services” have the meanings given such terms in section 101 of title 10, United States Code.

(3) The term “caregiver” means an adult family member or a dependent who has a significant relationship with, and who provides a broad range of assistance to, an individual with a chronic or other health condition, disability, or functional limitation.
(4) The term “dependent” has the meaning given such term in section 1072 of title 10, United States Code.

(5) The term “family member” has the meaning given that term in section 1720G of title 38, United States Code with regards to a member of the uniformed services in an active status, or the dependent of such a member.

SEC. 638. MYSTEP: PROVISION ONLINE AND IN MULTIPLE LANGUAGES.

The Secretary concerned may provide all services of the Military Spouse Transition Program (commonly referred to as “MySTeP”) online and in English, Spanish, Tagalog, and the rest of the 10 most commonly spoken languages in the United States.

Subtitle E—Child Care

SEC. 641. INCREASE IN THE TARGET FUNDING LEVEL FOR MILITARY CHILD CARE.

Section 1791 of title 10, United States Code, is amended, in subsection (a), by inserting “115 percent of” after “not less than”.

SEC. 642. RECURRING REVIEW AND REVISION OF PAY FOR MILITARY CHILD CARE EMPLOYEES.

(a) Establishment.—Subsection (c) of section 1792 of title 10, United States Code is amended—
(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;
(2) by inserting “(1)” before “For the purpose”; and
(3) by adding at the end the following new paragraph (2):
“(2)(A) The Secretary of Defense shall review and revise the pay scale for child care employees not less than once every five years.
“(B) In conducting a review under subparagraph (A), the Secretary shall consider factors including—
“(i) the pay scale for employees of the Department of Defense Education Activity with similar training, seniority, and experience to that of child care employees;
“(ii) the rates of compensation paid to employees of the local educational agency with similar training, seniority, and experience to that of child care employees;
“(iii) the value of the care provided by child care employees, in the short and long term, to the children cared for, their families, and the armed forces; and
“(iv) any other factor the Secretary determines appropriate.”.

(b) IMPLEMENTATION.—The Secretary of Defense shall carry out the first review and revision under paragraph (2) of such subsection, as added by this section, not later than 60 days after the date of the enactment of this Act.

(c) REPORT.—When the Secretary of Defense conducts the second review and revision under such paragraph (2), the Secretary shall submit to the congressional defense committees a report assessing how the first such revision affected—

(1) the hiring and retention of child care employees; and

(2) the quality of care at military child development centers.

(d) DEFINITIONS.—In this section, the terms “child care employee” and “military child development center” have the meanings given such terms in section 1800 of title 10, United States Code.

SEC. 643. DISCOUNTED CHILD CARE FOR CHILD CARE EMPLOYEES OF THE DEPARTMENT OF DEFENSE.

Section 1793(d) of title 10, United States Code, is amended—

(1) by striking “, a reduced fee for such attendance.” and inserting an em dash; and
(2) by adding at the end the following new paragraphs:

“(1) no fee for the first such child under the age of 13;

“(2) not more than 50 percent of the amount of the fee otherwise chargeable for such attendance of the second such child under the age of 13; and

“(3) a reduced fee for each subsequent child.”.

SEC. 644. EXPANSION OF PILOT PROGRAM TO PROVIDE FINANCIAL ASSISTANCE TO MEMBERS OF THE ARMED FORCES FOR IN-HOME CHILD CARE.


(1) by striking the period at the end and inserting “, and in the following locations:”;

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

“(A) Fort Drum, New York.

“(B) Holloman Air Force Base, New Mexico.

“(C) Naval Air Station Lemoore, California.

“(D) Marine Corps Air Ground Combat Center Twentynine Palms, California.”.
SEC. 645. WAIT TIMES FOR CHILD CARE SERVICES PROVIDED THROUGH MILITARY CHILD DEVELOPMENT CENTERS: PUBLICATION; FEASIBILITY OF CERTAIN IMPROVEMENT.

(a) Publication.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall publish and maintain, on a website of the Department of Defense that is accessible by members of the Armed Forces, waiting lists for child care services at military child development centers.

(b) Estimates.—On the website described in subsection (a), the Secretary shall publish a tool that uses data collected by the Secretary to estimate how long a member assigned to serve at a military installation will wait before receiving child care services at the military child development center of such military installation.

(c) Feasibility Report.—Not later than March 30, 2024, the Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives a report regarding the feasibility of implementing the business management system of the Child and Youth Programs of the Department of the Air Force for all military departments in order to increase member satisfaction by improving communication with members on such waiting lists and facilitating payments and paperwork for such child care services.
(d) **Military Child Development Center Defined.**—In this section, the term “military child development center” has the meaning given such term in section 1800 of title 10, United States Code.

**(Sec. 646. Study on Effects of Child Care on Readiness and Retention.**

(a) **Study Required.**—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into an agreement with an FFRDC described in subsection (b), under which such FFRDC shall conduct a study on the effects of child care for members of the covered Armed Forces and civilian employees of the Department of Defense on readiness and retention in the covered Armed Forces. Such a study shall include the following:

(1) The effects of the availability, affordability, and quality of such child care on—

(A) unit readiness and retention;

(B) the ability of such members and employees to perform their duties;

(C) the quality of the performance of such duties; and

(D) the job satisfaction of such members and employees.
(2) Other matters regarding the availability, affordability, and quality of such child care that the FFRDC determines appropriate.

(b) FFRDC.—An FFRDC described in this subsection is an FFRDC that the Secretary of Defense determines—

(1) primarily focuses on studies and analysis;

(2) has a record of—

(A) conducting research and analysis using a multidisciplinary approach; and

(B) publishing analyses to inform public debate; and

(3) has demonstrated specific competencies in policies regarding military personnel and readiness, as applied to the national defense strategy.

(c) INTERIM REPORT.—Not later than six months after the date of the enactment of this Act, an FFRDC that enters into an agreement under subsection (a) shall submit to the Secretary of Defense and the Committees on Armed Services of the Senate and House of Representatives an interim report. Such report shall include the following:

(1) A progress report on the study.

(2) Interim findings of the study.

(d) FINAL REPORT.—Not later than 15 months after the date of the enactment of this Act, an FFRDC that enters into an agreement under subsection (a) shall submit to the
Secretary of Defense and the Committees on Armed Services of the Senate and House of Representatives a final report. Such final report shall include the following:

(1) The findings of the study.

(2) Strategies to remedy deficiencies in child care described in subsection (a), and the timelines and costs to implement such strategies.

(3) Incidents that affect unit readiness and retention.

(4) Other information the FFRDC determines appropriate regarding the effects of such child care on readiness and retention in the covered Armed Forces.

(e) DEFINITIONS.—In this section:

(1) The term “covered Armed Force” means the Army, Navy, Marine Corps, Air Force, or Space Force.

(2) The term “FFRDC” means a federally funded research and development center.

Subtitle F—Dependent Education

SEC. 651. RIGHTS OF PARENTS OF CHILDREN ATTENDING SCHOOLS OPERATED BY THE DEPARTMENT OF DEFENSE EDUCATION ACTIVITY.

Chapter 108 of title 10, United States Code, is amended by inserting after section 2164 the following new section:
§ 2164a. Rights of parents of children attending
schools operated by the Department of De-
fense Education Activity

“(a) In general.—The parent of a child who attends
a school operated by the Department of Defense Education
Activity has the following rights:

“(1) The right to review the curriculum of the
school.

“(2) The right to be informed if the school or De-
partment of Defense Education Activity alters the
school’s academic standards or learning benchmarks.

“(3) The right to meet with each teacher of their
child not less than twice during each school year.

“(4) The right to review the budget, including all
revenues and expenditures, of the school.

“(5) The right to review all instructional mate-
rials and teacher professional development materials
used by the school.

“(6) The right to inspect a list of the books and
other reading materials contained in the library of
the school.

“(7) The right to address the school advisory
committee or the school board.

“(8) The right to information about the school’s
discipline policy and any violent activity in the
school.
“(9) The right to information about any plans to eliminate gifted and talented programs or accelerated coursework at the school.

“(b) DISCLOSURES AND NOTIFICATIONS.—Consistent with the parental rights specified in subsection (a), a school operated by the Department of Defense Education Activity shall—

“(1) post on a publicly accessible website of the school—

“(A) the curriculum for each course and grade level;

“(B) the academic standards or other learning benchmarks used by the school;

“(C) notice of any proposed revisions to such standards or benchmarks and a copy of any such revisions;

“(D) the budget for the school year, including all revenues and expenditures (including expenditures made for items and services provided by private entities); and

“(2) provide the parents of a child attending the school with—

“(A) the opportunity to meet in-person with each teacher of their child not less frequently
than twice during each school year at a time
mutually agreed upon by both parties; and

“(B) notice of such opportunity at the be-

ginning of each school year;

“(3) make all instructional and educator profes-
sional development materials, including teachers’
manuals, films, tapes, books or other reading mate-
rials, or other supplementary materials used in any
survey, analysis, or evaluation, available for inspec-
tion by the parents of children attending the school;

“(4) at the beginning of each school year, provide
parents a list of reading materials in the school li-
brary, including a list of any reading materials that
were added to or removed from the list of materials
from the prior year;

“(5) notify parents in a timely manner of any
plans to eliminate gifted and talented programs or
accelerated coursework at the school;

“(6) except as provided in paragraph (7), notify
parents of any medical examinations or screenings
the school may administer to their child and receive
written consent from parents for any such examina-
tion or screening prior to conducting the examination
or screening;
“(7) in the event of an emergency that requires a medical examination or screening without time for parental notification, promptly notify parents of such examination or screening and, not later than 24 hours after the incident occurs, provide an explanation of the emergency that prevented notification prior to such examination or screening;

“(8) notify parents of any medical information that will be collected on their child, receive written parental consent prior to collecting such information, and provide parents an opportunity to inspect such information at the parent’s request; and

“(9) notify parents of any policy changes involving their reporting obligations under the Family Advocacy Program of the Department of Defense.

“(c) SCHOOL ADVISORY COMMITTEES AND BOARDS.—Not less frequently than four times per year, a school advisory committee or school board for a school operated by the Department of Defense Education Activity shall provide parents of children attending the school with the opportunity to address the advisory committee or school board on any matters relating to the school or the educational services provided to their children.
“(d) DEFINITION.—In this section, the term ‘school operated by the Department of Defense Education Activity’ means—

“(1) a Department of Defense domestic dependent elementary or secondary school, as described in section 2164 of this title; or

“(2) any elementary or secondary school or program for dependents operated by the Department of Defense Education Activity.”.

SEC. 652. CERTAIN ASSISTANCE TO LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MILITARY AND CIVILIAN PERSONNEL.

(a) CONTINUATION OF AUTHORITY TO ASSIST LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.—Of the amount authorized to be appropriated for fiscal year 2024 by section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, $50,000,000 shall be available only for the purpose of providing assistance to local educational agencies under subsection (a) of section 572 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 20 U.S.C. 7703b).
(b) IMPACT AID FOR CHILDREN WITH SEVERE DISABILITIES.—Of the amount authorized to be appropriated for fiscal year 2024 pursuant to section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, $20,000,000 shall be available for payments under section 363 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–77; 20 U.S.C. 7703a).

(c) LOCAL EDUCATIONAL AGENCY DEFINED.—In this section, the term “local educational agency” has the meaning given that term in section 7013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

SEC. 653. VERIFICATION OF REPORTING OF ELIGIBLE FEDERALLY CONNECTED CHILDREN FOR PURPOSES OF FEDERAL IMPACT AID PROGRAMS.

(a) CERTIFICATION.—On an annual basis, each commander of a military installation under the jurisdiction of the Secretary of a military department shall submit to such Secretary a written certification verifying whether the commander has confirmed the information contained in all impact aid source check forms received from local educational agencies as of the date of such certification.

(b) REPORT.—Not later June 30 of each year, each Secretary of a military department shall submit to the con-
gressional defense committees a report, based on the information received under subsection (a), that identifies—

(1) each military installation under the jurisdiction of such Secretary that has confirmed the information contained in all impact aid source check forms received from local educational agencies as of the date of the report; and

(2) each military installation that has not confirmed the information contained in such forms as of such date.

(c) DEFINITIONS.—In this section:


(2) The term “local educational agency” has the meaning given that term section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).
SEC. 654. FINANCIAL LITERACY EDUCATION IN SCHOOLS OPERATED BY THE DEPARTMENT OF DEFENSE EDUCATION ACTIVITY.

(a) In General.—The Secretary of Defense, acting through the Director of the Department of Defense Education Activity, shall require that each student of a high school operated by the Activity complete a dedicated course of instruction in financial literacy as a prerequisite to graduating from such school.

(b) Applicability.—The graduation requirement under subsection (a) shall apply with respect to students of high schools operated by the Department of Defense Education Activity beginning with the cohort of students who enter ninth grade in the first school year that begins one year after the date of the enactment of this Act.

(c) Definitions.—In this section, the term “high school” has the meaning given that term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

SEC. 655. PILOT PROGRAM FOR ROUTINE MENTAL HEALTH CHECK-UPS IN SCHOOLS OPERATED BY THE DEPARTMENT OF DEFENSE EDUCATION ACTIVITY.

(a) Pilot Program Required.—Beginning in the first academic year to begin after the date of the enactment of this Act, the Secretary of Defense shall establish and im-
plement a pilot program (referred to in this section as the “Pilot”) to provide routine mental health check-ups for students in covered DODEA schools.

(b) LOCATIONS.—The Secretary shall carry out the Pilot in not fewer than five covered DODEA schools, one of which shall be located outside the United States.

(c) ACTIVITIES.—Under the Pilot, the Secretary shall—

(1) subject to subsection (e), ensure that students at covered DODEA schools receive routine mental health check-ups, which may include the use of mental health screening tools, such as the Patient Health Questionnaire-2 or the Patient Health Questionnaire-9;

(2) ensure that such mental health check-ups—

(A) consist of biannual or semesterly mental and behavioral health screenings for disorders common in children aged 3-17, including—

(i) an initial virtual screening test for all students; and

(ii) a follow-up screening carried out by a school psychologist or school nurse for students with specific needs identified through the initial screening; and
include questions about a student’s mood and emotional state;

(3) train licensed mental and behavioral health professionals to conduct mental health check-ups, including training in—

(A) recognizing the signs and symptoms of mental illnesses; and

(B) safely de-escalating crises involving individuals with a mental illness;

(4) establish a streamlined diagnosis-to-treatment process, including a comprehensive process through which a student with needs identified through a mental health check-up—

(A) may be referred to certified community behavioral health clinic in the community in which the school is located; and

(B) may receive additional care or treatment through comprehensive school-based services;

(5) mobilize school nurses and counselors to facilitate screening in collaboration with administrators and teachers;

(6) conduct awareness-building educational efforts in conjunction with the screening process;
(7) implement a robust school-based and tele-
health support system (including options for indi-
vidual or group therapy) for students seeking support
after diagnosis; and

(8) make resources available to the communities
surrounding schools for individuals with a mental ill-
ness through a coordinated referral process with local
community-based health clinics and school-based men-
tal health clinics if such school-based mental health
clinics are available and have the capacity and exper-
tise to handle complex mental health situations.

(d) Referral Process Requirements.—

(1) Agreements with Behavioral Health
Clinics.—For purposes of the comprehensive referral
process described in subsection (c)(4), the Secretary of
Defense shall seek to enter into memoranda of under-
standing or other agreements with Federally-funded
community behavioral health clinics in communities
in which covered DODEA schools are located pursu-
ant to which a school may refer students to such a
clinic. The requirement to establish such a referral
process may not be satisfied solely by providing a list
of nearby community behavioral health clinics to par-
ents of students at covered DODEA schools.
(2) EXCEPTION.—In a case in which the Secretary of Defense is unable to meet the requirements of paragraph (1) because there is no Federally-funded community behavioral health clinic in a community in which a covered DODEA school is located, the Secretary of Defense shall develop and make available a comprehensive guide to the mental health resources that are available to students and parents in that community.

(e) STUDENT PRIVACY PROTECTIONS.—In carrying out the Pilot, the Secretary shall ensure that a parent or guardian of a student at a covered DODEA school—

(1) is provided with—

(A) notice that a student may receive a mental health check-up under the Pilot;

(B) an opportunity to opt the student out of any such mental health check-up before it is administered; and

(C) a copy of the results of each mental health check-up for such student; and

(2) gives informed consent before—

(A) the referral of a student to a community-based health clinic as described in subsection (b)(4)(A); or
(B) the disclosure of any information concerning such student to such a clinic.

(f) EVALUATIONS.—Not later than 180 days after commencing the Pilot, and not less frequently than every 180 days thereafter until termination of the Pilot, the Secretary of Defense shall conduct an evaluation of the Pilot, which shall include evaluation of—

(1) Pilot processes; and

(2) student outcomes under the Pilot.

(g) TERMINATION.—The Pilot shall terminate after two academic years.

(h) REPORT.—Not later than one year after termination of the Pilot, 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. The report shall include—

(1) the results of the evaluations conducted under subsection (f);

(2) the recommendation of the Secretary whether to make the Pilot permanent; and

(3) such other information as the Secretary determines appropriate.

(i) DEFINITIONS.—In this section:

(1) The term “certified community behavioral health clinic” means a certified community behav-
ioral health clinic as such term is used in section 223
of the Protecting Access to Medicare Act of 2014 (42

(2) The term “covered DODEA school” means an
elementary school or secondary school—

(A) operated by the Department of Defense
Education Activity within or outside the United
States; and

(B) selected by the Secretary to participate
in the Pilot.

(3) The terms “elementary school” and “sec-
ondary school” have the meanings given those terms
in section 8101 of the Elementary and Secondary

SEC. 656. BRIEFINGS ON IMPLEMENTATION OF UNIVERSAL
PRE-KINDERGARTEN PROGRAMS IN SCHOOLS
OPERATED BY THE DEPARTMENT OF DE-
FENSE EDUCATION ACTIVITY.

(a) QUARTERLY BRIEFINGS REQUIRED.—Not later
than January 30, 2024, and on a quarterly basis thereafter
until December 31, 2029, the Secretary of Defense shall sub-
mit to the committees on Armed Services of the Senate and
the House of Representatives a briefing on the progress of
the Secretary in implementing universal pre-kindergarten
programs in schools operated by the Department of Defense Education Activity.

(b) CONTENTS OF INITIAL BRIEFING.—The initial briefing under subsection (a) shall include—

(1) identification of all locations under the jurisdiction of the Department of Defense at which universal pre-kindergarten programs and child development centers are co-located; and

(2) an estimate of the number of children expected to transfer from child development centers to pre-kindergarten programs as a result of such programs being offered.

(c) CONTENTS OF SUBSEQUENT BRIEFINGS.—Following the initial briefing under subsection (a), each subsequent briefing shall include—

(1) the total anticipated costs of funding universal pre-kindergarten programs in schools operated by the Department of Defense Education Activity;

(2) the estimated differential between the cost of caring for a child in a child development center versus the cost of a child’s participation in a pre-kindergarten program;

(3) the estimated differential between the costs of employing caregivers in child development centers
versus the costs of employing teachers in pre-kindergarten programs;

(4) the child-to-caregiver ratio requirements for child development centers versus the child-to-teacher ratio requirements for pre-kindergarten programs;

(5) a needs assessment of facilities for universal pre-kindergarten programs based on anticipated capacity;

(6) an assessment of the availability of teachers for pre-kindergarten programs; and

(7) an indication of whether, and to what extent, members of the Armed Forces have expressed a preference for enrolling their children in pre-kindergarten programs rather than continuing care for such children in child development centers.

**TITLE VII—HEALTH CARE PROVISIONS**

**Subtitle A—TRICARE and Other Health Benefits**

**SEC. 701. TRICARE DENTAL PLAN FOR THE SELECTED RESERVE.**

Section 1076a of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)—
(i) in the header, by striking “selected reserve and”; and

(ii) by striking “for members of the Selected Reserve of the Ready Reserve and”;

(B) in paragraph (2), in the header, by inserting “Individual Ready” after “other”; and

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

“(5) PLAN FOR SELECTED RESERVE.—A dental benefits plan for members of the Selected Reserve of the Ready Reserve.”;

(2) in subsection (d)—

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

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

“(3) NO-PREMIUM PLAN.—(A) The dental insurance plan established under subsection (a)(5) is a no-premium plan.

“(B) Members enrolled in a no-premium plan may not be charged a premium for benefits provided under the plan.”;

(3) in subsection (e)(2)(A), by striking “a member of the Selected Reserve of the Ready Reserve or”;}
(4) by redesignating subsections (f) through (k)
as subsections (g) through (l), respectively;
(5) by inserting after subsection (e) the following
new subsection (f):
“(f) COPAYMENTS UNDER NO PREMIUM PLANS.—A
member who receives dental care under a no-premium plan
referred to in subsection (d)(3) shall pay no charge for any
care described in subsection (c).”; and
(6) in subsection (i), as redesignated by para-
graph (4), by striking “subsection (k)(2)” and insert-
ing “subsection (l)(2)”.

SEC. 702. EXTENSION OF PERIOD OF ELIGIBILITY FOR
HEALTH BENEFITS UNDER TRICARE RESERVE
SELECT FOR SURVIVORS OF A MEMBER OF
THE SELECTED RESERVE.

Section 1076d(c) of the title 10, United States Code
is amended by striking “six months” and inserting “three
years”.

SEC. 703. CLARIFICATION OF APPLICABILITY OF REQUIRED
MENTAL HEALTH SELF-INITIATED REFERRAL
PROCESS FOR MEMBERS OF THE SELECTED
RESERVE.

Section 1090b(e) of title 10, United States Code, is
amended—
(1) in paragraph (1), in the matter preceding
subparagraph (A), by inserting “described in para-
graph (3)” after “member of the armed forces”; and
(2) by adding at the end the following new para-
graph:
“(3) A member of the armed forces described in
this paragraph is a member on active duty for a pe-
riod of longer than 30 days or a member of the Se-
lected Reserve.”.

**SEC. 704. NON-MEDICAL COUNSELING SERVICES FOR MILI-
TARY FAMILIES.**

Section 1781 of title 10, United States Code, is amend-
ed by adding at the end the following new subsection:
“(d) NON-MEDICAL COUNSELING SERVICES.—(1) In
carrying out its duties under subsection (b), the Office may
coordinate programs and activities for the provision of non-
medical counseling services to military families through the
Department of Defense Military and Family Counseling
Program.
“(2) Notwithstanding any other provision of law, a
mental health professional described in paragraph (3) may
provide non-medical counseling services at any location in
a State, the District of Columbia, or a territory or posses-
sion of the United States, without regard to where the pro-
vider or recipient of such services is located, if the provision
of such services is within the scope of the authorized Federal
duties of the provider.

“(3) A mental health professional described in this sub-
section is a person who is—

“(A) a mental health professional who holds a
current license or certification that is—

“(i) issued by a State, the District of Co-
lumbia, or a territory or possession of the United
States; and

“(ii) recognized by the Secretary of Defense;

“(B) a member of the uniformed services, a civil-
ian employee of the Department of Defense, or a con-
tractor designated by the Secretary; and

“(C) performing authorized duties for the De-
partment of Defense under a program or activity re-
ferred to in paragraph (1).

“(4) In this subsection, the term ‘non-medical coun-
seling services’ means mental health care services that are
non-clinical, short-term and solution focused, and address
topics related to personal growth, development, and positive
functioning.”.
SEC. 705. DOULAS: CERTIFICATION ASSISTANCE FOR MILITARY SPOUSES; EXPANSION OF DEMONSTRATION PROJECT.

(a) Assistance for Military Spouses to Obtain Doula Certifications.—Section 1784a of title 10, United States Code, is amended—

(1) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(2) by inserting after subsection (c) the following new subsection (d):

“(d) DOULA CERTIFICATIONS.—In carrying out the programs authorized by subsection (a), the Secretary shall provide assistance to the spouse of a member of the armed forces described in subsection (b) in obtaining a doula certification provided by an organization that receives reimbursement under the extramedical maternal health providers demonstration project required by section 746 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 1073 note).”.

(b) Expansion of Doula Care Furnished by Department of Defense.—

(Public Law 116–283; 10 U.S.C. 1073 note) is amended—

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

and

(B) by inserting after subsection (d) the following new subsection (e):

“(e) COVERAGE OF DOULA CARE.—Not later than 90 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024, the Secretary shall ensure that the demonstration project includes coverage of labor doula care, or reimbursement for such care, for all beneficiaries under the TRICARE program, including access—

“(1) by members of the Armed Forces on active duty;

“(2) by beneficiaries outside the continental United States; and

“(3) at military medical treatment facilities.”.

(2) HIRING OF DOULAS.—The hiring authority for each military medical treatment facility may hire a team of doulas to work in coordination with lactation support personnel or labor and delivery units at such facility.
SEC. 706. MEDICAL TESTING AND RELATED SERVICES FOR

FIREFIGHTERS OF DEPARTMENT OF DEFENSE.

(a) Provision of Services.—During the annual periodic health assessment of each firefighter of the Department of Defense, or at such other intervals as may be specified in this subsection, the Secretary shall provide to the firefighter (at no cost to the firefighter) appropriate medical testing and related services to detect, document the presence or absence of, and prevent, certain cancers. Such services shall meet, at a minimum, the following criteria:

(1) Breast Cancer.—With respect to the breast cancer screening, if the firefighter is a female firefighter—

(A) such services shall include the provision of a mammogram to the firefighter—

(i) on at least a biannual basis if the firefighter is 40 years old to 49 years old (inclusive);

(ii) on at least an annual basis if the firefighter is at least 50 years old; and

(iii) as clinically indicated (without regard to age); and

(B) in connection with such provision, a licensed radiologist shall review the most recent mammogram provided to the firefighter, as com-
pared to prior mammograms so provided, and
provide to the firefighter the results of such re-
view.

(2) COLON CANCER.—With respect to colon can-
cer screening—

(A) if the firefighter is at least 40 years old,
and as otherwise clinically indicated, such serv-
dices shall include the communication to the fire-
fighter of the risks and benefits of stool-based
blood testing;

(B) if the firefighter is at least 45 years old,
and as clinically indicated (without regard to
age), such services shall include the provision, at
regular intervals, of visual examinations (such
as a colonoscopy, CT colonoscopy, or flexible
sigmoidoscopy) or stool-based blood testing; and

(C) in connection with such provision, a li-
censed physician shall review and provide to the
firefighter the results of such examination or test-
ing, as the case may be.

(3) PROSTATE CANCER.—With respect to prostate
cancer screening, if the firefighter is a male fire-
fighter, the communication to the firefighter of the
risks and benefits of prostate cancer screenings and
the provision to the firefighter of a prostate-specific antigen test—

(A) on an annual basis, if the firefighter is at least 50 years old;

(B) on an annual basis, if the firefighter is at least 40 years old and is a high-risk individual; and

(C) as clinically indicated (without regard to age).

(4) OTHER CANCERS.—Such services shall include routine screenings for any other cancer the risk or occurrence of which the Director of the Centers for Disease Control and Prevention has identified as higher among firefighters than among the general public, the provision of which shall be carried out during the annual periodic health assessment of the firefighter.

(b) OPTIONAL NATURE.—A firefighter of the Department of Defense may opt out of the receipt of a medical testing or related service provided under subsection (a).

(c) USE OF CONSENSUS TECHNICAL STANDARDS.—In providing medical testing and related services under subsection (a), the Secretary shall use consensus technical standards in accordance with section 12(d) of the National

(d) DOCUMENTATION.—

(1) IN GENERAL.—In providing medical testing and related services under subsection (a), the Secretary—

(A) shall document the acceptance rates of such tests offered and the rates of such tests performed;

(B) shall document tests results, to identify trends in the rates of cancer occurrences among firefighters; and

(C) may collect and maintain additional information from the recipients of such tests and other services, to allow for appropriate scientific analysis.

(2) PRIVACY.—In analyzing any information of an individual documented, collected, or maintained under paragraph (1), in addition to complying with other applicable privacy laws, the Secretary shall ensure the name, and any other personally identifiable information, of the individual is removed from such information prior to the analysis.

(3) SHARING WITH CENTERS FOR DISEASE CONTROL AND PREVENTION.—The Secretary may share
data from any tests performed under subsection (a) with the Director of the Centers for Disease Control and Prevention, as appropriate, to increase the knowledge and understanding of cancer occurrences among firefighters.

(e) DEFINITIONS.—In this section:

(1) The term "firefighter" has the meaning given that term in section 707 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1441; 10 U.S.C. 1074m note).

(2) The term "high-risk individual" means an individual who—

(A) has at least one first-degree relative who has been diagnosed with prostate cancer at an early age; or

(B) is otherwise determined by the Secretary to be high risk with respect to prostate cancer.

SEC. 707. TEMPORARY REQUIREMENT FOR CONTRACEPTION COVERAGE PARITY UNDER THE TRICARE PROGRAM.

(a) IN GENERAL.—The Secretary of Defense shall ensure that, during the one-year period beginning on the date that is 30 days after the date of the enactment of the Act,
the imposition or collection of cost-sharing for certain services is prohibited as follows:

(1) PHARMACY BENEFITS PROGRAM.—Notwithstanding subparagraphs (A), (B), and (C), of section 1074g(a)(6) of title 10, United States Code, cost-sharing may not be imposed or collected with respect to any eligible covered beneficiary for any prescription contraceptive on the uniform formulary provided through a retail pharmacy described in section 1074g(a)(2)(E)(ii) of such title or through the national mail-order pharmacy program of the TRICARE Program.

(2) TRICARE SELECT.—Notwithstanding any provision under section 1075 of title 10, United States Code, cost-sharing may not be imposed or collected for a covered service that is provided by a network provider under the TRICARE program to any beneficiary under such section except for—

(A) a member of the Coast Guard; or

(B) an individual who is a beneficiary because such individual is a dependent of a member of the Coast Guard.

(3) TRICARE PRIME.—Notwithstanding subsections (a), (b), and (c) of section 1075a of title 10, United States Code, cost-sharing may not be imposed
or collected for a covered service that is provided under TRICARE Prime to any beneficiary under such section except for—

(A) a member of the Coast Guard; or

(B) an individual who is a beneficiary because such individual is a dependent of a member of the Coast Guard.

(b) DEFINITIONS.—In this section:

(1) The term “covered service” means any method of contraception approved, granted, or cleared by the Food and Drug Administration, any contraceptive care (including with respect to insertion, removal, and follow up), any sterilization procedure, or any patient education or counseling service provided in connection with any such method, care, or procedure.

(2) The term “eligible covered beneficiary” means an eligible covered beneficiary as such term is used in section 1074g of title 10, United States Code except for—

(A) a member of the Coast Guard, National Oceanic and Atmospheric Administration, or Public Health Service; or
(B) an individual who is an eligible covered beneficiary because such individual is a dependent of a member described in subparagraph (A).

(3) The terms “TRICARE Program” and “TRICARE Prime” have the meaning given such terms in section 1072 of title 10, United States Code.

SEC. 708. NALOXONE AND FENTANYL: REGULATIONS; REPORT.

(a) Regulations.—Not later than January 1, 2024, the Secretary of Defense, in coordination with the Secretaries of the military departments shall prescribe regulations regarding naloxone and fentanyl on military installations. Such regulations shall—

(1) ensure that naloxone is available for members of the Armed Forces—

(A) on all military installations; and

(B) in each operational environment; and

(2) establish a standardized tracking system—

(A) for naloxone distributed under paragraph (1); and

(B) of the illegal use of fentanyl and other controlled substances in the military departments.

(b) Report.—Not later than June 1, 2024, the Secretary of Defense shall submit to the Committees on Armed
Services of the Senate and House of Representatives a report regarding naloxone and fentanyl. Such report shall include the following elements:

(1) Progress in the implementation of regulations prescribed under subsection (a).

(2) The prevalence and incidence of the illegal use of fentanyl and other controlled substances in the military departments during the five years preceding the report.

(3) Processes of the military departments to mitigate substance abuse, particularly with regards to fentanyl.

(c) Naloxone Defined.—In this section, the term “naloxone” means naloxone and any other medication used to reverse opioid overdose.

SEC. 709. RATES OF REIMBURSEMENT FOR PROVIDERS OF APPLIED BEHAVIOR ANALYSIS.

(a) In General.—In furnishing applied behavior analysis under the TRICARE program to individuals described in paragraph (2) during the period beginning on the date of the enactment of this Act and ending on December 31, 2024, the Secretary of Defense shall ensure that the reimbursement rates for providers of applied behavior analysis are not less than the rates that were in effect on May 1, 2023.
(b) INDIVIDUALS DESCRIBED.—Individuals described in this paragraph are individuals who are covered beneficiaries by reason of being a member or former member of the Army, Navy, Marine Corps, Air Force, or Space Force, including the reserve components thereof, or a dependent of such a member or former member.

(c) DEFINITIONS.—In this section, the terms “covered beneficiary” and “TRICARE program” have the meaning given those terms in section 1072 of title 10, United States Code.

SEC. 710. DEPARTMENT OF DEFENSE PILOT PROGRAM ON HEALTH EFFECTS OF MEDICAL MARIJUANA USE BY VETERANS.

(a) PILOT PROGRAM.—Not later than 90 days after the date of the enactment of this Act, subject to the availability in advance of appropriations, the Secretary of Defense, in consultation with the Secretary of Veterans Affairs, shall commence the conduct of a pilot program to study the effect of marijuana use by covered individuals with respect to the health outcomes of such individuals (in this section referred to as the “pilot program”).

(b) ACTIVITIES.—Under the pilot program, the Secretary of Defense, in consultation with the Secretary of Veterans Affairs, shall carry out the following activities:
(1) Conducting preclinical research or a clinical investigation pursuant to an investigational new drug exemption under section 505(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(i)), in accordance with a research protocol that has been reviewed and approved under such section with respect to such research or investigation.

(2) Assessing and, subject to the Health Insurance Portability and Accountability Act of 1996 (Public Law 104–191) and other applicable laws regarding privacy, compiling and publishing relevant data collected by State-approved marijuana regulatory programs and made available to the Secretary of Defense.

(3) Such other activities as the Secretary of Defense may determine appropriate for purposes of the pilot program.

(c) LOCATION; RELATIONSHIP TO CERTAIN LAWS.—

(1) LOCATION; RELATIONSHIP TO STATE LAW.—

The pilot program shall be conducted in one or more States with a State-approved marijuana regulatory program, and shall be conducted in accordance with applicable State law with respect to the manufacture, distribution, dispensing, or possession of marijuana,
to the extent such activity occurs as part of such pilot program.

(2) RELATIONSHIP TO CONTROLLED SUBSTANCES ACT.—The Controlled Substances Act (21 U.S.C. 801 et seq.) and Article 112a of the Uniform Code of Military Justice (10 U.S.C. 912a) shall not apply with respect to the manufacture, distribution, dispensing, or possession of marijuana under the pilot program as part of preclinical research or a clinical investigation conducted under subsection (b)(1), to the extent such activity occurs as part of the pilot program and in compliance with Medical Marijuana and Cannabidiol Research Expansion Act (Public Law 117–215).

(3) EFFECT ON OTHER LAWS.—Nothing in this subtitle shall affect or modify—

(A) the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.);

(B) section 351 of the Public Health Service Act (42 U.S.C. 262);

(C) the Medical Marijuana and Cannabidiol Research Expansion Act (Public Law 117–215); or

(D) any authority of the Commissioner of Food and Drugs or the Secretary of Health and
Human Services under a provision of law specified in subparagraphs (A) through (C) (including the authority of the Commissioner or Secretary to promulgate regulations or guidelines relating to the production of hemp under such a provision).

(d) Effect on Other Benefits.—The eligibility or entitlement of a covered individual to any other benefit under the laws administered by the Secretary of Veterans Affairs or any other provision of law shall not be affected by the participation of the covered individual in the pilot program.

(e) Report.—Not later than one year after the date on which the pilot program commences, and annually thereafter for the duration of the pilot program, the Secretary of Defense shall submit to the appropriate congressional committees a report on the conduct of the pilot program.

(f) Termination; Renewal.—

(1) Termination.—Except as provided in paragraph (2), the pilot program shall terminate on the date that is five years after the date on which the pilot program commences.

(2) Renewal.—If the Secretary of Defense determines it appropriate, the Secretary may renew the pilot program for a single additional five-year period.
following the date of termination under paragraph (1).

(g) FUNDING LIMITATION.—Amounts authorized to be made available to the Medicare-Eligible Retiree Health Care Fund established under chapter 56 of title 10, United States Code, are not authorized to be transferred or otherwise made available to carry out the pilot program.

(h) DEFINITIONS.—In this section:

(1) The term “appropriate congressional committees” means—

(A) the Committee on Armed Services and the Committee on Veterans’ Affairs of the House of Representatives; and

(B) the Committee on Armed Services and the Committee on Veterans’ Affairs of the Senate.

(2) The term “covered Armed Force” means the Army, Navy, Marine Corps, Air Force, or Space Force.

(3) The term “covered individual” means any member of a covered Armed Force or veteran diagnosed with post-traumatic stress disorder, depression, or anxiety, or prescribed pain management, by a health professional furnishing care at a facility of the Department of Veterans Affairs or through the Vet-
erans Community Care Program under section 1703 of title 38, United States Code.

(4) The term “marijuana” has the meaning given that term in section 102(16) of the Controlled Substances Act (21 U.S.C. 802(16)).

SEC. 711. PILOT PROGRAM ON CRYOPRESERVATION AND STORAGE OF GAMETES OF CERTAIN MEMBERS OF THE ARMED FORCES.

(a) Establishment.—The Secretary of Defense shall establish a pilot program to reimburse not more than 200 covered members for expenses incurred in the testing, cryopreservation, shipping, and storage of gametes of such covered members in a private storage facility determined appropriate by the Secretary.

(b) Amount of Reimbursement.—A covered member shall receive not more than—

(1) $500 in the case of a member who preserves sperm; and

(2) $7,500 in the case of a member who preserves eggs.

(c) Information to Participants.—The Secretary shall provide to a covered member participating in the pilot program information regarding providers of services described in subsection (a) located near the covered member.

(d) Implementation Schedule.—Not later than—
(1) 30 days after the date of the enactment of this Act, the Secretary shall notify covered members of the pilot program; and

(2) 60 days after the date of the enactment of this Act, the Secretary shall—

(A) submit to the Committees on Armed Services of the Senate and the House of Representatives an implementation plan for the pilot program; and

(B) carry out the pilot program.

(e) No Liability or Contractual Obligation.—The United States shall not be—

(1) considered a party to any agreement between a covered member who participates in the pilot program and a private gamete storage facility; or

(2) responsible for the management of gametes cryopreserved, or stored for which a covered member receives reimbursement under such pilot program.

(f) Advanced Medical Directive.—A covered member who participates in the pilot program shall complete an advanced medical directive that specifies how gametes preserved under the pilot program shall be handled upon the death of such covered member.

(g) Promotion of Pilot Program.—Not later than 30 days after the date of the enactment of this Act, the Sec-
Secretary shall promote the pilot program to covered members in the course of annual health examinations and pre-deployment screenings.

(h) REPORT.—Not later than one year after the Secretary establishes the pilot program, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the pilot program. Such report shall include the following:

(1) Usage by covered members.

(2) Demographics of participating covered members.

(3) Costs of services to participating covered members.

(4) The feasibility of expanding the pilot program.

(5) The feasibility of making the pilot program permanent.

(6) Other information determined appropriate by the Secretary.

(i) TERMINATION.—The pilot program shall terminate one year after the date of the enactment of this Act.

(j) DEFINITIONS.—In this section:

(1) The term “covered member” means a member of a covered Armed Force serving on active duty—
(A) who has received orders (including deployment orders) for duty for which the member may receive hazardous duty pay under section 351 of title 37, United States Code;

(B) whom the Secretary determines is likely to receive such orders in the next 120 days;

(C) who will, under orders, be geographically separated from a spouse, domestic partner, or dating partner for a period exceeding 180 days; or

(D) whose application to participate in the pilot program that the Secretary approves.

(2) The term “covered Armed Forces” means the Army, Navy, Marine Corps, Air Force, or Space Force.

(3) The term “deployment” has the meaning given such term in section 991(b) of title 10, United States Code.

SEC. 712. PSYCHOLOGICAL EVALUATIONS FOR CERTAIN MEMBERS OF THE ARMED FORCES WHO SERVED IN KABUL.

(a) Initial Evaluation.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall provide an initial psychological evaluation to each member of the Armed Forces who—
(1) served at the Hamid Karzai International Airport in Kabul, Afghanistan, between August 15 and August 29, 2021; and

(2) has not already received a psychological evaluation with respect to such service.

(b) ADDITIONAL EVALUATIONS.—The Secretary of Defense shall provide to each member of the Armed Forces who receives a psychological evaluation under subsection (a), or would have received such an evaluation but for the application of subsection (a)(2)—

(1) an additional psychological evaluation not later than two years after the date of the enactment of this Act; and

(2) a second additional psychological evaluation not later than five years after the date of the enactment of this Act.

(c) REPORTING REQUIREMENT.—Not later than 220 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 number of members of the Armed Forces, broken down by component (National Guard, Reserve, and Active), that are eligible for, and receive, an initial psychological evaluation—

(1) under subsection (a); or
(2) otherwise resulting from service at the Hamid Karzai International Airport in Kabul, Afghanistan, between August 15 and August 29, 2021.

**SEC. 713. AUTHORITY TO EXPAND THE TRICARE COMPETITIVE PLANS DEMONSTRATION PROJECT.**

(a) **AUTHORITY.**—To the extent practicable, the Secretary of Defense shall seek to expand the TRICARE Competitive Plans Demonstration Project to not fewer than 10 locations on or after October 1, 2024.

(b) **TRICARE COMPETITIVE PLANS DEMONSTRATION PROJECT DEFINED.**—In this section, the term “TRICARE Competitive Plans Demonstration Project” means the project designed to test the contract acquisition strategy of providing an opportunity for local, regional, and national health plans to participate in the competition for managed care support functions under the TRICARE program, in accordance with section 705(c)(3) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 1073a note).

**Subtitle B—Health Care Administration**

**SEC. 721. CLARIFICATION OF GRADE OF SURGEON GENERAL OF THE NAVY.**

Section 8077 of title 10, United States Code, is amended by adding at the end the following new subsection:
“(c) Grade.—The Surgeon General, while so serving, shall hold the grade of O–9.”.

SEC. 722. CLARIFICATION OF RESPONSIBILITIES REGARDING THE INTEGRATED DISABILITY EVALUATION SYSTEM.

(a) Clarification.—Subsection (h) of section 1073c of title 10, United States Code, is amended—

(1) in the heading, by striking “SECRETARIES CONCERNED AND MEDICAL EVALUATION BOARDS” and inserting “AUTHORITY OVER MEMBERS”;

(2) by inserting “(1)” before “Nothing”; and

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

“(2) Notwithstanding the responsibilities and authorities of the Defense Health Agency with respect to the administration of military medical treatment facilities as set forth in this section (including medical evaluations of members of the armed forces), the Secretary of each military department shall maintain personnel authority over, and responsibility for, any member of the armed forces under the jurisdiction of the military department concerned while the member is being considered by a medical evaluation board or is otherwise subject to the integrated disability evaluation system. Such responsibility shall include the following:
“(A) Responsibility for administering the morale and welfare of the member.

“(B) Responsibility for determinations of fitness for duty of the member under chapter 61 of this title.

“(3) Notwithstanding the responsibilities and authorities of the Defense Health Agency with respect to the administration of the integrated disability evaluation system, a commander shall, at all times, maintain absolute responsibility for, and authority over, a member of the armed forces referred to the integrated disability evaluation system. Such responsibility and authority include the following:

“(A) The authority to pause any process of the integrated disability evaluation system regarding the member.

“(B) The authority to withdraw the member from the integrated disability evaluation system if the commander determines that any policy, procedure, regulation, or other guidance has not been followed in the member’s case.

“(4) Pursuant to regulations prescribed by the Secretary of Defense, a member referred to the integrated disability evaluation system may file an appeal of such referral with the Secretary of the military department concerned. Such an appeal—
“(A) shall be in addition to any appeals process established as part of the integrated disability evaluation system;

“(B) shall include a hearing before an officer who may convene a general court-martial and who is in the chain of command of the member; and

“(C) shall be adjudicated not later than 90 days after such filing.”.

(b) REGULATIONS.—The Secretary of Defense shall prescribe regulations to carry out paragraphs (2) through (4) of such subsection, as added by this section, not later than 90 days after the date of the enactment of this Act.

(c) BRIEFING.—Not later than February 1, 2024, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and House of Representatives a briefing on the implementation of such paragraphs.

SEC. 723. SHARING OF MEDICAL DATA REGARDING MEMBERS OF THE COAST GUARD.

(a) IN GENERAL.—Chapter 55 of title 10, United States Code, is amended by adding at the end the following new section:
§ 1110c. Sharing of medical data regarding members of the Coast Guard

“(a) Sharing of Data.—The Secretary of Defense shall provide, on an annual basis, to the Commandant of the Coast Guard, data regarding medical care—

“(1) provided at military medical treatment facilities established under section 1073c of this title to members of the Coast Guard and beneficiaries of such members; and

“(2) received by members of the Coast Guard and beneficiaries of such members through the TRICARE program.

“(b) Capability and Capacity Reports.—The Secretary of Defense, acting through the Director of the Defense Health Agency, shall provide to the Commandant of the Coast Guard capability and capacity reports regarding members of the Coast Guard, and beneficiaries of such members, who receive treatment at military medical treatment facilities.

“(c) HIPAA Limitation.—None of the information shared under this section shall include personally identifiable information, sensitive patient health information, or information that violates the Health Insurance Portability and Accountability Act of 1996 (Public Law 104–191).”.

(b) Plan; Report.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense...
and the Commandant of the Coast Guard shall develop a
plan to carry out section 1110c of such title, as added by
this section, and submit a report containing such plan to
the appropriate congressional committees.

(c) IMPLEMENTATION DATE.—Not later than one year
after the date of the enactment of this Act, the Secretary
and Commandant shall carry out section 1110c of such
title, as added by this section.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
FINED.—In this section, the term “appropriate congress-
sional committees” means the following:

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

(2) The Committees on Armed Services of the
House of Representatives.

(3) The Committee on Commerce, Science, and
Transportation of the Senate.

(4) The Committee on Transportation and Infra-
structure of the House of Representatives.

SEC. 724. ORGANIZATIONAL FRAMEWORK OF THE MILITARY
HEALTH SYSTEM TO SUPPORT THE MEDICAL
REQUIREMENTS OF THE COMBATANT COM-
MANDS.

(a) DEFENSE HEALTH AGENCY REGIONS IN
CONUS.—Section 712(c) of the John S. McCain National

(1) in paragraph (1)—

(A) in the paragraph heading, by striking “HEALTH AGENCY” and inserting “HEALTH AGENCY”; and

(B) by striking “not more than two”; and

(2) in paragraph (2)(A), by striking “military”.

(b) DEFENSE HEALTH AGENCY REGIONS OCONUS.—

Section 712(d) of such Act (Public Law 115–232; 10 U.S.C. 1073c note) is amended—

(1) in the matter preceding paragraph (1), by striking “not more than two”; and

(2) in paragraph (3), by striking “defense health regions” and inserting “Defense Health Agency regions”.

(c) PLANNING AND COORDINATION.—Section 712(e)(1)(A) of such Act (Public Law 115–232; 10 U.S.C. 1073c note) is amended by striking “defense health region” and inserting “Defense Health Agency region”.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2023.
SEC. 725. MANDATORY TRAINING ON HEALTH EFFECTS OF PERFLUOROALKYL OR POLYFLUOROALKYL SUBSTANCES.

The Secretary of Defense shall provide to each medical provider of the Department of Defense mandatory training with respect to the potential health effects of perfluoroalkyl or polyfluoroalkyl substances.

SEC. 726. ESTABLISHMENT OF MILITARY PHARMACEUTICAL AND MEDICAL DEVICE VULNERABILITY WORKING GROUP.

(a) Establishment.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Chairman of the Joint Chiefs of Staff, the Under Secretary of Defense for Personnel and Readiness, and the Under Secretary of Defense for Acquisition and Sustainment, shall establish a military pharmaceutical and medical device vulnerability working group.

(b) Membership.—Each member of the working group shall be a member of the Armed Forces or a civilian employee of the Department of Defense.

(c) Co-chairs.—The Secretary shall appoint a chair of the working group. The working group shall elect a co-chair from among its members.

(d) Duties.—The duties of the working group shall include the following:
(1) To provide a forum for members of the working group to discuss issues involving access, threats, and vulnerabilities to pharmaceuticals, therapeutics and medical devices in operational environments of the Department.

(2) To assess and catalog the work currently being performed within the Department regarding such access, threats, and vulnerabilities.

(3) To identify current vulnerabilities, including supply chain issues, active pharmaceutical ingredient supplies, device component issues and cyber and electronic threats that may disrupt operations of the Department.

(4) To identify medications necessary for the Department in specific circumstances (such as armed conflict) that are critical for operational readiness in each combatant command.

(5) To develop an annually updated list of pharmaceuticals critical to the Department (including medications identified under paragraph (4)) and related quantities needed to mitigate the risk of supply disruptions for military treatment facilities.

(6) To develop a risk assessment matrix regarding such pharmaceuticals and medical devices to
highlight related risks to missions of the combatant commands and the military health system.

(7) To include any information in the joint medical estimate of the Department or a similar report that highlights information that would be classified as sensitive or requiring a security classification above unclassified.

(8) To develop a plan for the allocation of scarce pharmaceutical resources within the Department during supply chain disruptions and potential conflicts with competitors highlighted in the national defense strategy.

(9) To develop a plan for stockpiling essential medications to ensure availability of a 180-day supply during armed conflict or other supply chain disruptions.

(10) To develop a plan that mitigates vulnerabilities to active pharmaceutical ingredient supply chains and reduces dependence on active pharmaceutical ingredients from foreign sources.

(e) MEETINGS.—The working group shall meet at the call of the chair or cochairs and not less than once per quarter of the calendar year.

(f) BRIEFING AND REPORTS.—
(1) **INITIAL BRIEFING.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives an interim report on the organization, activities, plans, actions and milestones of the working group.

(2) **ANNUAL REPORT.**—Not later than September 30 of each year, beginning in 2025 and ending in 2028, the Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives a report describing the activities, funding, plans, actions, and milestones of the working group, and other matters determined by the Secretary, during the preceding year.

(g) **TERMINATION.**—The working group shall terminate on September 30, 2028.

**SEC. 727. ESTABLISHMENT OF MEDICAL AND SURGICAL CONSUMABLES STANDARDIZATION WORKING GROUP.**

(a) **ESTABLISHMENT.**—Not later than March 1, 2024, the Secretary of Defense shall establish a working group of logistics experts, medical experts, and surgical experts from across the military departments and the Defense Health Agency to standardize the medical and surgical consumable
supplies procured and used within the Department of Defense.

(b) CHAIR.—The Secretary shall appoint an officer in a grade above O-6 to serve as chair of the working group.

(c) DUTIES.—The duties of the working group include the following:

(1) To identify a list of the consumable medical and surgical supplies acquired by the Department, by national item identification number or national stock number.

(2) To identify, of the supplies identified under paragraph (1)—

(A) unique items; and

(B) non-unique items that are functionally interchangeable.

(3) Disaggregate such list by the offeror of the supplies, member of the acquisition workforce (as defined in section 101 of title 10, United States Code) responsible for procurement of the supplies, and the entity or end user of such supplies.

(4) To revise and standardize the catalog for consumable medical and surgical supplies of the Department of Defense, including the elimination unnecessary and duplicate supplies.
(5) To ensure supplies identified under paragraph (1) are provided to the appropriate entity or end user in a regular and timely manner.

(6) To coordinate with the Director of the Defense Logistics Agency to conduct regular stress tests of the surge requirements for such supplies.

(7) To generate methods to encourage health care providers in the Defense Health Agency to procure such supplies through the catalog described in paragraph (4) instead of through other means.

(d) Briefings.—

(1) INTERIM.—Not later than October 1, 2024, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a briefing on the activities of the working group.

(2) FINAL.—Not later than December 31, 2025, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a final briefing on the activities of the working group.

(e) Termination.—The working group shall terminate two years after the date of the enactment of this Act.
SEC. 728. PILOT PROGRAM ON REMOTE HEALTH MONITORING TECHNOLOGIES.

(a) Establishment.—The Secretary of Defense shall carry out a pilot program to furnish, to certain members of the Armed Forces, technologies that offer remote health monitoring.

(b) Requirements for Pilot Program.—The pilot program shall include members—

(1) of special operations forces; and

(2) the Center for Initial Military Training of the Army, including members undergoing—

(A) basic combat training; and

(B) the future soldier preparatory course.

(c) Criteria for Technologies.—Technologies furnished under the pilot program shall—

(1) use facial detection technology; and

(2) provide information on a member’s—

(A) heart rate, including variability;

(B) blood pressure;

(C) blood oxygen saturation level; and

(D) respiratory rate.

(d) Briefing.—Not later than six months after commencing the pilot program, the Secretary shall provide to the congressional defense committees a briefing on the pilot program, including—

(1) an explanation of—
(A) the types of technologies considered for the pilot program;

(B) the success of the pilot program in increasing awareness of the physical and mental health of members furnished such technologies; and

(C) any potential barriers to the expansion of the pilot program; and

(2) recommendations for how the Secretary may use readily available remote health monitoring technologies to enhance physical and mental health awareness of members of the Armed Forces.

(e) TERMINATION.—The pilot program shall terminate five years after the date of the enactment of this Act.

SEC. 729. TASK FORCE OF DEPARTMENT OF DEFENSE ON MENTAL HEALTH.

(a) Establishment.—The Secretary of Defense shall establish a task force to examine matters relating to the mental health of members of the Armed Forces (in this section referred to as the “task force”).

(b) Membership.—

(1) Qualifications.—The Secretary of Defense shall appoint to the task force individuals who have demonstrated expertise in the following areas:

(A) National mental health policy.
(B) Military personnel policy.

(C) Research in the field of mental health.

(D) Clinical care in mental health.

(E) Military chaplain or pastoral care.

(2) NUMBER; COMPOSITION.—The Secretary of Defense shall appoint not more than 15 individuals to the task force in accordance with the following:

(A) DEPARTMENT OF DEFENSE APPOINTEES.—The appointees shall include—

(i) at least one member of each of the Army, Navy, Air Force, Marine Corps, and the National Guard;

(ii) at least one surgeon general of an Armed Force; and

(iii) at least one dependent of a member of the Armed Forces who has experience working with military families.

(B) NON-DEPARTMENT OF DEFENSE APPOINTEES.—Not fewer than 7 of the appointees shall be individuals who are not members of the Armed Forces, civilian employees of the Department of Defense, or dependents of such members, and shall include—

(i) an officer or employee of the Department of Veterans Affairs; and
(ii) an officer or employee of the Substance Abuse and Mental Health Services Administration of the Department of Health and Human Services.

(C) DEADLINE.—The Secretary of Defense shall appoint all members by not later than 90 days after the date of the enactment of this Act.

(D) CO-CHAIRS.—There shall be two co-chairs of the task force, of whom—

(i) one shall be designated by the Secretary at the time of appointment from among the individuals appointed under subparagraph (A); and

(ii) one shall be selected from among the members appointed under subparagraph (B) by the members so appointed.

(c) ASSESSMENT AND RECOMMENDATIONS ON MENTAL HEALTH SERVICES.—

(1) REPORT.—Not later than one year after the date on which all members of the task force have been appointed, the task force shall submit to the Secretary of Defense a report containing an assessment of, and recommendations for improving, the efficacy of mental health services provided to members of the Armed Forces by the Secretary of Defense.
(2) Use of other efforts.—In preparing the report under paragraph (1), the task force shall take into consideration completed and ongoing efforts by the Secretary of Defense and the Secretary of Veterans Affairs to improve the efficacy of mental health care provided to members of the Armed Forces.

(3) Elements.—The assessment and recommendations specified in paragraph (1) (including recommendations for legislative or administrative action) shall include measures to improve the following:

(A) The awareness of the potential for mental health conditions of members of the Armed Forces.

(B) The access to, and efficacy of, existing programs (include telehealth programs) in primary care and mental health care to prevent, identify, and treat mental health conditions of members of the Armed Forces, including programs for—

(i) forward-deployed troops;

(ii) members of the reserve components;

and

(iii) members assigned to remote or austere duty locations.
(C) The access to adequate telehealth resources including for members described in subparagraph (B), including access to equipment, bandwidth, and platforms used to deliver care.

(D) The assessment of disruptions to mental health care as a result of frequent changes to eligibility and coverage for members of the National Guard under the TRICARE program, as well as potential benefits of more consistent care.

(E) Analysis of the potential effect on access and outcomes for members serving on active duty as a result of proposed cuts to military end strengths regarding members with medical military occupational specialties.

(F) The access to and programs for family members of members of the Armed Forces, including family members overseas.

(G) Access to, and quality of, private mental health care received by members of the Armed Forces through the TRICARE program.

(H) The reduction or elimination of barriers to care, including the stigma associated with mental health conditions, by measures including enhanced confidentiality for members of
the Armed Forces who seek care for such conditions.

(I) The awareness of mental health services available to dependents of members of the Armed Forces.

(J) The adequacy of outreach, education, and support programs on mental health matters for families of members of the Armed Forces.

(K) The early identification and treatment of mental health and substance abuse problems through the use of internal mass media communications (including radio, and television, social media) and other education tools to change attitudes within the Armed Forces regarding mental health and substance abuse treatment.

(L) The transition from mental health care furnished by the Secretary of Defense to such care furnished by the Secretary of Veterans Affairs.

(M) The availability of long-term follow-up and access to care for mental health conditions for members of the Individual Ready Reserve and the Selected Reserve and for discharged, separated, or retired members of the Armed Forces.
(N) Collaboration between the heads of elements of the Department of Defense with responsibility for, or jurisdiction over, the provision of mental health services.

(O) Coordination between the Secretary of Defense and civilian communities, including State, local, Tribal, and territorial governments, and local support organizations, with respect to mental health services.

(P) Coordination between the Secretary of Defense and the heads of relevant Federal stakeholders, including the Assistant Secretary for Mental Health and Substance Use, the Director of the National Institutes of Health, and the Director of the Centers for Disease Control and Prevention.

(Q) The scope and efficacy of curricula and training on mental health matters for commanders in the Armed Forces.

(R) The efficiency and effectiveness of pre- and post-deployment mental health screenings, including mental health screenings for members of the Armed Forces.

(S) The effectiveness of mental health programs provided in languages other than English.
(T) Tracking the use of behavioral health services and related outcomes, including wait times, continuity of care, symptom resolution, and maintenance of improvements resulting from treatment.

(U) Other matters the task force determines appropriate.

(d) ADMINISTRATIVE MATTERS.—

(1) COMPENSATION.—

(A) Members of the Armed Forces; United States Government Employees.— Each member of the task force who is a member of the Armed Forces or a civilian officer or employee of the United States Government shall serve without compensation (other than compensation to which entitled as a member of the Armed Forces or an officer or employee of the United States Government, as the case may be).

(B) Other Members.—Any member of the task force not described in subparagraph (A) shall be treated for purposes of section 3161 of title 5, United States Code, as having been appointed under subsection (b) of such section.
(2) **OVERSIGHT.**—The Under Secretary of Defense for Personnel and Readiness shall oversee the activities of the task force.

(3) **ADMINISTRATIVE SUPPORT.**—The Director of the Washington Headquarters Services of the Department of Defense shall provide the task force with personnel, facilities, and other administrative support as necessary for the performance of the duties of the task force.

(4) **ACCESS TO FACILITIES.**—The Under Secretary of Defense for Personnel and Readiness, in coordination with the Secretaries of the military departments, shall ensure appropriate access by the task force to military installations and facilities for purposes of the discharge of the duties of the task force.

(e) **TERMINATION.**—The task force shall terminate 90 days after the date on which the Secretary submits to the appropriate congressional committees the report of the task force under subsection (c)(1).

(f) **PLAN OF THE SECRETARY.**—Not later than 180 days after receiving the report of the task force under subsection (c)(1), the Secretary of Defense shall develop a plan based on the recommendations of the task force and submit such plan to the congressional defense committees.
(g) Reports by the Secretary.—For each of the five years following the receipt of the report of the task force under subsection (c)(1), the Secretary of Defense shall submit to the congressional defense committees a report on the recommendations made by the task force with respect to the Department of Defense. Each such report shall include—

(1) for each such recommendation, the determination of the Secretary of Defense as to whether to implement the recommendation;

(2) in the case of a recommendation the Secretary intends to implement, the intended timeline for implementation, a description of any additional resources or authorities required for such implementation, and the plan for such implementation;

(3) in the case of a recommendation the Secretary determines is not advisable or feasible, the analysis and justification of the Secretary in making that determination; and

(4) in the case of a recommendation the Secretary determines is already being implemented, the analysis and justification of the Secretary in making that determination.

(h) Briefings by the Secretary.—Not less frequently than annually during the five-year period following the receipt of the report of the task force under subsection
(c)(1), the Secretary of Defense shall provide to the congres-
sional defense committees a briefing on—

(1) the progress of the Secretary of Defense in
analyzing and implementing the recommendations
made by the task force;

(2) any programs, projects, or other activities of
the Department of Defense that are being carried out
to implement such recommendations; and

(3) the amount of funding provided for such pro-
grams, projects, and activities.

(i) Appropriate Congressional Committees De-
fined.—In this section, the term “appropriate congres-
sional committees” means—

(1) the Committee on Armed Services and the
Committee on Veterans’ Affairs of the House of Rep-
resentatives; and

(2) the Committee on Armed Services and the
Committee on Veterans’ Affairs of the Senate.

SEC. 730. DISCLOSURES BY ENTITIES RECEIVING GRANTS

THE SECRETARY OF DEFENSE FOR BIO-
MEDICAL RESEARCH.

Any entity that receives a grant from the Secretary
of Defense for biomedical research shall—

(1) disclose to the Secretary each corporate par-
ent, affiliate, and subsidiary of such entity; and
(2) certify to the Secretary that such entity does not receive funding from—

(A) the Chinese Communist Party;

(B) a company included in the non-SDN Chinese military-industrial complex companies list maintained by the Secretary of the Treasury; or

(C) an entity on the sanctions list of the Office of Foreign Assets Control of the Department of the Treasury.

Subtitle C—Studies and Reports

SEC. 741. AMENDMENTS TO REPORT ON BEHAVIORAL HEALTH WORKFORCE OF THE DEPARTMENT OF DEFENSE.

Section 737 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) is amended as follows:

(1) In subsection (c)(1)—

(A) by redesignating subparagraph (H) as subparagraph (M); and

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

“(H) The number of behavioral health providers performing active duty who are permanently assigned to positions outside of their field
of training (including command, recruitment or training, and staff assignments).

“(I) The extent to which collateral duties affect the ability of behavioral health providers described in subparagraph (H) to provide care.

“(J) The number of civilian behavioral health providers with collateral administrative duties, and the extent to which such duties affect such providers’ ability to provide care.

“(K) The effects of preventing behavioral health providers from serving in positions relevant to their fields.

“(L) An analysis of how a full-time equivalent is calculated and the feasibility of standardizing the calculation within and across the Armed Forces.”.

(2) In subsection (e), by adding at the end the following new paragraph:

“(11) The term ‘behavioral health provider’ includes a—

“(A) licensed independent clinical social worker;

“(B) psychologist;

“(C) licensed mental health counselor;
“(D) licensed marriage and family therapist;

“(E) psychiatric nurse mental health clinical specialist; or

“(F) psychiatrist.”

SEC. 742. COMPREHENSIVE STRATEGY ON FORCE RESILIENCE OF THE DEPARTMENT OF DEFENSE.

(a) Establishment.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives and publish a comprehensive strategy on force resilience that provides a proactive, intentional approach to holistic health within the Total Force Fitness framework of the Department of Defense. Such strategy shall include the following:

(1) Priorities and objectives determined by the Secretary.

(2) Assessments of the effectiveness of current models, focusing on models that are data-driven and evidence-based.

embedded health care and support professional in high-risk units.

(4) Provision of care in all health domains.

(5) A reevaluation of operational requirements to ensure that embedded positions are appropriately billeted, funded, trained, and deployable (if deemed necessary).

(6) Participation of the prevention workforce of the Department.

(b) IMPLEMENTATION.—Not later than 90 days after publishing the strategy under subsection (a), the Secretary shall implement such strategy.

(c) REPORTS.—The Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives a report not less than once each year on the progress of the implementation of the strategy until the Secretary determines all objectives of the strategy have been achieved. Each such report shall include the following:

(1) Challenges or barriers to implementation of the strategy.

(2) An assessment of the effectiveness of the embedded health care professionals and support professionals.

(3) Improvements to the strategy implemented by the Secretary.
(d) DEFINITIONS.—In this section:

(1) The term “covered Armed Force” means the Army, Navy, Marine Corps, Air Force, or Space Force.

(2) The term “health care professional” includes a psychiatrist, psychologist, licensed clinical social worker, nurse practitioner, or mental health technician.

(3) The term “high-risk unit” means a unit of a covered Armed Force that the Secretary of the military department concerned determines is exposed to high levels of stress, trauma, and operational tempo, and is more likely to experience negative health outcomes.

(4) The term “support professional” means trained a professional in a field that immediately supports force resilience, such as a chaplain, nutritionist, or financial counselor.

SEC. 743. STUDY ON NON-CLINICAL MENTAL HEALTH SERVICES OF THE DEPARTMENT OF DEFENSE.

(a) STUDY REQUIRED.—The Secretary of Defense, in coordination with the Secretaries of the military departments, shall conduct a study regarding the following:

(1) How NCMH programs (including the Military and Family Life Counseling Program), are im-
implemented throughout the Department of Defense, including distribution of NCMH professionals.

(2) The differences in roles and responsibilities between NCMH professionals and clinical mental health professionals.

(3) How the effectiveness of NCMH professionals and NCMH programs are measured.

(4) The processes by which NCMH professionals—

(A) track services they provide;
(B) refer and track such referrals to clinical mental health professionals, chaplains, and other service providers; and
(C) ease the transition for such a referral to ensure a treatment plan continues smoothly.

(5) The costs to the United States of NCMH programs of the Department during the calendar years 2019 through 2023.

(6) The outcomes of NCMH programs.

(7) Recommendations for the future of NCMH programs.

(b) REPORT.—Not later than June 1, 2024, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report containing the results of the study under this section.
(c) NCMH Defined.—The term “NCMH” means non-clinical mental health.

SEC. 744. CLINICAL STUDY ON TREATMENT OF CERTAIN MEMBERS WITH CERTAIN CONDITIONS USING CERTAIN PSYCHEDELIC SUBSTANCES.

(a) Establishment.—Not later than 90 days after the date of enactment of this Act, the Secretary of Defense shall carry out a clinical study in military treatment facilities on the treatment of members of the covered Armed Forces serving on active duty with a covered condition using covered psychedelic substances.

(b) Report Required.—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 House of Representatives and the Senate a report on the results of the clinical study. The report shall include the following:

(1) The number of members of the covered Armed Forces who participated in the clinical study.

(2) The findings of such clinical study.

(c) Definitions.—In this section:

(1) The term “covered Armed Force” means the Army, Navy, Marine Corps, Air Force, or Space Force.

(2) The term “covered condition” means any of the following:
(A) Post-traumatic stress.

(B) Traumatic brain injury.

(C) Chronic traumatic encephalopathy.

(3) The term “covered psychedelic substances” means any of the following:

(A) 3,4-methylenedioxy-methamphetamine (commonly known as “MDMA”).

(B) Psilocybin.

(C) Ibogaine.

(D) 5-Methoxy-N,N-dimethyltryptamine (commonly known as “DMT”).

SEC. 745. STUDY ON OPIOID ALTERNATIVES.

(a) Establishment.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall carry out a study in military treatment facilities on the efficacy of opioid alternatives for pain management.

(b) Report.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the results of the study under this section. Such report shall include recommendations of the Secretary regarding the use of opioid alternatives in military treatment facilities.

(c) Opioid Alternative Defined.—In this section, the term “opioid alternative” includes the following:

...
(1) Cryotherapy.
(2) Hyperbaric oxygen therapy.
(3) Sensory deprivation.

SEC. 746. REPORT ON OVERDOSES BY MEMBERS OF CERTAIN ARMED FORCES.

(a) Annual Report on Military Overdoses.—

(1) In General.—Not later than one year after the date of the enactment of this Act, and annually thereafter for four subsequent years, the Secretary of Defense shall submit to the appropriate congressional committees a report on the number of annual overdoses among members of the covered Armed Forces.

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

(A) The total number of such members who suffered a fatal overdose during the previous calendar year, including—

(i) demographic information, including gender, race, age, military department, rank, grade, station, and number of previous deployments;

(ii) the location of the fatal overdose, including whether the overdose was on a military installation; and
(iii) a list of the substances involved in
the fatal overdose.

(B) Of the members identified under sub-
paragraph (A)—

(i) the number of members who pre-
viously had a non-fatal overdose;

(ii) the number of members who re-
ceived mental health or substance use dis-
order services prior to a fatal or non-fatal
overdose, including a description of whether
such services were received from a private
sector provider;

(iii) the number of members with co-
morbid mental health diagnoses;

(iv) the number of members who had
been prescribed opioids, benzodiazepines, or
stimulants;

(v) the number of members who were
previously prescribed or provided naloxone;

(vi) the number of members who had a
positive drug test prior to the fatal overdose,
including any substance identified in such
test;

(vii) the number of members referred,
including by self-referral, to medical treat-
ment, including medication treatment for opioid use disorder;

(viii) with respect to each members identified in clause (vii), whether the members was referred after a positive drug test and the source of such referral;

(ix) of the members identified in clause (vii), the number of members who engaged in such medical treatment; and

(x) the number of members who suffered a fatal overdose in which a bystander was present.

(C) The total number of such members who suffered a non-fatal overdose during the previous calendar year, including—

(i) demographic information, including gender, race, age, military department, rank, grade, station, and number of previous deployments;

(ii) a list of the substances involved in the non-fatal overdose; and

(iii) a determination of whether the non-fatal overdose was intentional.

(D) Of the members identified in subparagraph (C)—
(i) the number of members who previously had a non-fatal overdose;

(ii) the number of members who received mental health or substance use disorder services prior to a non-fatal overdose;

(iii) the number of members with co-morbid mental health diagnoses prior to a non-fatal overdose;

(iv) the number of members who had been prescribed opioids, benzodiazepines, or stimulants prior to a non-fatal overdose;

(v) the number of members who had a positive drug test prior to the fatal overdose, including any substance identified in such test;

(vi) the number of members who suffered a non-fatal overdose in which a bystander was present;

(vii) the number of members who had been categorized as high risk and prescribed or provided naloxone prior to a non-fatal overdose;

(viii) the number of members who suffered a non-fatal overdose in which naloxone was administered;
(ix) the number of members referred to medical treatment, including medication treatment for opioid use disorder, following a non-fatal overdose;

(x) of the members identified in clause (ix), the number of members who engaged in such medical treatment;

(xi) the number of members referred, including by self-referral, to medical treatment, including medication treatment for opioid use disorder;

(xii) with respect to each members identified in clause (xi), whether the members was referred after a positive drug test and the source of such referral;

(xiii) of the members identified in clause (xi), the number of members who engaged in such medical treatment; and

(xiv) the number of intentional overdoses.

(E) An analysis of discernable patterns in fatal and non-fatal overdoses of such members, and existing or anticipated responses to such patterns by the Secretary of Defense.
(F) A description of existing or anticipated response efforts to fatal and non-fatal overdoses at military bases that have rates of fatal overdoses that exceed the average rate of fatal overdoses in the United States.

(G) The number of such members who are in recovery or currently taking a prescription medication for opioid use disorder.

(H) The number of military family members of such members who receive substance use disorder treatment at a medical facility of the Department of Defense.

(I) An assessment of the availability of substance use disorder treatment for such members who—

(i) transferred military bases; or

(ii) returned to the United States following an overseas tour.

(J) The number of medical facilities of, or affiliated with, the Department of Defense that have opioid treatment programs.

(K) A description of punitive measures taken by the Secretary of Defense in response to substance misuse, substance use disorder, or overdose by such members.
(L) The number of military family members
who live on a military base who suffered a fatal
or non-fatal overdose during the previous cal-
endar year, including—

(i) demographic information, includ-
ing gender, race, age, and relationship to a
members;

(ii) the location of the overdose;

(iii) a list of the substances involved in
the overdose; and

(iv) a determination of whether the
overdose was intentional.

(3) Reporting on fewer than five mem-
bers.—If the number of such members or military
family members identified under any subparagraph
of paragraph (2) is fewer than five, the Secretary of
Defense shall for, such subparagraph—

(A) not report the exact number of such
members or military family members identified;

and

(B) report that fewer than five such mem-
ers or military family members were identified.

(4) Privacy.—Nothing in this section shall be
construed to authorize the disclosure by the Secretary
of Defense of personally identifiable information of
such members or military family members, including anonymized personal information that could be used to re-identify such members or military family members.

(b) DEFINITIONS.—In this section:

(1) The term “appropriate congressional committees” means—

(A) the congressional defense 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.

(2) The term “covered Armed Force” means the Army, Navy, Marine Corps, Air Force, or Space Force.

(3) The term “military family member” means a family member of a member of a covered Armed Force, including a spouse, parent, dependent, child, or guardian of a child of such a member.

SEC. 747. FEASIBILITY REPORT REGARDING DHA EMPLOYMENT OF CERTAIN MENTAL HEALTH PROVIDERS AWAITING LICENSURE.

(a) REPORT REQUIRED.—Not later than September 30, 2024, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Rep-
resentatives a report on the feasibility of revising policies of DHA regarding the supervision of covered mental health employees in order to align with the policies set forth in VHA Directive 1027 of the Veterans Health Administration (dated October 23, 2019). In determining such feasibility, the Secretary shall consider issues including the following:

(1) The need to employ covered mental health employees in DHA.

(2) The capacity of licensed mental health professionals employed in DHA to supervise covered mental health employees.

(3) The effects of such alignment on access by members of the Armed Forces to mental health care.

(4) The potential risks and costs to the United States of such alignment.

(5) Any statutory or regulatory changes necessary for such alignment.

(b) DEFINITIONS.—In this section:

(1) The term “covered mental health employee” means an individual—

(A) employed by the Defense Health Agency as a psychologist, social worker, professional mental health counselor, or marriage and family therapist; and
(B) who has yet to be licensed in such profession by a State.

(2) The term “DHA” means the Defense Health Agency.

(3) The term “State” has the meaning given such term in section 901 of title 32, United States Code.

SEC. 748. STUDY ON HEALTH CARE AVAILABLE TO INDIVIDUALS SUPPORTING THE MISSIONS OF UNITED STATES FORCES, JAPAN, AND JOINT REGION MARIANAS.

(a) Study Required.—The Commander, United States Indo-Pacific Command, shall conduct a study to determine whether health care services available to covered individuals is sufficient to support—

(1) the missions of United States Forces, Japan, and Joint Region Marianas; and

(2) the National Defense Strategy.

(b) Elements.—The study under this section shall include the following elements:

(1) With regards to health care services furnished through the military health system to covered individuals, an assessment of—

(A) the sufficiency of such services; and

(B) challenges to such services.
(2) A assessment of the availability of health care services to covered individuals, including—

(A) the sufficiency of such services; and

(B) challenges to such services.

(3) A mission risk assessment for United States Forces, Japan, and Joint Region Marianas if health care services furnished through the military health system were available in the following scenarios:

(A) To members, civilian employees of the Department of Defense, and dependents of such members and employees, only.

(B) To covered individuals on a space-available basis, pursuant to the policy memorandum of the Defense Health Agency dated March 1, 2023.

(C) To all covered individuals.

(4) A mission cost analysis based on the risk assessment under paragraph (3).

(5) Recommendations of the Commander regarding the assessment under paragraph (3) and the analysis under paragraph (4), including a recommendation regarding which scenario in paragraph (3) best supports the National Defense Strategy for the areas of responsibility of United States Forces, Japan, and Joint Region Marianas.
(c) BRIEFINGS; REPORT.—The Commander, in coordination with the Assistant Secretary of Defense for Health Affairs, shall submit to the Committees on Armed Services of the Senate and House of Representatives—

(1) an interim briefing on the study not later than 60 days after the date of the enactment of this Act;

(2) a final briefing not later than one year after the date of the enactment of this Act; and

(3) a final report not later than one year after the date of the enactment of this Act, including recommendations regarding legislation or funding to improve care services furnished through the military health system to covered individuals.

(d) DEFINITIONS.—In this section:

(1) The term “covered individual” means an individual who supports the mission of United States Forces, Japan, or Joint Region Marianas, including—

(A) a member of the Armed Forces;

(B) an employee of the Federal Government;

(C) a dependent of a member described in subparagraph (B) or an employee described in subparagraph (C); or
(D) an employee of an entity that has entered into an agreement with the United States.

(2) The term “health care services” includes such health care services furnished—

(A) through the military health system; and

(B) by a source not described in subparagraph (A).

SEC. 749. UNITED STATES-ISRAEL PTSD COLLABORATIVE RESEARCH.

(a) Grant Program for Increased Cooperation on Post-traumatic Stress Disorder Research Between United States and Israel.—

(1) Sense of Congress.—It is the sense of Congress that the Secretary of Defense, acting through the Psychological Health and Traumatic Brain Injury Research Program, should seek to explore scientific collaboration between American academic institutions and nonprofit research entities, and Israeli institutions with expertise in researching, diagnosing, and treating post-traumatic stress disorder.

(2) Grant Program.—The Secretary of Defense, in coordination with the Secretary of Veterans Affairs and the Secretary of State, shall award grants to eligible entities to carry out collaborative research between the United States and Israel with respect to
post-traumatic stress disorders. The Secretary of De-
Fense shall carry out the grant program under this
subsection in accordance with the agreement titled
“Agreement Between the Government of the United
States of America and the Government of Israel on
the United States-Israel Binational Science Founda-
tion”, dated September 27, 1972.

(3) ELIGIBLE ENTITIES.—To be eligible to re-
ceive a grant under this subsection, an entity shall be
an academic institution or a nonprofit entity located
in the United States.

(4) AWARD.—The Secretary shall award grants
under this subsection to eligible entities that—

(A) carry out a research project that—

(i) addresses a requirement in the area
of post-traumatic stress disorders that the
Secretary determines appropriate to re-
search using such grant; and

(ii) is conducted by the eligible entity
and an entity in Israel under a joint re-
search agreement; and

(B) meet such other criteria that the Sec-
retary may establish.

(5) APPLICATION.—To be eligible to receive a
grant under this subsection, an eligible entity shall
submit an application to the Secretary at such time, in such manner, and containing such commitments and information as the Secretary may require.

(6) **Gift Authority.**—The Secretary may accept, hold, and administer, any gift of money made on the condition that the gift be used for the purpose of the grant program under this subsection. Such gifts of money accepted under this paragraph shall be deposited in the Treasury in the Department of Defense General Gift Fund and shall be available, subject to appropriation, without fiscal year limitation.

(7) **Reports.**—Not later than 180 days after the date on which an eligible entity completes a research project using a grant under this subsection, the Secretary shall submit to Congress a report that contains—

(A) a description of how the eligible entity used the grant; and

(B) an evaluation of the level of success of the research project.

(b) **Termination.**—The authority to award grants under subsection (a) shall terminate on the date that is seven years after the date on which the first such grant is awarded.
SEC. 750. FEASIBILITY STUDY ON CREATION OF CENTERS
OF EXCELLENCE IN UKRAINE FOR TREATMENT OF TRAUMATIC BRAIN INJURIES AND
TRAUMATIC EXTREMITY INJURIES.

The Secretary of Defense shall conduct a feasibility study to—

(1) determine whether opportunities exist for the head of the center of excellence established under section 723 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (38 U.S.C. 7327 note) to collaborate with an appropriate counterpart from the Government of Ukraine to establish a center of excellence of Ukraine for the treatment of traumatic extremity injury in Ukraine with the purpose of providing for the mitigation, treatment, and rehabilitation of traumatic extremity injuries and amputations experienced in Ukraine as a result of Russian aggression; and

(2) determine whether opportunities exist for the head of the center of excellence established under section 1621 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 453; 10 U.S.C. 1071 note) to collaborate with an appropriate counterpart from the Government of Ukraine to establish a center of excellence of Ukraine
for the treatment of traumatic brain injury in Ukraine with the purpose of—

(A) improving the lives of individuals affected by traumatic brain injury experienced in Ukraine as a result of Russian aggression and improving the lives of the family members of any such individual; and

(B) collaborating with such individuals, such family members, referring providers, and relevant researchers to provide to such individuals, to the extent possible—

(i) a point of entry into the health care system;

(ii) a clear path through diagnosis, treatment, and reintegration, with respect to traumatic brain injury; and

(iii) consistent access to high quality treatment, research, and education, with respect to traumatic brain injury.

SEC. 751. TESTOSTERONE LEVELS AMONG MEMBERS OF SPECIAL FORCES OF THE ARMY: STUDY; REPORT.

(a) STUDY.—The Under Secretary of Defense for Personnel and Readiness shall conduct a five-year study, begin-
ning in fiscal year 2024, with respect to the following elements:

(1) Whether members of special forces of the Army at entry to the qualification course have higher levels of testosterone than the average male civilian for that age group.

(2) The effects of special forces training and deployments on levels of testosterone of such members.

(3) The quality of testing for decreased testosterone levels among such members, and whether testing should be conducted at later times of the day to more accurately reflect testosterone levels.

(4) Assistance offered to prevent and treat decreasing testosterone levels among such members.

(5) The impacts of decreased testosterone levels on readiness of such members.

(6) The impacts of decreased testosterone levels on the long-term health of such members.

(7) Anything the Under Secretary determines appropriate.

(b) REPORTS.—

(1) INTERIM REPORT.—Not later than one year after the date of the enactment of this Act, the Under Secretary shall submit to the congressional defense committees an interim report on the study under sub-
section (a), including recommendations of the Under Secretary regarding—

(A) the appropriateness of conducting a pilot program to provide testosterone replacement therapy to such members; and

(B) providing natural remedies to such members to prevent testosterone loss, including personalized meal plans, exercise plans, sleep recommendations, and actions to improve bone density and red blood count.

(2) Final Report.—Not later than one year after completing the study under subsection (a), the Under Secretary shall submit to the congressional defense committees a final report regarding such study.

(3) Form.—A report under this subsection shall be submitted in an unclassified form, but may include a classified annex.

SEC. 752. GAO REPORT ON TRICARE PAYMENTS TO BEHAVIORAL HEALTH PROFESSIONALS.

(a) Report Required.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committees on Armed Services of the House of Representatives and the Senate the results of a study on TRICARE payments to TRICARE network behavioral professionals.
(b) ELEMENTS.—The study shall include a comprehensive analysis of the following elements:

   (1) The timeliness of such payments.
   (2) The accuracy of such payments.
   (3) The extent to which contractors comply with section 6.2.1 of the TRICARE Operations Manual.
   (4) Areas of improvement that would enhance and improve the administrative process of such payments.

TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS
Subtitle A—Acquisition Policy and Management
SEC. 801. COMMERCIAL NATURE DETERMINATION MEMO AVAILABLE TO CONTRACTOR.

   Section 3456(b)(2) of title 10, United States Code, is amended by adding at the end the following: “Upon the request of the contractor offering the product or service for which such determination is summarized in such memorandum, the contracting officer shall provide to such contractor a copy of such memorandum.”.
SEC. 802. PROHIBITION ON THE TRANSFER OF CERTAIN DATA ON EMPLOYEES OF THE DEPARTMENT OF DEFENSE TO THIRD PARTIES.

(a) In General.—Chapter 363 of title 10, United States Code, United States Code, is amended by adding at the end the following new section:

"§ 4662. Prohibition on the transfer of certain data on employees of the Department of Defense to third parties

"(a) In General.—Each contract entered into by the Department of Defense on or after the date of the enactment of this section shall include a provision prohibiting the contractor and each subcontractor under such contract from selling, licensing, or otherwise transferring covered individually identifiable Department employee data to any individual or entity other than the Federal Government, except to the extent required to perform under such contract or a subcontract under such contract.

"(b) Waiver.—The Secretary of Defense may waive subsection (a) with respect to a sale, licensing, or other transfer of covered individually identifiable Department employee data if the Secretary determines that such waiver is appropriate.

"(c) Definitions.—In this section:

"(1) Covered individually identifiable Department employee data.—The term ‘covered indi-
vidually identifiable Department employee data’
means individually identifiable Department employee
data obtained by—

“(A) a contractor pursuant to the perform-
ance of a contract described in subsection (a) by
such contractor; or

“(B) a subcontractor pursuant to the per-
formance of a subcontract under such a contract
by such subcontractor.

“(2) Individually identifiable Department
employee data.—The term ‘individually identifi-
able Department employee data’ means information
related to an employee of the Department of Defense,
including a member of the armed forces, that—

“(A) identifies such employee; or

“(B) which may be used to infer, by either
direct or indirect means, the identity of such an
employee to whom the information applies.”.

(b) Clerical Amendment.—The table of sections for
chapter 363 of title 10, United States Code, is amended by
adding at the end the following new item:

“4662. Prohibition on the transfer of certain data on employees of the Department of Defense to third parties.”.

(c) Report on Countering Identifying Information Spread.—
(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 report on the strategy of the Department of Defense to counter the proliferation of individually identifiable active duty member information on commercially available datasets.

(2) INDIVIDUALLY IDENTIFIABLE ACTIVE DUTY MEMBER INFORMATION.—In this subsection, the term “individually identifiable active duty member information” means individually identifiable information related to a member of the Armed Forces serving on active duty that—

(A) identifies such member; or

(B) which may be used to infer, by either direct or indirect means, the identity of such a member to whom the information applies.

SEC. 803. PRINCIPAL TECHNOLOGY TRANSITION ADVISOR.

(a) DESIGNATION.—Not later than one year after the date of the enactment of this Act, each Secretary of a military department shall designate a Principal Transition Advisor who shall advise the Secretary on the transition of technologies, including technologies from science and technology programs of the Department, private commercial entities, research institutions, and universities, to fulfill iden-
tified and potential warfighter requirements for the military department.

(b) DIRECT REPORT.—The Principal Transition Advisor of a military department designated under subsection (a) shall directly report to the Secretary of such military department.

(c) RESPONSIBILITIES.—The Principal Transition Advisor of a military department designated under subsection (a) shall do the following:

(1) Identify technologies being researched, developed, tested, or evaluated by science and technology programs of the Department, including Defense research facilities (as defined in section 4125(b) of title 10, United States Code), that the military department may use to meet identified and potential warfighter requirements.

(2) Consult with Department of Defense innovation programs to identify technologies from private commercial entities, research institutions, universities, and other entities to identify technologies that the military department may use to meet identified and potential warfighter requirements.

(3) Make recommendations to the Secretary of the military department regarding the acquisition of technologies identified under paragraphs (1) and (2),
including recommendations on the programs of the military department under which the military department should make the acquisitions.

(4) Inform program managers (as defined in section 1737 of title 10, United States Code) and other relevant acquisition officials of the military department of relevant technologies identified under paragraphs (1) and (2).

(5) Develop and maintain metrics tracking the outcomes of projects and other activities of the military department for which the military department expended amounts designated as budget activity 6 (RDT&E management support) as that budget activity classification is set forth in volume 2B, chapter 5 of the Department of Defense Financial Management Regulation (DOD 7000.14-R).

(d) CONGRESSIONAL REPORT.—Not later than one year after the designation of the Principal Transition Advisor of a military department under subsection (a), and annually thereafter, the Principal Transition Advisor of such military department shall submit to Congress a report on the following for the one-year period preceding the submission of the report:

(1) The activities of the Principal Transition Advisor.
(2) The outcomes of projects and other activities described in subsection (c)(5), including the metrics described in such subsection.

(e) DEFINITIONS.—In this section:

(1) DEPARTMENT.—The term “Department” means the Department of Defense.

(2) DEPARTMENT OF DEFENSE INNOVATION PROGRAMS.—The term “Department of Defense innovation programs” means the Defense Innovation Unit of the Department of Defense, AFWERX of the Air Force, and other programs sponsored by the Department of Defense, or any component thereof, with a focus on accelerating the adoption of emerging technologies for mission-relevant applications or innovation.

(3) MILITARY DEPARTMENT.—The term “military department” has the meaning given such term in section 101(a) of title 10, United States Code.

SEC. 804. PILOT PROGRAM ON PAYMENT OF COSTS FOR DENIED GOVERNMENT ACCOUNTABILITY OFFICE BID PROTESTS.

(a) PILOT PROGRAM REQUIRED.—The Secretary of Defense shall carry out a pilot program to determine the effectiveness of requiring contractors to reimburse the De-
partment of Defense for costs incurred in processing covered protests.

(b) DURATION.—The pilot program under subsection (a) shall—

(1) begin on the date that is two years after the date of the enactment of this Act; and

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

(c) REPORT.—Not later than 90 days after the date on which the pilot program under subsection (a) ends, the Secretary shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report assessing the feasibility of making permanent such pilot program.

(d) DEFINITIONS.—In this section:

(1) COVERED PROTEST.—The term “covered protest” means a bid protest that is a final bid protest and that was filed during the period beginning on October 1, 2025, and ending on September 30, 2028, by a party with revenues in excess of $250,000,000 (based on fiscal year 2023 constant dollars) during the fiscal year immediately preceding the fiscal year in which such party filed such bid protest.

(2) FINAL BID PROTEST.—The term “final bid protest” means a bid protest that was denied in an
opinion issued by the Government Accountability Of-

ice and such denial—

(A) has not been appealed and is no longer
appealable because the time for taking an appeal
has expired; or

(B) has been appealed and the appeals
process for which is completed.

SEC. 805. PILOT PROGRAM FOR PROTOTYPE PROJECTS FOR

ANYTHING-AS-A-SERVICE.

(a) In General.—Not later than one year after the

enactment of this Act and subject to the availability of ap-

propriations, the Secretary of Defense or any official des-

ignated by the Secretary of Defense, in coordination with

each Secretary of a military department, shall establish a

pilot program to enter into transactions to carry out proto-
type projects for Anything-as-a-Service using competitive

multisourcing.

(b) Requirements.—Before entering into a trans-

action under this section, the Secretary shall—

(1) develop criteria that technology-supported ca-
pabilities are delivered as a service must meet in

order to be included in a prototype project; and

(2) develop criteria for competitive multisourcing

applicable to the pilot program established under this

section.
(c) VALUE.—The value of a transaction for a prototype project carried out under this section shall not exceed $100,000,000.

(d) TIMING.—The Secretary shall, to the extent practicable, enter into a transaction for a prototype project under this section not earlier than 60 days and not later than 100 days after the date on which the Secretary announces an opportunity to participate in the pilot program established under this section.

(e) EXEMPTION.—The requirements of sections 3204(e)(1) and 3702 of title 10, United States Code, shall not apply with respect to a transaction for a prototype project under this section if the Secretary of Defense receives three or more minimally qualified offers for such transaction.

(f) BRIEFING.—Not later than December 31, 2024, the Secretary of Defense shall provide a briefing to the congressional defense committees on the implementation of the pilot program.

(g) REPORT.—Not later than 30 days after each exercise of authority under the pilot program, the Secretary of Defense shall submit to Congress a report on such exercise.

(h) DEFINITIONS.—In this section:

(1) The term “Anything-as-a-Service” means model under which a technology-supported capability...
is provided to the Department of Defense as a service rather than as a product, including such capabilities as software, platforms, and infrastructure.

(2) The term “competitive multisourcing” means a method to fulfill the requirements of a transaction for a prototype project entered into under the pilot program established under this section to carry out a prototype project by awarding such transaction to more than one offeror, of which one offeror shall be the primary awardee and any other offerors shall be secondary awardees prepared to take the place of the primary awardee under the transaction.

(i) TERMINATION.—

(1) PROTOTYPE PROJECTS.—The authority to carry out a prototype project under the pilot program shall terminate not more than 24 months after the date of commencing such prototype project.

(2) PILOT PROGRAM.—The authority to carry out the pilot program under this section shall terminate on the date that is three years after the date of the enactment of this Act.

SEC. 806. LOW-METHANE INTENSITY NATURAL GAS PILOT PROGRAM.

(a) IN GENERAL.—The Director of the Defense Logistics Agency, in coordination with the Secretary of each
military department (as such term is defined in section 101(a) of title 10, United States Code), may establish a pilot program to demonstrate the feasibility of installations of the Department of Defense using certified low-methane intensity natural gas, including demonstrating the quantities of such gas that are feasible.

(b) Acquisition of Certified Low-Methane Intensity Natural Gas.—In carrying out the pilot program, the Director shall select installations of the Department for which the natural gas acquired for such installations shall be certified low-methane intensity natural gas.

(c) Department Installations.—

(1) Location.—The Director may select only installations of the Department that are located within the continental United States to participate in the pilot program.

(2) Number.—In carrying out the pilot program, the Director shall select not fewer than 5 installations of the Department to participate in the pilot program.

(d) Duration.—If the Director establishes the pilot program, the Director shall carry out the pilot program until the date determined by the Director that is not earlier than two years after the date of the enactment of this Act.
and not later than five years after the date of the enactment of this Act.

(e) Definitions.—In this section:

(1) Certified low-methane intensity natural gas.—The term “certified low-methane intensity natural gas” means natural gas produced by facilities and through processes certified by an independent, industry-recognized certifying entity as complying with low-methane intensity standards.

(2) Department.—The term “Department” means the Department of Defense.

(3) Director.—The term “Director” means the Director of the Defense Logistics Agency.

(4) Low-methane intensity standards.—The term “low-methane intensity standards” means industry-recognized standards—

(A) for verifying, quantifying, and diminishing the unintentional release of methane during the production of natural gas below the average amount of methane unintentionally released during such production; and

(B) certification of compliance with which is commercially available from independent, industry-recognized certifying entities.
(5) Pilot Program.—The term “pilot program” means the pilot program established under subsection (a).

SEC. 807. PROHIBITION ON CONTRACTING WITH PERSONS THAT HAVE BUSINESS OPERATIONS WITH THE GOVERNMENT OF THE RUSSIAN FEDERATION OR THE RUSSIAN ENERGY SECTOR.

(a) Prohibition.—Except as provided under subsections (b), (c), and (d), the Secretary of Defense may not enter into a contract for the procurement of goods or services with any person that has business operations with—

(1) an authority of the Government of the Russian Federation; or

(2) a fossil fuel company that operates in the Russian Federation, except if the fossil fuel company transports oil or gas—

(A) through the Russian Federation for sale outside of the Russian Federation; and

(B) that was extracted from a country other than the Russian Federation with respect to the energy sector of which the President has not imposed sanctions as of the date on which the contract is awarded.

(b) Exceptions.—
(1) **In General.**—The prohibition under subsection (a) does not apply to a contract that the Secretary of Defense and the Secretary of State jointly determine—

(A) is necessary—

(i) for purposes of providing humanitarian assistance to the people of Russia; or

(ii) for purposes of providing disaster relief and other urgent life-saving measures;

(B) is vital to the military readiness, basing, or operations of the United States or the North Atlantic Treaty Organization; or

(C) is vital to the national security interests of the United States.

(2) **Notification Requirement.**—The Secretary of Defense shall notify the appropriate congressional committees of any contract entered into on the basis of an exception provided for under paragraph (1).

(3) **Office of Foreign Assets Control Licenses.**—The prohibition in subsection (a) shall not apply to a person that has a valid license to operate in Russia issued by the Office of Foreign Assets Control of the Department of the Treasury or is otherwise
authorized to operate in Russia by the Federal Government notwithstanding the imposition of sanctions.

(4) American diplomatic mission in Russia.—The prohibition in subsection (a) shall not apply to contracts related to the operation and maintenance of the United States Government’s consular offices and diplomatic posts in Russia.

(c) Applicability.—This section shall take effect on the date of the enactment of this Act and apply with respect to any contract entered into on or after such effective date.

(d) Sunset.—This section shall terminate on the date on which the President submits to the appropriate congressional committees a certification in writing that contains a determination of the President that the Russian Federation—

(1) has reached an agreement relating to the withdrawal of Russian forces and cessation of military hostilities that is accepted by the free and independent government of Ukraine;

(2) poses no immediate military threat of aggression to any North Atlantic Treaty Organization member; and

(3) recognizes the right of the people of Ukraine to independently and freely choose their own government.
(e) Definitions.—In this section:

1. Appropriate congressional committees.—The term “appropriate congressional committees” means—

   (A) the Committee on Oversight and Reform, the Committee on Armed Services, and the Committee on Foreign Affairs of the House of Representatives; and

   (B) the Committee on Homeland Security and Governmental Affairs, the Committee on Armed Services, and the Committee on Foreign Relations of the Senate.

2. Business operations.—The term “business operations” means engaging in commerce in any form, including acquiring, developing, maintaining, owning, selling, possessing, leasing, or operating equipment, facilities, personnel, products, services, personal property, real property, or any other apparatus of business or commerce.

3. Fossil fuel company.—The term “fossil fuel company” means a person that—

   (A) carries out oil, gas, or coal exploration, development, or production activities;

   (B) processes or refines oil, gas, or coal; or
(C) transports, or constructs facilities for
the transportation of, Russian oil, gas, or coal.

(4) GOVERNMENT OF THE RUSSIAN FEDERATION.—The term “Government of the Russian Federation” includes the government of any political subdivision of Russia, and any agency or instrumentality of the Government of the Russian Federation. For purposes of this paragraph, the term “agency or instrumentality of the Government of the Russian Federation” means an agency or instrumentality of a foreign state as defined in section 1603(b) of title 28, United States Code, with each reference in such section to “a foreign state” deemed to be a reference to “Russia”.

(5) PERSON.—The term “person” means—

(A) a natural person, corporation, company, business association, partnership, society, trust, or any other nongovernmental entity, organization, or group;

(B) any governmental entity or instrumentality of a government, including a multilateral development institution (as defined in section 1701(c)(3) of the International Financial Institutions Act (22 U.S.C. 262r(c)(3))); and
(C) any successor, subunit, parent entity, or
subsidiary of, or any entity under common own-
ership or control with, any entity described in
subparagraph (A) or (B).

SEC. 808. ORGANIZATIONAL CONFLICT OF INTERESTS RE-
LATING TO NATIONAL SECURITY AND FOR-
EIGN POLICY.

(a) Prohibition Related Certain Contracts or
Grants.—

(1) In general.—The Secretary may not after
the date of the enactment of this Act enter into,
renew, or extend a contract with, or award a grant
to, a covered consultancy.

(2) Disclosure.—Any individual or entity that
submits an offer or bid for a contract to provide con-
sulting services to the Department of Defense shall
disclose in such offer or bid any information relevant
to the individual or entity with respect to the prohibi-
tion under paragraph (1), including—

(A) whether the individual or entity has en-
tered into a contract with, or received grants or
other financial awards from a covered entity in
the five years prior to submitting the offer or
bid; and
(B) at the time the contract to provide consulting services to the Department will be entered into, whether—

(i) any contract entered into by the individual or entity with a covered entity will still be in effect; and

(ii) the individual or entity will be receiving funds from, or have any unobligated or unexpended funds received under, any grant or other financial award from a covered entity.

(3) PENALTIES.—

(A) IN GENERAL.—If the Secretary determines that a contractor of the Department failed to make the disclosure required by paragraph (2), the Secretary shall—

(i) terminate the applicable contract for cause; and

(ii) initiate a suspension and debarment proceeding with respect to the contractor.

(B) MAXIMUM LENGTH OF DEBARMENT.—The maximum length of a debarment of a contractor under this paragraph shall be a period of 5 years.
(b) Certification.—

(1) In General.—After a determination by the Secretary that a company is a covered consultancy, such company may submit to the Secretary a written and signed certification that—

(A) the consultancy no longer is—

(i) performing under a contract with a covered entity;

(ii) carrying out activities under a grant received from a covered entity; or

(iii) receiving funds, or have any unobligated or unexpended funds received, from a covered entity; and

(B) will not receive or pursue a contract with a covered entity or a grant or other financial award from a covered entity—

(i) during the term of a contract with the Department of Defense; or

(ii) while receiving funds from the Department of Defense, or obligating or expending any such funds.

(2) Status Change.—Upon the approval by the Secretary of a certification submitted under paragraph (1), a company is deemed to not be a covered
consultancy until the expiration of the certification under paragraph (3).

(3) EXPIRATION.—A certification submitted by a company under paragraph (1) shall expire on the earlier of the date on which the company, after submitting such certification enters into, extends, renews, or performs under a contract with a covered entity for consulting services.

(c) GUIDANCE.—The Secretary, in consultation with the Secretary of Commerce, the Secretary of Homeland Security, the Secretary of the Treasury, the Director of National Intelligence, the Attorney General, the Secretary of State, and the heads of such other Executive agencies (as such term is defined in section 105 of title 5, United States Code) as determined appropriate by the Secretary, shall issue procurement policies for the Department of Defense as follows:

(1) Policies to implement the prohibition under subsection (a)(1).

(2) Best practices to avoid becoming covered consultancies under this section and for covered consultancies to end their status as such.

(3) A policy containing the exact provisions and terms relating to the requirements of paragraphs (2)
and (3) of subsection (a) to be included in solicitations, contracts, and grants of the Department.

(d) Revision of Department of Defense Acquisition Regulation.—Not later than one year after the date of the enactment of this Act, the Secretary shall revise the acquisition regulations of the Department of Defense to implement this section.

(e) Definitions.—In this section:

(1) Consulting services.—The term “consulting services” has the meaning given the term “advisory and assistance services” in section 2.101 of the Federal Acquisition Regulation, except that—

(A) the term does not include the services described in paragraph (3) of such section; and

(B) each instance of the term “Federal” is replaced with “client”.

(2) Covered consultancy.—The term “covered consultancy” means a company that, itself or any subsidiary or affiliate thereof, in immediately preceding one year period entered into, extended, renewed, or performed under a contract with a covered entity for consulting services.

(3) Covered entity.—The term “covered entity” means any of the following:

(B) The Chinese Communist Party.

(C) The People’s Liberation Army, the Ministry of State Security, or other security service or intelligence agency of the People’s Republic of China.

(D) Any entity on the Non-SDN Chinese Military-Industrial Complex Companies List (NS–CMIC–List) maintained by the Office of Foreign Assets Control of the Department of the Treasury under Executive Order 14032 (86 Fed. Reg. 30145; relating to addressing the threat from securities investments that finance certain companies of the People’s Republic of China), or any successor order.


(F) Any Chinese state-owned entity or other entity under the ownership, or control, directly or indirectly, of the Government of the People’s Republic of China or the Chinese Communist
Party that is engaged in one or more national security industries.


(H) The government or any state-owned entity of any country if the Secretary of State determines that such government has repeatedly provided support for acts of international terrorism pursuant to—

(i) section 1754(c)(1)(A) of the Export Control Reform Act of 2018 (50 U.S.C. 4318(c)(1)(A));

(ii) section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371);

(iii) section 40 of the Arms Export Control Act (22 U.S.C. 2780); or

(iv) any other provision of law.

(I) Any entity included on any of the following lists maintained by the Department of Commerce—
(i) the Entity List set forth in Supplement No. 4 to part 744 of the Export Administration Regulations;

(ii) the Denied Persons List as described in section 764.3(a)(2) of the Export Administration Regulations; and

(iii) the Unverified List set forth in Supplement No. 6 to part 744 of the Export Administration Regulations.


(5) National Security Industry.—The term “national security industry” means—

(A) a military-related industry;

(B) semiconductor production;

(C) researching or commercializing quantum computing;

(D) producing products or services that use artificial intelligence;

(E) the biotechnology industry;
(F) the cybersecurity industry; or

(G) the mining, processing, or refining of critical minerals (as such term is defined in section 7002(a) of the Energy Act of 2020 (30 U.S.C. 1606(a))) for use by a covered entity.

(6) SECRETARY.—The term “Secretary” means the Secretary of Defense.

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

SEC. 822. MODIFICATION TO TRUTHFUL COST OR PRICING DATA SUBMISSIONS AND REPORT.

Section 3705(b)(2)(B) of title 10, United States Code, is amended—

(1) in the second sentence, by inserting “and shall identify such offerors that incur a delay greater than 200 days in submitting such cost or pricing data” after “should-cost analysis”; and

(2) by amending the third sentence to read as follows: “The Secretary of Defense shall include a public notation on such offerors in the system used by the Federal Government to monitor or record contractor integrity and performance.”.
SEC. 823. COMPETITION REQUIREMENTS FOR PURCHASES FROM FEDERAL PRISON INDUSTRIES.

(a) Competition Requirements for Purchases from Federal Prison Industries.—Section 3905 of title 10, United States Code, is amended by striking subsections (a) and (b) and inserting the following new sections:

“(a) Market Research.—Before purchasing a product listed in the latest edition of the Federal Prison Industries catalog published under section 4124(d) of title 18, the Secretary of Defense shall conduct market research to determine whether such product—

“(1) is comparable to products available from the private sector; and

“(2) best meets the needs of the Department of Defense in terms of price, quality, and time of delivery.

“(b) Competition Requirement.—If the Secretary determines that a Federal Prison Industries product is not comparable to products available from the private sector and does not best meet the needs of the Department of Defense in terms of price, quality, or time of delivery, the Secretary shall use competitive procedures or make an individual purchase under a multiple award contract for the procurement of the product. In conducting such a competi-
tion or making such a purchase, the Secretary shall con-
sider a timely offer from Federal Prison Industries.”.

(b) EFFECTIVE DATE.—The amendment made by sub-
section (a) shall take effect on February 1, 2024.

SEC. 824. MODIFICATION OF APPROVAL AUTHORITY FOR
HIGH DOLLAR OTHER TRANSACTIONS FOR
PROTOTYPES.

Section 4022 of title 10, United States Code, is amend-
ed—

(1) in subsection (a)(2)(C)(i)(I), by inserting
after “subsection (d)” the following: “were met for the
prior transaction for the prototype project that pro-
vided for the award of the follow-on production con-
tract or transaction, and the requirements of sub-
section (f)” ; and

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

“(3) The requirements of this subsection do not
apply to follow-on production contracts or trans-
actions under subsection (f).”.

SEC. 825. CLARIFICATION OF AUTHORITY OF THE DEPART-
MENT OF DEFENSE TO CARRY OUT CERTAIN
PROTOTYPE PROJECTS.

Section 4022(i) of title 10, United States Code, is
amended—
(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

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

“(2) AUTHORITY.—The authority of this subsection may be exercised to conduct prototype projects using—

“(A) funds available for research, development, test and evaluation;

“(B) appropriations for operation and maintenance; or

“(C) appropriations for military construction.”;

(3) in paragraph (3), as so redesignated, by inserting “using appropriations for military construction” after “carrying out prototype projects”; and

(4) in subparagraph (4)(A), as so redesignated, by inserting “using appropriations for military construction” after “prototype projects”.

SEC. 826. ACQUISITION OF SENSITIVE MATERIAL PROHIBITION EXCEPTION AMENDMENT.

Section 4872(c) of title 10, United States Code, is amended—
(1) in the matter preceding paragraph (1), by striking “Subsection (a)” and inserting “Subsection (a)(1)”; and

(2) in paragraph (1)—

(A) by striking “Defense determines that covered materials” and inserting the following:

“Defense—

“(A) identifies a specific end item for which a specific covered material”;

(B) by striking the period at the end and inserting a semicolon; and

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

“(B) determines that no production capacity for such specific covered material exists and is available outside of the covered nations; and

“(C) waives subsection (a)(1) for such specific end item and such specific covered material for a period not exceeding 36 months.”.
SEC. 827. MODIFICATION TO ACQUISITION AUTHORITY OF THE SENIOR OFFICIAL WITH PRINCIPAL RESPONSIBILITY FOR ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING.


(1) in subsection (d)—

(A) by striking “$75,000,000” and inserting “$125,000,000”; and

(B) by striking “in each of fiscal years 2021, 2022, 2023, 2024, and 2025” and inserting “in each of fiscal years 2024 through 2029”; and

(2) in subsection (f), by striking “October 1, 2025” and inserting “October 1, 2029”.

SEC. 828. AMEND PROHIBITION ON CONTRACTING WITH ENTITIES OPERATING CERTAIN UNMANNED AIRCRAFT SYSTEMS.


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SEC. 829. AVOIDANCE OF USE OF LOWEST PRICE TECHNICALLY ACCEPTABLE SOURCE SELECTION PROCESS FOR CERTAIN LOGISTICS SERVICES.

Section 813(c) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 3241 note prec.) is amended—

(1) in paragraph (2), by striking “or” and the end;

(2) in paragraph (3), by striking the period at the end and inserting “; or”; and

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

“(4) fuel and fuel-related services, if such services are, or reasonably could be, owned or provided by an entity owned or controlled, directly or indirectly, by the government of any adversary listed in the 2022 National Defense Strategy.”.

SEC. 830. MODIFICATION AND EXTENSION OF TEMPORARY AUTHORITY TO MODIFY CERTAIN CONTRACTS AND OPTIONS BASED ON THE IMPACTS OF INFLATION.

Section 1 of Public Law 85–804 (50 U.S.C. 1431) is amended—

(1) in subsection (b), by adding at the end the following new sentence: “If any such amounts are so
specifically provided, the Secretary may use them for such purposes.”; and 

(2) in subsection (e), by striking “December 31, 2023” and inserting “December 31, 2024”.

SEC. 831. MODIFICATION OF CONTRACTS AND OPTIONS TO PROVIDE ECONOMIC PRICE ADJUSTMENTS.

(a) AUTHORITY.—Amounts authorized to be appropriated by this Act for the Department of Defense may be used to modify the terms and conditions of a contract or option, without consideration, to 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, subject to the availability of appropriations.

(b) GUIDANCE.—Not later than 30 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall issue guidance implementing the authority under this section.

SEC. 833. PILOT PROGRAM ON THE USE OF ACQUISITION AUTHORITY FOR OFFICE OF NAVAL RESEARCH TO AID IN TECHNOLOGY TRANSITION.

(a) AUTHORITY.—The Secretary of the Navy shall delegate to the Chief of Naval Research acquisition authority
to enter into contracts or other agreements for the commercialization of a prototype of the Department of the Navy.

(b) AMOUNT.—A single contract or other agreement entered into under this section may not exceed $10,000,000.

(c) APPLICATION.—An applicant desiring a contract or other agreement under this section submit an application to the Secretary of the Navy at such time, in such manner, and containing such information as the Secretary may require.

(d) BRIEFING.—Not later than December 31, 2024, the Chief of Naval Research shall provide to the congressional defense committees a briefing on the exercise of the authority under this section and any related policy or implementation issues.

(e) REPORT.—Each time the Chief of Naval Research exercises the authority under this section, the Chief shall submit to the congressional defense committees a notification on such exercise.

(f) TERMINATION.—The Chief of Naval Research may not exercise the authority under this section and may not enter into any new contracts or other agreements under this section on or after the date that is five years after the date of the enactment of this Act. The performance on any contract or other agreement entered into before such date may
continue according to the terms of such contract or other agreement.

SEC. 832. PROHIBITION ON COMPUTERS OR PRINTERS ACQUISITIONS INVOLVING ENTITIES OWNED OR CONTROLLED BY CHINA.

(a) In General.—The Secretary of Defense may not acquire any computer or printer if the manufacturer, bidder, or offeror is a covered Chinese entity.

(b) Applicability.—This section shall apply only with respect to contracts or other agreements entered into, renewed, or extended after the date of the enactment of this Act.

(c) Definitions.—In this section:

(1) Covered Chinese entity.—The term “covered Chinese entity” means an entity that the Secretary of Defense, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, determines to be an entity owned, controlled, directed, or subcontracted by, affiliated with, or otherwise connected to, the government of the People’s Republic of China.

(2) Manufacturer.—The term “manufacturer” means—
(A) the entity that transforms raw materials, miscellaneous parts, or components into the end item;

(B) any entity that subcontracts with the entity described in subparagraph (A) for the entity described in such subparagraph to transform raw materials, miscellaneous parts, or components into the end item;

(C) any entity that otherwise directs the entity described in subparagraph (A) to transform raw materials, miscellaneous parts, or components into the end item; or

(D) any parent company, subsidiary, or affiliate of the entity described in subparagraph (A).

Subtitle C—Domestic Sourcing Requirements

SEC. 841. REQUIRE FULL DOMESTIC PRODUCTION OF FLAGS OF THE UNITED STATES ACQUIRED BY THE DEPARTMENT OF DEFENSE.

(a) In General.—Section 4862 of title 10, United States Code, is amended—

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

“(5) A flag of the United States.”; and
(2) in subsection (h)—

(A) in paragraph (1), by striking “Subsection (a)” and inserting “Except with respect to purchases of flags of the United States, subsection (a)”;

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

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

“(2)(A)(i) Except as provided by subparagraph (B), subsection (a) does not apply to purchases of flags of the United States for amounts not greater than $10,000.

“(ii) A proposed procurement in an amount greater than $10,000 may not be divided into several purchases or contracts for lesser amounts in order to qualify for the exception under clause (i).

“(B) The Secretary of Defense may waive subsection (a) with respect to a purchase of flags of the United States in an amount greater than $10,000 if the Secretary of Defense determines such waiver appropriate.
“(C) This section is applicable to contracts and subcontracts for the procurement of flags of the United States notwithstanding section 1905 of title 41.”.

(b) APPLICABILITY.—The amendments made by subsection (a) shall apply only with respect to agreements entered into on or after the date of the enactment of this Act.

SEC. 842. INCLUSION OF TITANIUM POWDER IN DEFINITION OF SPECIALTY METALS EXEMPTED FROM CERTAIN DOMESTIC SOURCING REQUIREMENTS.

Section 4863(l)(3) of title 10, United States Code, is amended by inserting “, titanium powder,” after “titanium”.

SEC. 843. AMEND REQUIREMENT TO BUY CERTAIN METALS FROM AMERICAN SOURCES.

Section 4863 of title 10, United States Code, as amended by section 842, is further amended—

(1) in subsection (d)—

(A) in paragraph (1)(B), by striking “; and” and inserting a semicolon;

(B) in paragraph (2), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following new paragraph:
“(3) any specialty metal procured as mill product or incorporated into a component other than an end item pursuant to this subsection shall be melted or produced—

“(A) in the United States;

“(B) in the country from which the mill product or component is procured; or

“(C) in another country covered under subparagraph (1)(B).”;

(2) by redesignating subsections (l) and (m) as subsections (m) and (n), respectively; and

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

“(l) PROVENANCE OF AEROSPACE-GRADE METALS.—

(1) The Secretary of Defense shall require that, for any system or component for which the provenance of materials must be tracked to comply with safety regulations concerning flight, the supplier of such system or component shall inform the government if any of the materials were known to be manufactured or processed in—

“(A) China;

“(B) Iran;

“(C) North Korea; or

“(D) Russia.
“(2) Not later than March 31 of each year, the Secretary of Defense shall submit to the congressional defense committees a report indicating how much specialty metal has been acquired and placed into systems of the Department of Defense from the countries described in paragraph (1).”.

SEC. 844. MODIFICATION TO MISCELLANEOUS LIMITATIONS ON THE PROCUREMENT OF GOODS OTHER THAN UNITED STATES GOODS.

Section 4864(a)(3) of title 10, United States Code, is amended by—

(1) striking “large medium-speed diesel engines.” and inserting “the following components:”; and

(2) adding at the end the following new subparagraphs:

“(A) Large medium-speed diesel engines.

“(B) Propulsion system components (including reduction gears and propellers).

“(C) Components (including alternators, diesel engines, and steam turbines) used to generate electricity to power the systems of a vessel (excluding propulsion systems).”.
SEC. 845. PROCUREMENT OF COVERED HEARING PROTECTION DEVICES.

(a) IN GENERAL.—The Secretary of Defense, in coordination with the head of the Hearing Center of Excellence (established pursuant to section 721 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417)), may enter into one or more contracts to procure covered hearing protection devices for all members of the Armed Forces.

(b) PRIORITIZATION.—Under a contract described in subsection (a), the Secretary shall prioritize award of such contract to offerors that—

(1) are globally headquartered in the continental United States;

(2) are majority owned and operated by United States citizens.

(c) DEFINITIONS.—In this section:

(1) The term “covered hearing protection device” means a completely in canal active hearing protection device—

(A) that is a commercially available off-the-shelf item (as defined in section 104 of title 41, United States Code);

(B) with a minimum noise reduction rating of 25 decibels and a maximum output not to exceed 80 decibels; and
(C) that has been previously identified, tested, and qualified by the Hearing Center of Excellence for procurement by the Department of Defense.

Subtitle D—Provisions Relating to Programs for Accelerating Acquisition

SEC. 851. PILOT PROGRAM FOR RECURRING AWARDS FOR PRODUCTION, INVESTMENT, AND DEPLOYMENT THROUGH COMPETITIONS.

(a) Establishment.—The Secretary of Defense shall establish a pilot program to acquire through repeated competition attritable systems that solve urgent operational needs in order to incentivize sustainable production, rapid deployment, and iterative improvements.

(b) Competitions.—

(1) In general.—Under the pilot program, competition managers shall, in accordance with this subsection, conduct competitions with respect to urgent operational needs under which the competition managers shall rapidly solicit, evaluate, and select proposed solutions.

(2) Requirements and design.—

(A) Stakeholder participation.—The Secretary shall ensure that each competition con-
ducted under the pilot program is aligned with an operational priority of one or more combatant commands, and that the relevant combatant commanders have an opportunity to participate in the design of the competition and the evaluation criteria to be used.

(B) OPERATIONAL NEED DETERMINATION.—Competitions conducted under this pilot program shall address urgent operational needs as defined by the Secretary, in consultation with the Chairman of the Joint Chiefs of Staff and, as determined appropriate by the Secretary, Defense Agencies (as defined in section 101(a) of title 10, United States Code), the military services, and entities in the private sector.

(C) TIMING.—The Secretary shall ensure that each competition is executed to facilitate the award of a production contract or agreement not later than 15 days after completion of the competition.

(D) COMPETITION FOCUS.—Competition managers shall employ evaluation and selection processes that emphasizes effectiveness, transparency, and speed to deploy when conducting competitions under the pilot program.
(E) Technology level focus.—Competitions conducted under the pilot program shall focus on proposed solutions at technology readiness levels equal to or more advanced than levels corresponding to Technology Readiness Level 7 or Technology Readiness Level 8.

(F) Inapplicability of Joint Capabilities Integration and Development System Manual.—Competitions conducted under the pilot program shall not be subject to the Joint Capabilities Integration and Development System Manual.

(3) Selection.—When conducting a competition under the pilot program, the competition manager shall select the best solution for the relevant urgent operational need.

(4) Repeated competition.—

(A) In general.—Not later than 2 years after a competition under the pilot program with respect to an urgent operational need, a subsequent competition shall be conduct with respect to such urgent operational need unless the Secretary determines that a subsequent competition with respect to such urgent operational need is unwarranted and submits to the relevant com-
mittees a written justification for such determination.

(B) TIMING.—The Secretary shall consider the nature of each relevant urgent operational need and the circumstances of performance and production that resulted from the initial or preceding competition when determining the timing of a subsequent competition under subparagraph (A).

(5) INITIAL COMPETITIONS.—

(A) IN GENERAL.—The first two competitions carried out the pilot program must be with respect to solving one of the following urgent operational need:

(i) Short-range air defense.

(ii) Tactical precision strike.

(B) INITIAL COMPETITION CRITERIA.—In addition to any other criteria for the selection of a proposed solution under this section, a proposed solution to either of the first two competitions carried out under the pilot program must demonstrate an ability—

(i) to offer multiple kinetic or non-kinetic effects options;
(ii) to identify individual threats or
groups of threats and, in each case, to track,
target, and deploy effects options to engage
those threats;

(iii) to provide material benefits to the
Department of Defense, including cost sav-
ings or more effective use of personnel;

(iv) in the case of a competition seeking
to address the urgent operational need
described in subparagraph (A)(i)—

(I) to destroy, neutralize, or deter
low altitude air threats;

(II) to defend fixed and semi-fixed
assets; and

(III) to maneuver forces; and

(v) in the case of a competition seeking
to address the urgent operational need de-
scribed in subparagraph (A)(ii)—

(I) to engage targets at ranges of
20 to 100 miles; and

(II) to provide surface-to-surface
effects launched from and targeted at
ground-based, sea-based, or littoral lo-
cations.
(6) **COMPETITION LIMIT.**—Not more than 8 competitions per year may be carried out under the pilot program.

(c) **AWARDS.**—

(1) **IN GENERAL.**—The winning offeror of a successful competition shall be awarded a contract or other agreement, including a transaction other than a contract, cooperative agreement, or grant, under which the Department of Defense, or relevant component thereof, may acquire the proposed solution of such winning offeror for such competition.

(2) **DESIGN AND TERMS.**—Except as provided in this section, a contract or other agreement awarded under this subsection shall—

(A) be designed to enable the proposed solution to be produced or provided at a scale and on a timeline that maximizes the likelihood of that the solutions will successfully address the urgent operational challenge;

(B) prioritize speed to award;

(C) provide for subsequent competitions in accordance with this section; and

(D) limit terms and conditions to those required by law.
(3) Minimum Award Amount.—Subject to the availability of appropriations, the total amount of funding provided for an award under this subsection shall not be less than $50,000,000, unless the Secretary or the Secretary’s designee approves a lesser amount of funding and certifies to the relevant committees that such lesser amount is sufficient to address the relevant urgent operational need and meet the general and specific characteristics applicable to the competition.

(4) Multiple Awards.—If more than one offeror meets the objectives of the competition, more than one contract or other agreement may be awarded, as determined appropriate by the Secretary.

(5) Authorities.—Except as waived under subsection (i), a contract or other agreement may be awarded under this subsection consistent with the applicable authorities in sections 4021, 4022, and 4023 of title 10, United States Code, except that paragraph (d)(1) of such section 4022 shall not apply.

(d) Competition Managers.—

(1) Designation.—The Secretary shall designate a competition manager for each competition carried out under the pilot program.

(2) Oversight.—
(A) **IN GENERAL.**—Except as provided in subparagraph (B), the Secretary shall directly oversee each competition manager with respect to carrying out competitions under the pilot program.

(B) **DELEGATION.**—The Secretary may delegate the authority for overseeing competition managers under subparagraph (A) to the Deputy Secretary of Defense.

(3) **DUTIES.**—

(A) **PRIMARY DUTY.**—The Secretary shall ensure that the primary official duties of each competition manager shall be conducting competitions, the resulting contracting actions, and any subsequent competitions.

(B) **ADDITIONAL DUTIES.**—The Secretary may define additional duties to maximize the ability of competition managers to coordinate with a military service, Defense Agency (as defined in section 101(a) of title 10, United States Code), or combatant command to ensure the operational success of the competitions.

(4) **QUALIFICATIONS.**—

(A) **EXPERTISE.**—The Secretary shall ensure that each competition manager has appro-
priate expertise in the specific focus areas of the competition which such competition will be conducting and on the defense acquisition system.

(B) Eligible Individuals.—Competition managers may be—

(i) civilian officers or employees in a Senior Executive Service, Senior-Level, or scientific or professional position; or

(ii) members of the armed forces in a grade at or above O–6.

(5) Authorities.—

(A) The Secretary shall ensure that competition managers have the authorities required, including supervisory authority over contracting personnel who may be assigned to report to the competition managers, to facilitate the award of contracts or agreements under subsection (c) to the winning offerors of the competitions.

(B) Except where the authority of the Secretary is explicitly non-delegable by statute, the Secretary is authorized to delegate to competition managers any authorities required to carry out this section, including the waiver authority described in subsection (i), provided that the Sec-
Secretary submits to the relevant committees a notice of such delegations in writing.

(e) Funding Transfers.—

(1) In General.—In any fiscal year in which the Secretary of Defense conducts competitions under the pilot program, the Secretary may use covered funds available to the Department of Defense to acquire and deploy the proposed solutions selected pursuant to such competitions if the Secretary submits to the relevant committees within 10 days a written finding that the use of such funds is necessary to address in a timely manner the relevant urgent operational need for such a competition.

(2) Maximum Use Amount.—The covered funds used under the authority provided by this subsection may not exceed $200,000,000 in any fiscal year.

(3) Covered Funds Defined.—In this subsection, the term “covered funds” means—

(A) with respect to the initial competitions required by subsection (b), funds provided for short-range air defense and tactical precision strike;

(B) with respect to all other competitions, funds provided for the capabilities related to the
urgent operational need or needs associated with
such competitions; or

(C) funds available to the Department
under the authorities and constraints of chapter
253 of title 10, United States Code.

(f) BUDGETING.—Subject to the availability of appro-
priations, the Secretary shall ensure that efforts to facilitate
each competition, to include funding for the award of pro-
duction contracts or agreements upon successful completion
of a competition, are included in the annual budget request
submitted under section 1105 of title 31, United States
Code, during each year of the pilot program and the future-
years defense program under section 221 of title 10, United
States Code.

(g) GUIDANCE REQUIRED.—

(1) DEADLINE.—Not later than 90 days after the
date of enactment of this Act, the Secretary shall issue
guidance for the carrying out the pilot program.

(2) ELEMENTS.—The guidance required by para-
graph (1) shall include the following:

(A) Metrics for the design, timing, and or-
organization of competitions under the pilot pro-
gram.

(B) Opportunities for soliciting and incor-
porating inputs from combatant commanders,
Defense Agencies (as defined in section 101(a) of title 10, United States Code), military services, and private sector entities.

(C) A process for the general conduct of competitions under the pilot program, including merit-based selection criteria for selecting the most efficient and effective solutions, and procedures to provide as much transparency as practicable to offerors, government agencies, and the public.

(D) Procedures to minimize the time between the completion of a competition under the pilot program and the award of a production or service contract to the winning offeror.

(E) Procedures to ensure that the goods or services from the winning offeror of each competition under the pilot program are acquired and fielded as quickly as possible, with a goal of awarding a contract or other agreement under subsection (c) for the acquisition of such goods or services within 15 days.

(F) Procedures to include funding required for the efficient and rapid procurement of the goods or services from winning offerors of competitions under the pilot program as part of the
annual Program Objective Memorandum and budget request process.

(h) OVERSIGHT.—

(1) BIANNUAL BRIEFINGS.—Not later than March 1 and September 1 of each year beginning after the date of enactment of this Act, and continuing until September 1, 2029, the Secretary shall brief the relevant committees on each competition under the pilot program that is planned, underway, or completed.

(2) ELEMENTS.—Each briefing required under paragraph (1) shall include the following:

(A) The guidance issued pursuant to this section.

(B) A description of how the authorities have been used, including the metrics used for, testing, evaluation, selection, and frequency of re-competitions.

(C) Accomplishments from and challenges to using the authorities under section.

(D) Recommendations for legislative or regulatory changes to the authority under this section to promote efficient and effective acquisition of capabilities.
(3) Unclassified Format.—Each briefing required by paragraph (1) shall be in an unclassified format but may contain classified annexes.

(i) Waiver of Acquisition Provisions.—In connection with exercising the authority of this section, the Secretary may waive the application of any provision of acquisition law or regulation to the same extent as allowed by the authority provided in chapter 253 of title 10, United States Code.

(j) Continuous Improvement.—Nothing in this section shall preclude an winning offeror from improving the quality or quantity of goods or services supplied pursuant to a competition, if the winning offeror can do so in compliance with the terms of such contract or other agreement and the amount of funding provided.

(k) Definitions.—In this section:

(1) Attritable System.—The term “attritable system” means systems, including unmanned systems, that are—

(A) purpose-designed and potentially reusable;

(B) suitable for integration by digital means; and

(C) affordable to allow risk of loss.
(2) **Pilot Program.**—The term “pilot program” means the pilot program established under subsection (a).

(3) **Relevant Committees.**—The term “relevant committees” means the Committees on Armed Services of the Senate and the House of Representatives and the Subcommittees on Defense of the Committees on Appropriations of the Senate and the House of Representatives.

(4) **Relevant Urgent Operational Need.**—The term “relevant urgent operational need” means, with respect to a competition, the urgent operational need with respect to which such competition is being conducted.

(5) **Secretary.**—The term “Secretary” means the Secretary of Defense.

(6) **Winning Offeror.**—The term “winning offeror” means, with respect to a competition under the pilot program, an individual or entity awarded a contract or other agreement under subsection (c).

(l) **Termination.**—The authority under this section to carry out the pilot program shall terminate on December 31, 2028.
SEC. 852. DEMONSTRATION AND PROTOTYPING PROGRAM

TO ADVANCE INTERNATIONAL PRODUCT SUPPORT CAPABILITIES IN A CONTESTED LOGISTICS ENVIRONMENT.

(a) CONTESTED LOGISTICS DEMONSTRATION AND PROTOTYPING PROGRAM REQUIRED.—The Secretary of Defense shall establish a contested logistics demonstration and prototyping program to identify, develop, demonstrate, and field capabilities for product support in order to reduce or mitigate the risks associated with operations in a contested logistics environment.

(b) PURPOSE.—In carrying out the Program, the Secretary shall do the following:

(1) Identify ways to leverage the inherent interoperability, commonality, and interchangeability of platforms and information systems operated by the United States and one or more covered nations, including to enable effective maintenance and repair activities in a contested logistics environment.

(2) Determine, develop, or establish best practices to reduce time needed to return repaired equipment to service.

(3) Identify, develop, demonstrate, and field effective and efficient means of conducting repairs of equipment in theater away from permanent repair facilities.
(4) Explore flexible approaches to contracting and use of partnership agreements to enable use or development of the capabilities of covered product support providers to effectively, efficiently, and timely satisfy the product support requirements of combat command and covered nation in a contested logistics environment.

(5) Identify the resources, including any additional authorizations, that the Department of Defense requires to reduce or mitigate the risks associated with operations in a contested logistics environment.

(6) Identify and document impediments to the performance of product support in contested logistical environments by covered product support providers, including impediments created by statute, regulation, policy, agency guidance, or limitations on expenditure, transfer, or receipt of funds for product support in contested logistics environments.

(7) Identify and document any statutory or regulatory waivers or exemptions that may be applicable or necessary to enable the United States and covered nations to jointly carry out product support activities in contested logistics environments located outside of the territory of the United States, including, for each such waiver and exemption—
(A) the office or individual responsible for requesting such waiver or exemption;

(B) the criteria for approval of such waiver or exemption; and

(C) the individual or entity responsible for approving such waiver or exemption.

(e) **Advance Planning and Preparation.**—The Secretary may establish a product support agreements with a covered product support provider to enable a rapid response in a contingency operation (as defined in section 101(a) of title 10, United States Code) to the product support requirements of such contingency operation.

(d) **Authorities.**—In carrying out the Program, the Secretary may, in accordance with section 2753 of title 22, United States Code, use the authorities under sections 2342, 2474, 3601, 4021, and 4022 of title 10, United States Code, including the authorities related to use of Other Transaction Authorities for prototype projects provided by section 843 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117-263).

(e) **Report.**—Not later than 30 months after the date of enactment of this Act, the Secretary shall submit to the Congress a report summarizing the activities undertaken in accordance with this section, including—
(1) any recommendations to reduce impediments to meeting the requirements of combatant command or covered nation for product support in a contested logistics environment;

(2) a summary of impediments identified under subsection (b)(7) and specific recommendations for necessary changes to statutory, regulatory, policy, agency guidance, or current limitations on expenditure, transfer, or receipt of funds to carry out the product support activities under this pilot indefinitely;

(3) a summary of waivers or exemptions identified under subsection (b)(8), along with any recommendations for changes to the processes for obtaining such waivers or exemptions; and

(4) recommendations for improving the Program, including whether to expand the list of covered nations.

(f) DEVELOPMENT AND PROMULGATION OF DEPARTMENT OF DEFENSE GUIDANCE.—Not later than 180 days after the date of enactment of this Act, the Secretary shall develop and promulgate guidance implementing the Program.
(g) \textit{SUNSET}.—The authority under this section shall terminate on the date that is 3 years after the date of the enactment of this Act.

(h) \textit{DEFINITIONS}.—In this section:

(1) \textit{CONTESTED LOGISTICS ENVIRONMENT}.—The term “contested logistics environment” has the meaning given such term in section 2926 of title 10, United States Code.

(2) \textit{COVERED NATIONS}.—The term “covered nation” means—

(A) Australia;

(B) Canada;

(C) New Zealand; or

(D) United Kingdom of Great Britain and Northern Ireland.

(3) \textit{COVERED PRODUCT SUPPORT PROVIDER}.—The term “covered product support provider” means an entity that provides product support.

(4) \textit{PRODUCT SUPPORT; PRODUCT SUPPORT INTEGRATOR}.—The terms “product support” and “product support integrator” have the meanings given such terms, respectively, in section 4324 of title 10, United States Code.

(5) \textit{PRODUCT SUPPORT ARRANGEMENT}.—The term “product support arrangement” means a con-
tract, task order, or any other type of agreement or arrangement, between the United States and a covered nation for the performance of sustainment or logistics support required for a platform or information system operated by the United States and such covered nation, or a subsystems or components of such a platform or information system, including any agreement or arrangement for the following with respect to such a platform, information system, subsystem, or component:

(A) Performance-based logistics.
(B) Sustainment support.
(C) Contractor logistics support.
(D) Life-cycle product support.
(E) Weapon system product support.

(6) PROGRAM.—The term “Program” means the demonstration and prototyping program established under subsection (a).

(7) SECRETARY.—The term “Secretary” means the Secretary of Defense.

SEC. 853. DEFENSE INDUSTRIAL BASE ADVANCED CAPABILITIES PILOT PROGRAM.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Under Secretary of Defense for Acquisition and Sustainment shall carry out
a public-private partnership pilot program to accelerate the scaling, production, and acquisition of advanced capabilities for national security by creating incentives for investment in domestic small businesses or nontraditional businesses to create a robust and resilient defense industrial base.

(2) Goals.—The goals of the public-private partnership pilot program are as follows:

(A) To bolster the defense industrial base through acquisition and deployment of advanced capabilities necessary to field Department of Defense modernization programs and priorities.

(B) To strengthen domestic defense supply chain resilience and capacity by investing in innovative defense companies.

(C) To leverage private equity capital to accelerate domestic defense scaling, production, and manufacturing.

(b) Public-Private Partnerships.—

(1) In general.—In carrying out subsection (a), the Under Secretary shall enter into public-private partnerships, consistent with the phased implementation provided for in subsection (e), with for-profit persons using the criteria set forth in paragraph (2).
(2) CRITERIA.—The criteria referred to in paragraph (1) 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 equity fund experience 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) OPERATING AGREEMENT.—The Under Secretary and a person or persons with whom the Under 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 and its operations.

(c) INVESTMENT OF EQUITY.—

(1) IN GENERAL.—Pursuant to public-private partnerships entered into under subsection (b), a person or persons with whom the Under Secretary has
entered into a partnership shall invest equity in dom-
estic small businesses or nontraditional businesses
consistent with subsection (a), with investments se-
lected based on technical merit, economic value, and
the Department’s modernization priorities.

(2) AUTHORITIES.—A person or persons de-
scribed in paragraph (1) shall have sole authority to
operate, manage, and invest.

(d) LOAN GUARANTEE.—

(1) IN GENERAL.—The Under Secretary shall
provide an up to 80 percent loan guarantee, pursuant
to the public-private partnerships entered into under
subsection (b), with investment of equity that qualifies
under subsection (c) and consistent with the goals set
forth under subsection (a)(2).

(2) PILOT PROGRAM AUTHORITY.—The tem-
porary loan guarantee authority described under
paragraph (1) is exclusively for the public-private
partnerships authorized under this section and may
not be utilized for other programs or purposes.

(3) SUBJECT TO OPERATING AGREEMENT.—The
loan guarantee under paragraph (1) shall be subject
to the operating agreement entered into under sub-
section (b)(3).
(4) Use of Funds.—Obligations incurred by the Under Secretary under this paragraph shall be subject to the availability of funds provided in advance specifically for the purpose of such loan guarantees.

(e) Phased Implementation Schedule and Required Reports and Briefings.—The program established under subsection (a) shall be carried out in two phases as follows:

(1) Phase 1.—

(A) In General.—Phase 1 shall consist of an initial pilot program with one public-private partnership, consistent with subsection (b), to assess the feasibility and advisability of expanding the scope of the program. The Under Secretary shall begin implementation of phase 1 not later than 180 days after the date of the enactment of this Act.

(B) Implementation Schedule and Framework.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit an implementation plan to the congressional defense committees on the design of phase 1. The plan shall include—
(i) an overview of, and the activities undertaken, to execute the public-private partnership;

(ii) a description of the advanced capabilities and defense industrial base areas under consideration for investment; and

(iii) implementation milestones and metrics.

(C) REPORT AND BRIEFING REQUIRED.—Not later than 27 months after the date of the enactment of this Act, the Secretary shall provide to the congressional defense committees a report and briefing on the implementation of this section and the feasibility and advisability of expanding the scope of the pilot program. The report and briefing shall include, at minimum—

(i) an overview of program performance, and implementation and execution milestones and outcomes;

(ii) an overview of progress in—

(I) achieving new products in production aligned with Department of Defense needs;
(II) scaling businesses aligned to targeted industrial base and capability areas;

(III) generating defense industrial base job growth;

(IV) increasing supply chain resilience and capacity; and

(V) enhancing competition on advanced capability programs; and

(iii) an accounting of activities undertaken and outline of the opportunities and benefits of expanding the scope of the pilot program.

(2) Phase 2.—

(A) In General.—Not later than 30 months after the date of the enactment of this Act, the Secretary may expand the scope of the phase 1 pilot program with the ability to increase to not more than three public-private partnerships, consistent with subsection (b).

(B) Report and Briefing Required.—Not later than five years after the date of the enactment of this Act, the Secretary shall provide to the congressional defense committees a report and briefing on the outcomes of the pilot pro-
gram under subsection (a), including the elements described in paragraph (1)(C), and the feasibility and advisability of making the program permanent.

(f) TERMINATION.—The authority to enter into an agreement to carry out the pilot program under subsection (a) shall terminate on the date that is five years after the date of the enactment of this Act.

(g) DEFINITIONS.—In this section:

(1) CONGRESSIONAL DEFENSE COMMITTEES.—The term “congressional defense committees” has the meaning given the term in section 101(a)(16) of title 10, United States Code.

(2) DOMESTIC BUSINESS.—The term “domestic business” has the meaning given the term “U.S. business” in section 800.252 of title 31, Code of Federal Regulations, or successor regulation.

(3) DOMESTIC SMALL BUSINESSES OR NONTRADITIONAL BUSINESSES.—The term “domestic small businesses or nontraditional businesses” means—

(A) a small business that is a domestic business; or

(B) a nontraditional business that is a domestic business.
(4) Free from foreign oversight, control, influence, or beneficial ownership.—The term “free from foreign oversight, control, influence, or beneficial ownership”, with respect to a person, means a person who has not raised and managed capital from a person or entity that is not trusted and who is otherwise free from foreign oversight, control, influence, or beneficial ownership.

(5) Independent.—The term “independent”, with respect to a person, means a person who lacks a conflict of interest accomplished by not having entity or manager affiliation or ownership with an existing fund.

(6) Nontraditional business.—The term “nontraditional business” has the meaning given the term “nontraditional defense contractor” in section 3014 of title 10, United States Code.

(7) Small business.—The term “small business” has the meaning given the term “small business concern” in section 3 of the Small Business Act (15 U.S.C. 632).
Subtitle E—Industrial Base Matters

SEC. 861. ADDITIONAL NATIONAL SECURITY OBJECTIVES FOR THE NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.

Section 4811(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(12) Reducing, to the maximum extent practicable, the reliance of the Department of Defense on services, supplies, or materials from potential adversaries.”.

SEC. 862. USE OF INDUSTRIAL BASE FUND FOR SUPPORT FOR THE WORKFORCE FOR LARGE SURFACE COMBATANTS.

Section 4817(d) of title 10, United States Code, is amended—

(1) in paragraph (3), by striking “and” at the end;

(2) in paragraph (4), by striking the period and inserting “; and”; and

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

“(5) to provide support for the recruitment, training, and retention of the workforce for large surface combatants.”.
SEC. 863. REDESIGNATION OF INDUSTRIAL BASE FUND AS INDUSTRIAL BASE AND OPERATIONAL INFRA-STRUCTURE FUND; ADDITIONAL USES.

Section 4817 of title 10, United States Code, is amended—

(1) in the section heading, by inserting “and Operational Infrastructure” after “Industrial Base”;

(2) in subsection (a), by inserting “and Operational Infrastructure” after “Industrial Base”;

(3) in subsection (b), by striking “, acting through the Deputy Assistant Secretary of Defense for Manufacturing and Industrial Base Policy”; and

(4) in subsection (d)—

(A) in paragraph (4), as amended by section 862, by striking “and” at the end;

(B) in paragraph (5), as added by section 862, by striking the period at the end and inserting a semicolon; and

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

“(6) to acquire—

“(A) strategic and critical materials for the National Defense Stockpile; and

“(B) munitions for the armed forces;
“(7) to provide and expedite infrastructure projects critical to operational readiness within priority theaters as determined by the Secretary, consistent with the national defense strategy required under section 113(g) of this title; and

“(8) to acquire and deploy capabilities and prototypes developed under the authorities of section 3601 of title 10, section 804 of the National Defense Authorization Act for Fiscal Year 2016 (10 U.S.C. 3201 note prec.), and any other alternative acquisition pathway or mechanism designed to deploy operational capabilities and operational prototypes for defense purposes within five years.”.

SEC. 864. MODIFICATIONS TO THE PROCUREMENT TECHNICAL ASSISTANCE COOPERATIVE AGREEMENT PROGRAM.

(a) MODIFICATION TO DEFINITION OF ELIGIBLE ENTITY.—Section 4951(1) of title 10, United States Code, is amended—

(1) in subparagraph (C), by striking “private”;

(2) by redesignating subparagraph (D) as subparagraph (E); and

(3) by inserting after subparagraph (C) the following new subparagraph:
“(D) An institution of higher education, as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).”.

(b) Definition of Business Entity.—Section 4951 of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(5) Business entity.—The term ‘business entity’ means a corporation, association, partnership, limited liability company, limited liability partnership, consortia, nonprofit organization, or other legal entity.”.

(c) Cooperative Agreements.—Section 4954(c) of title 10, United States Code, is amended to read as follows:

“(c) Waiver.—The Secretary may waive or modify the percentages in subsection (b) on a case-by-case basis.”.

(d) Funding.—Section 4955 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(e) Funding.—The Secretary of Defense may only use amounts appropriated under this chapter for the execution and administration of this chapter.”.
SEC. 865. MODIFICATION TO PROCUREMENT REQUIREMENTS RELATING TO RARE EARTH ELEMENTS AND STRATEGIC AND CRITICAL MATERIALS.


(1) in subsection (a)—

(A) in paragraph (1)(A)—

(i) by striking “permanent magnet” and inserting “permanent magnet, or an advanced battery or advanced battery component (as those terms are defined, respectively, in section 40207(a) of the Infrastructure Investment and Jobs Act (42 U.S.C. 18741(a))),”;

(ii) by striking “of the magnet” and inserting “of the magnet, the advanced battery, or the advanced battery component (as applicable)”;

(B) in paragraph (2), by amending to read as follows:
“(2) ELEMENTS.—A disclosure under paragraph (1) with respect to a system described in that paragraph shall include—

“(A) if the system includes a permanent magnet, an identification of the country or countries in which—

“(i) any rare earth elements and strategic and critical materials used in the magnet were mined;

“(ii) such elements and materials were refined into oxides;

“(iii) such elements and materials were made into metals and alloys; and

“(iv) the magnet was sintered or bonded and magnetized; and

“(B) if the system includes an advanced battery or an advanced battery component, an identification of the country or countries in which—

“(i) any strategic and critical materials that are covered minerals used in the battery or component were mined;

“(ii) any strategic and critical materials that are covered minerals used in the
battery or component were refined, processed, or reprocessed;

“(iii) any strategic and critical materials that are covered minerals and that were manufactured into the battery or component; and

“(iv) the battery cell, module, and pack of the battery or component were manufactured and assembled.”; and

(2) by amending subsection (d) to read as follows:

“(d) DEFINITIONS.—In this section:

“(1) The term ‘strategic and critical materials’ means materials designated as strategic and critical under section 3(a) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b(a)).

“(2) The term ‘covered minerals’ means lithium, nickel, cobalt, manganese, and graphite.”.

(b) TECHNICAL AMENDMENTS.—Subsection (a) of such section 857 is further amended—

(1) in paragraph (3), by striking “provides the system” and inserting “provides the system as described in paragraph (1)”;}
(2) in paragraph (4)(C), by striking “a senior acquisition executive” and inserting “a service acquisition executive”.

SEC. 866. SECURING MARITIME DATA FROM CHINA.

(a) Countering the Spread of Covered Logistics Software.—

(1) Contracting Prohibition.—

(A) In General.—The Department of Defense may not enter into a contract with an entity that uses covered logistics software.

(B) Applicability.—This paragraph shall apply with respect to any contract entered into on or after the date that is 180 days after the enactment of this subsection.

(2) Waiver.—The Secretary of Defense may waive the provisions of this subsection for a specific contract—

(A) if the Secretary makes a determination that such waiver is vital to the national security of the United States; and

(B) submits to Congress a report justifying the use of such waiver and the importance of such waiver to the national security of the United States.
(3) REPORT.—Not later than one year after the date of the enactment of this subsection, and annually for three subsequent years, the Secretary of Defense shall submit to Congress a report on the implementation of this subsection.

(b) POLICY WITH RESPECT TO PORTS ACCEPTING FEDERAL GRANT MONEY.—

(1) IN GENERAL.—Chapter 503 of title 46, United States Code, is amended by adding at the end the following:

“§ 50309. Prohibited use

“(a) IN GENERAL.—A covered port authority may not use covered logistics software.

“(b) GUIDANCE.—The Secretary of Transportation, in consultation with the Secretary of Defense, shall publish on a website of the Department of Transportation, and update regularly, a list of entities subject to the prohibition in subsection (a).

“(c) CONSULTATION.—The Secretary of Transportation shall consult with the Department of State in carrying out this section.

“(d) WAIVER.—The Secretary of Transportation, in consultation with the Secretary of State, may waive the provisions of this section for a specific contract—
“(A) if the Secretary of Transportation makes a determination that such waiver is vital to the national security of the United States; and

“(B) submits to Congress a report justifying the use of such waiver and the importance of such waiver to the national security of the United States.

“(a) DEFINITIONS.—In this section:

“(1) COVERED LOGISTICS SOFTWARE.—The term ‘covered logistics software’ means—

“(A) the public, open, shared logistics information network known as the National Public Information Platform for Transportation and Logistics by the Ministry of Transport of China or any affiliate or successor entity;

“(B) any other transportation logistics software designed to be used by port authorities subject to the jurisdiction, ownership, direction, or control of a foreign adversary; or

“(C) any other logistics platform or software that shares data with a system described in subparagraphs (A) or (B).

“(2) COVERED PORT AUTHORITY.—The term ‘covered port authority’ means a port authority that
receives funding under a program authorized under part C of this subtitle.’’

(2) APPLICABILITY.—Section 50309 of title 46, United States Code, as added by paragraph (1), shall apply with respect to any contract entered into on or after the date that is 180 days after the enactment of this subsection.

(3) REPORTING.—Not later than one year after the date of the enactment of this subsection, and annually for three subsequent years, the Secretary of Transportation shall submit to Congress a report on the implementation of section 50309 of title 46, United States Code, as added by paragraph (1).

(c) NEGOTIATIONS WITH ALLIES AND PARTNERS.—

(1) NEGOTIATIONS REQUIRED.—The Secretary of State shall seek to enter into negotiations with United States ally and partner countries, including those described in paragraph (3), if the President determines that ports or other entities operating within the jurisdiction of such ally or partner countries are using or are considering using covered logistics software.

(2) ELEMENTS.—As part of the negotiations described in paragraph (1), the President shall—

(A) urge governments of such ally and partner countries to require entities within the juris-
diction of such governments to terminate the use of covered logistics software;

(B) describe the threats posed by covered logistics software to United States military and strategic interests and the implications such threats may have for the presence of members of the Armed Forces of the United States in such countries;

(C) urge governments to use their voice, influence, and vote to align with the United States and to counter attempts by foreign adversaries at international standards-setting bodies to adopt standards that incorporate covered logistics software; and

(D) attempt to establish, through multilateral entities, bilateral or multilateral negotiations, military cooperation, and other relevant engagements or agreements, a prohibition on the use of covered logistics software.

(3) ALLIES AND PARTNERS DESCRIBED.—The countries and entities with which the President shall conduct negotiations described in this subsection shall include—
(A) all countries party to a collective defense treaty or other collective defense arrange-
ment with the United States;

(B) India; and

(C) Taiwan.

(4) REPORT.—Not later than one year after the date of the enactment of this subsection, the Secretary of State shall submit a report to the appropriate congressional committees describing—

(A) the efforts made by the United States Government as of the date of the submission of the report in the negotiations described in this subsection; and

(B) the actions taken by the governments of ally and partner countries pursuant to the nego-
tiation priorities described in this subsection.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMIT-
TEES.—The term “appropriate congressional commit-
tees” means—

(A) the Committees on Armed Services, For-

foreign Affairs, and Transportation and Infrastruc-
ture of the House of Representatives; and

(B) The Committees on Armed Services,

Foreign Relations, and Commerce, Science, and
Transportation, and Armed Services of the Senate.

(2) COVERED LOGISTICS SOFTWARE.—The term “covered logistics software” means—

(A) the public, open, shared logistics information network known as the National Public Information Platform for Transportation and Logistics by the Ministry of Transport of China or any affiliate or successor entity;

(B) any other transportation logistics software designed to be used by port authorities subject to the jurisdiction, ownership, direction, or control of a foreign adversary; or

(C) any other logistics platform or software that shares data with a system described in subparagraphs (A) or (B).

(3) FOREIGN ADVERSARY.—The term “foreign adversary” means—

(A) the People’s Republic of China, including the Hong Kong and Macau Special Administrative Regions;

(B) the Republic of Cuba;

(C) the Islamic Republic of Iran;

(D) the Democratic People’s Republic of Korea;
(E) the Russian Federation; and

(F) the Bolivarian Republic of Venezuela under the regime of Nicolás Maduro Moros.

SEC. 867. PILOT PROGRAM FOR ANALYZING AND CONTIN-
UOUS MONITORING OF KEY SUPPLY CHAINS.

(a) In General.—Not later than 90 days after the
date of the enactment of this Act, the Secretary of Defense,
acting through the Under Secretary of Defense for Acquisi-
tion and Sustainment and in coordination with the Com-
mander of the United States Indo-Pacific Command and
the Secretary of each military department, shall establish
a pilot program under which a private entity shall—

(1) monitor the supply chains for the covered
weapons platforms; and

(2) analyze the supply chains of the defense in-
dustrial base for potential issues and vulnerabilities
and opportunities for improvement.

(b) Monitoring Entity.—

(1) Selection.—The Under Secretary of De-
fense for Acquisition and Sustainment shall select a
private entity to carry out the monitoring and anal-
ysis of supply chains under the pilot program estab-
lished under subsection (a).

(2) Supply Chain Monitoring and Anal-
ysis.—
(A) IN GENERAL.—The monitoring entity shall, using the information made available to the monitoring entity under subparagraph (B) and such other information as may be available—

(i) continuously monitor the supply chains for covered weapons platforms, including each entity involved in such supply chain, for potential issues and vulnerabilities, including issues related to the security and capacity of any such supply chain, and opportunities for improvement; and

(ii) regularly analyze the supply chains of the defense industrial base for potential issues and opportunities for improvement.

(B) AGENCY COOPERATION.—The Department of Defense shall make available to the monitoring entity all information held by the Department or available to the Department from contractors providing goods or services to the Department relating to the supply chains of such contractors, except that the Department shall not
make available such information as the Secretary of Defense determines appropriate.

(C) SAFEGUARDING INFORMATION.—The Secretary of Defense shall require the monitoring entity to take such steps as are reasonably necessary to protect any confidential, proprietary, or sensitive information.

(D) ISSUE REPORTING.—

(i) IN GENERAL.—The monitoring entity shall report to the Secretary concerned issues and vulnerabilities identified pursuant to monitoring under subparagraph (A)(i).

(ii) VALIDATION.—The monitoring entity shall use a process to report issues and vulnerabilities identified pursuant to monitoring under subparagraph (A)(i) that involves manual validation of such issues and vulnerabilities and other activities designed to—

(I) prevent members of the acquisition workforce (as such term is defined in section 101(a) of title 10, United States Code) from becoming de-
sensitized to such issues and vulnerabilities; and

(II) avoid providing an excessive or unmanageable number of alerts regarding such issues and vulnerabilities.

(3) QUARTERLY REPORTS.—Not less than 90 days after the establishment of the pilot program, and every 90 days thereafter, the monitoring entity shall submit to the Under Secretary of Defense for Acquisition and Sustainment a report on the issues, vulnerabilities, and opportunities identified by the monitoring entity pursuant under the pilot program, including—

(A) a list of the vulnerabilities of the supply chains for covered weapons platforms, categorized by severity; and

(B) for each vulnerability described in subparagraph (A), a description of such vulnerability, whether such vulnerability has been resolved, and, if resolved, the time from identification to resolution.

(c) CONGRESSIONAL REPORTS.—Not later than 180 days after the date of the enactment of this Act, each Secretary concerned shall submit to the congressional defense
committees (as defined in section 101(a) of title 10, United States Code) a report containing—

(1) a list of the vulnerabilities of the supply chains for covered weapons platforms identified under the pilot program, categorized by severity;

(2) for each vulnerability described in subparagraph (A), a description of such vulnerability, whether such vulnerability has been resolved, and, if resolved, the time from identification to resolution;

(3) an assessment of any legal authorities that are needed to continuously monitor the supply chains for all major defense acquisition programs (as such term is defined in section 4201 of title 10, United States Code) in a manner similar to the monitoring of supply chains for covered weapons platforms under the pilot program;

(4) an assessment of the costs avoided by the identification of issues and vulnerabilities to supply chains under the pilot program prior such issues and vulnerabilities affecting the supply chains.

(d) TERMINATION DATE.—The authority under this section shall terminate on the date that is one year after the date of the enactment of this Act.

(e) DEFINITIONS.—In this section:

(2) Monitoring entity.—The term “monitoring entity” means the entity that is operating under an agreement with the Secretary of Defense to carry out the monitoring and analysis of supply chains under the pilot program pursuant to a selection under subsection (b)(1).

(3) Pilot program.—The term “pilot program” means the pilot program established under subsection (a).

(4) Secretary concerned.—The term “Secretary concerned” has the meaning given such term in section 101(a) of title 10, United States Code.

SEC. 868. STUDY AND REPORT ON COUNTRY OF ORIGIN OF END ITEMS AND COMPONENTS PROCURED BY DEPARTMENT OF DEFENSE.

(a) Study.—The Comptroller General of the United States shall conduct a study to identify the degree to which the Department of Defense is dependent on entities located...
in foreign countries for the procurement of certain end
items and components.

(b) Report.—

(1) In general.—Not later than 6 months after
the date of the enactment of this section, the Comptroller General of the United States shall submit to
the Committees on Armed Services of the Senate and
the House of Representatives a report detailing the
findings of the study described in subsection (a).

(2) Elements.—The report described in para-
graph (1) shall contain the following:

(A) A description of the extent to which the
procurement processes of the Department of De-
fense allow for the determination of the country
of origin of the end items and components stud-
ied under subsection (a).

(B) Descriptions of the vulnerabilities in the
supply chains for end items and components and
the countries from which such end items and
components are procured.

(C) Recommendations for legislative or ad-
ministrative action to address the vulnerabilities
described in subparagraph (B), including plans
for alternative supply chains or alternative
countries from which to procure end items and components.

(c) DEFINITIONS.—In this section:

(1) COMPONENT.—The term “component” has the meaning given the term in section 3011 of title 10, United States Code.

(2) END ITEM.—The term “end item” has the meaning given the term in section 4863(n) of title 10, United States Code.

SEC. 869. ENHANCED DOMESTIC CONTENT REQUIREMENT FOR MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) ASSESSMENT REQUIRED.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report assessing the domestic source content of procurements carried out in connection with a major defense acquisition program.

(2) INFORMATION REPOSITORY.—The Secretary of Defense shall establish an information repository for the collection and analysis of information related to domestic source content for products the Secretary deems critical, where such information can be used
for continuous data analysis and program management activities.

(b) **Enhanced Domestic Content Requirement.**—

(1) **In General.**—Except as provided in paragraph (2), for purposes of chapter 83 of title 41, United States Code, manufactured articles, materials, or supplies procured in connection with a major defense acquisition program are manufactured substantially all from articles, materials, or supplies mined, produced, or manufactured in the United States if the cost of such component articles, materials, or supplies—

(A) supplied not later than the date of the enactment of this Act, exceeds 60 percent of cost of the manufactured articles, materials, or supplies procured;

(B) supplied during the period beginning January 1, 2024, and ending December 31, 2028, exceeds 65 percent of the cost of the manufactured articles, materials, or supplies; and

(C) supplied on or after January 1, 2029, exceeds 75 percent of the cost of the manufactured articles, materials, or supplies.

(2) **Exclusion for Certain Manufactured Articles.**—Paragraph (1) shall not apply to manu-
factured articles that consist wholly or predominantly
of iron, steel, or a combination of iron and steel.

(3) RULEMAKING TO CREATE A FALBACK
THRESHOLD.—

(A) IN GENERAL.—Not later than 180 days
after the date of the enactment of this Act, the
Secretary of Defense shall issue rules to deter-
mine the treatment of the lowest price offered for
a foreign end product for which 55 percent or
more of the component articles, materials, or
supplies of such foreign end product are manu-
factured substantially all from articles, mate-
rials, or supplies mined, produced, or manufac-
tured in the United States if—

(i) the application paragraph (1) re-
sults in an unreasonable cost; or

(ii) no offers are submitted to supply
manufactured articles, materials, or sup-
plies manufactured substantially all from
articles, materials, or supplies mined, pro-
duced, or manufactured in the United
States.

(B) TERMINATION.—Rules issued under this
paragraph shall cease to have force or effect on
January 1, 2031.
(4) APPLICABILITY.—The requirements of this subsection—

(A) shall apply to contracts entered into on or after the date of the enactment of this Act;

(B) shall not apply to articles manufactured in countries that have executed a reciprocal defense procurement memorandum of understanding with the United States entered into pursuant to section 4851 of title 10, United States Code; and

(C) shall not apply to a country that is a member of the national technology and industrial base (as defined by section 4801 of title 10, United States Code).

(c) MAJOR DEFENSE ACQUISITION PROGRAM DEFINED.—The term “major defense acquisition program” has the meaning given in section 4201 of title 10, United States Code.

Subtitle F—Small Business Matters

SEC. 881 ENTREPRENEURIAL INNOVATION PROJECT DESIGNATIONS.

(a) IN GENERAL.—

(1) Designating certain SBIR and STTR programs as entrepreneurial innovation projects.—Chapter 303 of title 10, United States
Code, is amended by inserting after section 4067 the following new section:

“§ 4068. Entrepreneurial Innovation Project designations

“(a) IN GENERAL.—During the first fiscal year beginning after the date of the enactment of this section, and during each subsequent fiscal year, each Secretary concerned, in consultation with the each chief of an armed force under the jurisdiction of the Secretary concerned, shall designate not less than five eligible programs as Entrepreneurial Innovation Projects.

“(b) APPLICATION.—An eligible program seeking designation as an Entrepreneurial Innovation Project under this section shall submit to the Secretary concerned an application at such time, in such manner, and containing such information as the Secretary concerned determines appropriate.

“(c) DESIGNATION CRITERIA.—In making designations under subsection (a), the Secretary concerned shall consider—

“(1) the potential of the eligible program to—

“(A) advance the national security capabilities of the United States;

“(B) provide new technologies or processes, or new applications of existing technologies, that
will enable new alternatives to existing pro-
grams; and

“(C) provide future cost savings;

“(2) whether an advisory panel has rec-
ommended the eligible program for designation; and

“(3) such other criteria that the Secretary con-
cerned determines to be appropriate.

“(d) DESIGNATION BENEFITS.—

“(1) FUTURE YEARS DEFENSE PROGRAM INCLU-
sion.—With respect to each designated program, the
Secretary of Defense shall include in the next future-
years defense program the estimated expenditures of
such designated program. In the preceding sentence,
the term ‘next future-years defense program’ means
the future-years defense program submitted to Con-
gress under section 221 of this title after the date on
which such designated program is designated under
subsection (a).

“(2) PROGRAMMING PROPOSAL.—Each des-
ignated program shall be included by the Secretary
concerned under a separate heading in any program-
ming proposals submitted to the Secretary of Defense.

“(3) PPBE COMPONENT.—Each designated pro-
gram shall be considered by the Secretary concerned
as an integral part of the planning, programming,
budgeting, and execution process of the Department of Defense.

“(e) ENTREPRENEURIAL INNOVATION ADVISORY PANELS.—

“(1) ESTABLISHMENT.—For each military department, the Secretary concerned shall establish an advisory panel that, starting in the first fiscal year beginning after the date of the enactment of this section, and in each subsequent fiscal year, shall identify and recommend to the Secretary concerned for designation under subsection (a) eligible programs based on the criteria described in subsection (c)(1).

“(2) MEMBERSHIP.—

“(A) COMPOSITION.—

“(i) IN GENERAL.—Each advisory panel shall be composed of four members appointed by the Secretary concerned and one member appointed by the chief of the relevant armed force under the jurisdiction of the Secretary concerned.

“(ii) SECRETARY CONCERNED APPOINTMENTS.—The Secretary concerned shall appoint members to the advisory panel as follows:

“(I) Three members who—
“(aa) have experience with private sector entrepreneurial innovation, including development and implementation of such innovations into well established markets; and

“(bb) are not employed by the Federal Government.

“(II) One member who is in the Senior Executive Service in the acquisition workforce (as defined in section 1705 of this title) of the relevant military department.

“(iii) SERVICE CHIEF APPOINTMENT.— The chief of an armed force under the jurisdiction of the Secretary concerned shall appoint to the advisory panel one member who is a member of such armed forces.

“(B) TERMS.—

“(i) PRIVATE SECTOR MEMBERS.— Members described in subparagraph (A)(ii)(I) shall serve for a term of three years, except that of the members first appointed—
“(I) one shall serve a term of one year;
“(II) one shall serve a term of two years; and
“(III) one shall serve a term of three years.
“(ii) Federal government employees.—Members described in clause (ii)(II) or (iii) of subparagraph (A) shall serve for a term of two years, except that the first member appointed under subparagraph (A)(iii) shall serve for a term of one year.
“(C) Chair.—The chair for each advisory panel shall be as follows:
“(i) For the first year of operation of each such advisory panel, and every other year thereafter, the member appointed under subparagraph (A)(iii).
“(ii) For the second year of operation of each such advisory panel, and every other year thereafter, the member appointed under subparagraph (A)(ii)(II).
“(D) Vacancies.—A vacancy in an advisory panel shall be filled in the same manner as the original appointment.
“(E) CONFLICT OF INTEREST.—Members and staff of each advisory panel shall disclose to the relevant Secretary concerned, and such Secretary concerned shall mitigate to the extent practicable, any professional or organizational conflict of interest of such members or staff arising from service on the advisory panel.

“(F) COMPENSATION.—

“(i) PRIVATE SECTOR MEMBER COMPENSATION.—Except as provided in clause (ii), members of an advisory panel, and the support staff of such members, shall be compensated at a rate determined reasonable by the Secretary concerned and shall be reimbursed in accordance with section 5703 of title 5 for reasonable travel costs and expenses incurred in performing duties as members of an advisory panel.

“(ii) PROHIBITION ON COMPENSATION OF FEDERAL EMPLOYEES.—Members of an advisory panel who are full-time officers or employees of the United States or Members of Congress may not receive additional pay, allowances, or benefits by reason of their service on an advisory panel.
“(3) Selection process.—

“(A) Initial selection.—Each advisory panel shall select not less than ten eligible programs that have submitted an application under subsection (b).

“(B) Program plans.—

“(i) In general.—Each eligible program selected under subparagraph (A) may submit to the advisory panel that selected such eligible program a program plan containing the five-year goals, execution plans, schedules, and funding needs of such eligible program.

“(ii) Support.—Each Secretary concerned shall, to the greatest extent practicable, provide eligible programs selected under subparagraph (A) with access to information to support the development of the program plans described in clause (i).

“(C) Final selection.—Each advisory panel shall recommend to the Secretary concerned for designation under subsection (a) not less than five eligible programs that submitted a program plan under subparagraph (B) to such advisory panel. If there are less than five such el-
eligible programs, such advisory panel may recommend to the Secretary concerned for designation under subsection (a) less than five such eligible programs.

“(4) Administrative and Technical Support.—The Secretary concerned shall provide the relevant advisory panel with such administrative support, staff, and technical assistance as the Secretary concerned determines necessary for such advisory panel to carry out its duties.

“(5) Funding.—The Secretary of Defense may use amounts available from the Department of Defense Acquisition Workforce Development Account established under section 1705 of this title to support the activities of advisory panels.

“(f) Revocation of Designation.—If the Secretary concerned determines that a designated program cannot reasonably meet the objectives of such designated program in the relevant programming proposal referred to in subsection (d)(2) or such objectives are irrelevant, such Secretary concerned may revoke the designation.

“(g) Report to Congress.—The Secretary of Defense shall submit to Congress an annual report describing each designated program and the progress each designated
program has made toward achieving the objectives of the designated program.

“(h) DEFINITIONS.—In this section:

“(1) ADVISORY PANEL.—The term ‘advisory panel’ means an advisory panel established under subsection (e)(1).

“(2) DESIGNATED PROGRAM.—The term ‘designated program’ means an eligible program that has been designated as an Entrepreneurial Innovation Project under this section.

“(3) ELIGIBLE PROGRAM.—The term ‘eligible program’ means work performed pursuant to a Phase III agreement (as such term is defined in section 9(r)(2) of the Small Business Act (15 U.S.C. 638(r)(2))).”.

(2) TARGET CHAPTER TABLE OF SECTIONS.—The table of sections at the beginning of chapter 303 of title 10, United States Code, is amended by inserting after the item related to section 4067 the following new item:

“4068. Entrepreneurial Innovation Project designations.”.

(b) ESTABLISHMENT DEADLINE.—Not later than 120 days after the date of the enactment of this Act, the Secretaries of each military department shall establish the advisory panels described in section 4068(e) of title 10, United States Code, as added by subsection (a).
SEC. 882. EXTENSION AND MODIFICATION OF DOMESTIC INVESTMENT PILOT PROGRAM.


(1) in subsection (a), by striking “Not later than 1 year after the date of the enactment of this Act” and inserting “Not later than October 1, 2023”;

(2) in subsection (c)—

(A) by striking “Secretary of Defense may not use” and inserting the following: “Secretary of Defense—

“(1) may not use”;

(B) in paragraph (1), as so designated, by striking “STTR program.” and inserting “STTR program; and”; and

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

“(2) shall ensure that such program complies with the requirements of a due diligence program established under subsection (vv) of the Small Business Act (15 U.S.C. 638(vv)).”; and

(3) in subsection (f), by striking “September 30, 2022” and inserting “September 30, 2027”.

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SEC. 883. STUDY AND REPORT ON THE EXPANSION OF THE
STRATEGIC FUNDING INCREASE PROGRAM
OF THE AIR FORCE.

(a) FEASIBILITY STUDY.—The Secretary of Defense
shall direct the heads of the offices responsible for carrying
out the Small Business Innovation Research Programs of
the Army, Navy, and Marine Corps to jointly conduct a
study on the feasibility of implementing a covered program.

(b) REPORT.—

(1) IN GENERAL.—Not later than 180 days after
the date of the enactment of this Act, the Secretary
shall submit to the congressional defense committees a
report containing the results of the study required by
subsection (a).

(2) ELEMENTS.—The report required by para-
graph (1) shall include the following:

(A) Funding levels required to successfully
execute covered program.

(B) The effect that a covered program might
have on the Small Business Innovation Research
Programs of the Army, Navy, and Marine Corps,
including effect on the number of Phase I and
Phase II awards made under Small Business In-
novation Research Program if a covered program
was carried out.
(C) Any additional authorities required to establish and carry out a covered program.

(c) DEFINITIONS.—In this section:

(1) The term “covered program” means a program similar to the STRATFI program that provides funds to support small business concerns preparing to seek a Phase III award with respect to a project or technology for which such small business concern received a Phase II award.

(2) The terms “Phase I”, “Phase II”, and “Small Business Innovation Research Program”, have the meanings given, respectively, in section 9(e) of the Small Business Act (15 U.S.C. 638(e)).

(3) The term “small business concern” has the meaning given under section 3 of the Small Business Act (15 U.S.C. 632).

(4) The term “STRATFI program” refers to the Strategic Funding Increase program of the Air Force that provides funds to assist small business concerns with securing a Phase III agreement (as such term is defined in section 9(r)(2) of the Small Business Act (15 U.S.C. 638(r)(2))).
SECTION 891. EMPLOYEE-OWNED BUSINESS CONTRACTING INCENTIVE PILOT PROGRAM CLARIFICATION AND EXTENSION.

Section 874 of the National Defense Authorization Act for Fiscal Year 2022 (10 U.S.C. 3204 note) is amended—

(1) in subsection (b)—

(A) in paragraph (2)—

(i) by inserting “or for” after “services procured by”; and

(ii) by inserting “or for” after “may be procured by”; and

(B) in paragraph (3)—

(i) by striking “A qualified business” and inserting “(A) IN GENERAL.—A qualified business”; and

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

“(B) TOTAL AWARD LIMIT.—Not more than 25 follow-on contracts may be awarded under this section.”;

(2) in subsection (e), by striking “five years” and inserting “eight years”; and

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

""
“(g) Paperwork Reduction Act Exemption.—
Chapter 35 of title 44, United States Code, shall not apply
to any action taken under this section or the pilot program
established under this section.”.

SEC. 892. PILOT PROGRAM ON THE USE OF BUDGET TRANSFER AUTHORITY FOR ARMY RESEARCH TO AID IN TECHNOLOGY TRANSITION.

(a) In General.—Upon determination by the Assistant Secretary of the Army for Acquisition, Logistics, and Technology that such action is necessary in the national interest, the Secretary of Defense may transfer amounts of authorizations made available in Research and Development, Army, line 090A, between any covered authorization or combination of covered authorizations for the purposes of procuring or otherwise rapidly transitioning new technologies at the direction of the Assistant Secretary. Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(b) Limits.—

(1) In General.—The total amount of authorizations that the Secretary of Defense may transfer under the authority of subsection (a) for each procurement or other transition activity may not exceed $10,000,000.
(2) OTHER LIMITS.—Amounts transferred pursuant to the authority under subsection (a) shall not be subject to and shall not count towards the limitation under subsection (a)(2) of such section 1001.

(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of subsection (a) shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) COVERED AUTHORIZATION DEFINED.—In this section, the term “covered authorization” means an authorization made available for fiscal year 2024 for—

(1) Aircraft Procurement, Army;
(2) Missile Procurement, Army;
(3) Weapons and Tracked Combat Vehicles, Army;
(4) Procurement of Ammunition, Army;
(5) Other Procurement, Army; and
(6) Operation and Maintenance, Army.

SEC. 893. SEAPLANE PROCUREMENT AND EMPLOYMENT.

(a) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees an analysis of the utility of, employment opportunities with
respect to, and the feasibility of the Department of Defense procuring seaplanes and amphibious aircraft.

(b) CONTENTS.—The analysis required under subsection (a) shall include an assessments of—

(1) the role and effects that the use of seaplanes and amphibious aircraft would have on the ability of the Armed Forces to conduct contested logistics operations across a theater of combat operations, including resupply and air-to-air refueling;

(2) the utility of seaplanes and amphibious aircraft in scenarios where access to airfields required for the operation of existing fixed-wing, tiltrotor, and rotor-wing assets is limited or such airfields are unavailable;

(3) the effects that the use of seaplanes and amphibious aircraft would have on the ability of the Armed Forces to conduct search and rescue operations;

(4) the value and cost savings per flight hour of using seaplanes and amphibious aircraft for search and rescue operations as compared with the type, model, and series of aircraft currently used by the Armed Forces for such activities;

(5) the role of seaplanes and amphibious aircraft in enhancing the mobility of personnel in theaters of
combat operations and providing support within the expeditionary advanced basing operation construct;

(6) the utility of using seaplanes and amphibious aircraft to enhance long-range reconnaissance operations of the Armed Forces; and

(7) options for acquiring seaplanes and amphibious aircraft from allies currently fielding such platforms, including alternative approaches, acquisition timelines, and timelines for fielding such seaplanes and amphibious aircraft or domestically-produced alternatives.

(c) Armed Forces Defined.—In this section, the term “Armed Forces” has the meaning given such term in section 101(a) of title 10, United States Code.

SEC. 894. LIMITATION ON AVAILABILITY OF FUNDS RELATING TO CONTRACTS WITH CONTRACT MANAGERS AND AUDITORS.

(a) Review.—The Secretary of Defense shall annually review the value of contracts entered into with contract managers and auditors for the purpose of managing contracts of the Department of Defense for a specified fiscal year.

(b) Certification.—If the Secretary spent an amount greater than or equal to 1 percent of the total value of contracts awarded during such fiscal year on such contr-
tracts with contract managers and auditors, the Secretary shall submit a certification to the congressional defense committees.

(c) LIMITATION ON AVAILABILITY OF FUNDS.—For each 0.1 percent of funds expended during fiscal year 2024 that is greater than 1 percent of total value of contracts awarded during such fiscal year on such contracts with contract managers and auditors, of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2024 for the Deputy Secretary of Defense for the nonemergency travel, such amount shall be reduced by 1 percent.

(d) DEFINITIONS.—In this section:

(1) The term “contract managers and auditors” means employees of the Department of Defense, including members of a covered Armed Force, and does not include contractors of the Department.

(2) The term “covered Armed Force” means the Army, Navy, Marine Corps, Air Force, or Space Force.

SEC. 895. INSPECTOR GENERAL REPORT ON DEPARTMENT OF DEFENSE ACQUISITION AND CONTRACT ADMINISTRATION.

Not later than March 31, 2024, the Inspector General of the Department of Defense shall submit to the Committee
on Armed Services of the House of Representatives a report

on the status and findings of the oversight, reviews, audits,

and inspections of the Inspector General regarding Depart-

ment-wide acquisitions and contract management, includ-

ing—

(1) findings regarding the effectiveness of audits

and financial advisory on ensuring that the Depart-

ment obtains the greatest value for the lowest reason-

able costs under when acquiring goods and services,

including by reducing contract costs and ensuring

that the profit of contractors for the provision of such

goods and services is reasonable;

(2) an assessment of allowable, allocable, and

reasonable costs and pricing for contracts;

(3) the authorities and resources for contracting

officers of the Department to obtain certified cost and

pricing data from contractors of the Department;

(4) the authorities and resources of the Chief Fi-

nancial Officer of the Department, the Defense Con-

tract Audit Agency, and the Defense Contract Man-

agement Agency to determine allowable, allocable, and

reasonable costs and pricing for contracts.
 TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

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

SEC. 901. UNDER SECRETARY OF DEFENSE FOR SCIENCE AND INNOVATION INTEGRATION.

(a) In general.—Section 133a of title 10, United States Code, is amended to read as follows:

“§ 133a. Under Secretary of Defense for Science and Innovation Integration

“(a) UNDER SECRETARY OF DEFENSE.—There is an Under Secretary of Defense for Science and Innovation Integration, appointed from civilian life by the President, by and with the advice and consent of the Senate. A person may not be appointed as Under Secretary within seven years after relief from active duty as a commissioned officer of a regular component of an armed force.

“(b) QUALIFICATIONS.—The Under Secretary shall be appointed from among persons who have an extensive technology or science background and experience in—

“(1) private or venture capital, commercial innovation, or prototype-to-production transition; and

“(2) managing complex programs and leveraging public-private capital partnerships.
“(c) DUTIES AND POWERS.—Subject to the authority, direction, and control of the Secretary of Defense, the Under Secretary shall perform such duties and exercise such powers as the Secretary may prescribe, including—

“(1) serving as the chief technology officer of the Department of Defense with the mission of advancing technology, innovation, and the integration of commercial technology for the armed forces (and the Department);

“(2) establishing policies on, and supervising, all elements of the Department relating to the identification of commercial technology for potential use by the Department and integration of such technology into the armed forces (and the Department), including—

“(A) implementing the preference under section 3453 of this title for the use of commercial technology when suitable to meet the needs of Department; and

“(B) ensuring implementation of a modular open system approach (as defined in section 4401(b) of title 10, United States Code) to encourage increased competition and the more frequent use of commercial technology within the Department;
“(3) establishing policies on, and supervising, all
defense research and engineering, technology develop-
ment, technology transition, appropriate prototyping
activities, experimentation, and developmental testing
activities and programs and unifying defense research
and engineering efforts across the Department;

“(4) serving as the principal advisor to the Sec-
retary on all commercial innovation and integration,
research, engineering, and technology development ac-
tivities and programs in the Department; and

“(5) along with the Vice Chairman of the Joint
Chiefs of Staff, providing for an alternate path to in-
tegrate commercial technology into the Department
that does not include applying the Joint Capabilities
Integration and Development System process to the
acquisition of technology that readily exists in the
commercial sector.

“(d) Precedence in Department of Defense.—

“(1) Precedence in matters of responsibility.—With regard to all matters for which the
Under Secretary has responsibility by the direction of
the Secretary of Defense or by law, the Under Sec-
retary takes precedence in the Department of Defense
after the Secretary and the Deputy Secretary of De-
fense.
“(2) PRECEDENCE IN OTHER MATTERS.—With regard to all matters other than the matters for which the Under Secretary has responsibility by the direction of the Secretary or by law, the Under Secretary takes precedence in the Department of Defense after the Secretary and the Deputy Secretary of Defense.”.

(b) CONFORMING AMENDMENTS.—

(1) TITLE 10.—Title 10, United States Code, as amended by subsection (a), is further amended by striking “Under Secretary of Defense for Research and Engineering” each place it appears and inserting “Under Secretary of Defense for Science and Innovation Integration”.

(2) TITLE 5.—Title 5, United States Code, is amended by striking “Under Secretary of Defense for Research and Engineering” each place it appears and inserting “Under Secretary of Defense for Science and Innovation Integration”.

(3) NATIONAL DEFENSE AUTHORIZATION ACTS.—Each of the following Acts is amended by striking “Under Secretary of Defense for Research and Engineering” each place it appears and inserting “Under Secretary of Defense for Science and Innovation Integration”: 


(c) REFERENCES.—Any reference in any law (other than this section), regulation, map, document, paper, or other record of the United States to the Under Secretary of Defense for Research and Engineering shall be deemed to be a reference to the Under Secretary of Defense for Science and Innovation Integration.

(d) SERVICE OF INCUMBENT IN POSITION.—The individual serving as Under Secretary of Defense for Research and Engineering as of the effective date specified in subsection (e) may serve as Under Secretary of Defense for
Science and Innovation Integration commencing as of that date without further appointment under section 133a of title 10, United States Code (as amended by subsection (a)).

(e) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect one year after the date of the enactment of this Act.

SEC. 902. REPEAL OF POSITION OF DIRECTOR OF COST ASSESSMENT AND PROGRAM EVALUATION.

(a) REPEAL OF POSITION.—

(1) IN GENERAL.—Section 139a of title 10, United States Code is repealed.

(2) CONFORMING REPEALS.—The following provisions of law are repealed:

(A) Subparagraph (A) of section 131(b)(4) of title 10, United States Code.

(B) Subparagraph (A) of section 131(b)(8) of such title.

(C) Subparagraph (C) of section 2222(e)(6) of such title.

(D) Chapter 222 of such title.

(E) Paragraph (5) of section 1672(c) of the National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263).

(F) Subparagraph (E) of section 223(c)(1) of the National Defense Authorization Act for

(G) Subparagraph (C) of section 836(e)(2) of the National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 3101 note prec.).


(3) CONFORMING AMENDMENTS.—

(A) Section 5315 of title 5, United States Code, is amended by striking “Director of Cost Assessment and Program Evaluation, Department of Defense.”.

(B) Section 118(e) of title 10, United States Code, is amended by striking “Director of Cost Assessment and Performance Evaluation” and inserting “Under Secretary of Defense for Acquisition and Sustainment”.

(C) Section 181 of title 10, United States Code, is amended—
(i) in subsection (d)—

(I) by striking subparagraph (F); and

(II) by redesignating subparagraphs (G) and (H) as subparagraphs (F) and (G), respectively; and

(ii) in subsection (f), by striking “, such as the Office of Cost Assessment and Program Evaluation,”.

(D) Section 134(b)(5) of title 10, United States Code, is amended by striking “and the Director of Cost Assessment and Program Evaluation”.

(E) Section 225(e)(4) of title 10, United States Code, is amended—

(i) in subparagraph (A), by adding “and” at the end;

(ii) in subparagraph (B) by striking “; and” and inserting a period; and

(iii) by striking subparagraph (C).

(F) Section 231a(c)(2)(E) of title 10, United States Code, is amended—

(i) in clause (i), by striking “of the Office of Cost Assessment and Program Eval-
uation” and inserting “of another organization of the Department of Defense”; and

(ii) in clause (ii), by striking “of the Office of Cost Assessment and Program Evaluation” and inserting “of such other organization”.

(G) Section 499a of title 10, United States Code, is amended—

(i) in subsection (a), by striking “acting through the Director for Cost Estimating and Program Evaluation” and inserting “acting through the official designated under section 902(b) of the National Defense Authorization Act for Fiscal Year 2024”;

(ii) in subsection (b), by striking “the Director of Cost Assessment and Program Evaluation” and inserting “the official described in subsection (a)”;

(iii) in subsection (c)—

(I) in paragraph (1)—

(aa) in the matter preceding subparagraph (A), by striking “the Director of Cost Assessment and Program Evaluation” and
inserting “the official described in subsection (a)”; and

(bb) in subparagraph (B), by striking “such Directors” and inserting “the official and the Director”;

(II) in paragraph (2)—

(aa) by striking “Director of Cost Assessment and Program Evaluation” and inserting “official described in subsection (a)”;

and

(bb) by striking “such Directors” and inserting “the official and the Director”; and

(III) in paragraph (3), by striking “the Director of Cost Assessment and Program Evaluation” and inserting “the official described in subsection (a)”;

and

(iv) in subsection (d)(2), by striking “the Director of Cost Assessment and Program Evaluation” and inserting “the official described in subsection (a)”.

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Section 3501(i)(3)(B) of title 10, United States Code, is amended by striking “conducted on the basis of section 3226(b) of this title.”.

Section 4251 of title 10, United States Code, is amended—

(i) in subsection (b)—

(I) in paragraph (6), by striking “consistent with study guidance developed by the Director of Cost Assessment and Program Evaluation”; and

(II) in paragraph (7), by striking “, with the concurrence of the Director of Cost Assessment and Program Evaluation,”; and

(ii) in subsection (c)(1)(F), by striking “conducted by the Director of Cost Assessment and Program Evaluation”.

Section 4252(a)(3)(C) of title 10, United States Code, is amended by striking “, with the concurrence of the Director of Cost Assessment and Program Evaluation,”.

Section 4325(c) of title 10, United States Code, is amended—
(i) in paragraph (1), by striking “Director of Cost Assessment and Program Evaluation” and inserting “Under Secretary of Defense for Acquisition and Sustainment”; and

(ii) in paragraph (2)—

(I) in the matter preceding subparagraph (A), by striking “the Director” and inserting “the Under Secretary”; and

(II) in subparagraph (C), by striking “with the concurrence of the Under Secretary of Defense for Acquisition and Sustainment,”.

(L) Section 4376 of title 10, United States Code, is amended—

(i) in subsection (a)(2), by striking “in consultation with the Director of Cost Assessment and Program Evaluation,”; and

(ii) in subsection (b)(2)(C), by striking “by the Director of Cost Assessment and Program Evaluation”.

(M) Section 4506 of title 10, United States Code, is amended striking “Director of Cost Assessment and Performance Evaluation” each
place it appears and inserting “the Under Secretary of Defense for Acquisition and Sustainment”.

(N) Section 351(b) of the National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) is amended by striking “Director of Cost Assessment and Performance Evaluation” and inserting “Under Secretary of Defense for Acquisition and Sustainment”.

(O) Section 1640(c)(1) of the National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) is amended by striking “Director of the Office of Cost Assessment and Program Evaluation of the Department of Defense” and inserting “official designated under section 902(b) of the National Defense Authorization Act for Fiscal Year 2024”.

(P) Section 833(e)(2)(A) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 4001 note) is amended—

(i) by striking clause (vi); and

(ii) by redesignating clause (vii) as clause (vi).
(Q) Section 1507(c)(1) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 116–92; 10 U.S.C. 167b note) is amended by striking “Cost Assessment and Program Evaluation,”.

(R) Section 834(f) of the National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 4571 note) is amended by striking “Director of Cost Assessment and Program Evaluation” and inserting “Under Secretary of Defense for Acquisition and Sustainment”.

(S) Section 1251(d) of the National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 113 note) is amended—

(i) in paragraph (1)(D), by striking “the Director of Cost Assessment and Program Evaluation,”; and

(ii) in paragraph (2)(A), by striking “, the Under Secretary of Defense (Comptroller), and the Director of Cost Assessment and Program Evaluation” and inserting “and the Under Secretary of Defense (Comptroller)”. 
(T) Section 1664(a)(2) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 179 note) is amended—

(i) by striking subparagraph (A); and

(ii) by redesignating subparagraphs (B) through (D) as subparagraphs (A) through (C), respectively.

(U) Section 1709 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 113 note) is amended—

(i) in subsection (a), by striking “, the Director of the Joint Staff, and the Director of Cost Assessment and Program Evaluation” and inserting “and the Director of the Joint Staff”; and

(ii) in subsection (b)(5), by striking “, the Chairman of the Joint Chiefs of Staff, and the Director of Cost Assessment and Program Evaluation” and inserting “and the Chairman of the Joint chiefs of Staff”.

(i) in the heading, by striking “CAPE”; and

(ii) by striking “the Director of Cost Assessment and Program Evaluation” and inserting “the Under Secretary of Defense for Acquisition and Sustainment”.

(W) Section 839(b) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C. 4171 note)—

(i) in paragraph (2), by striking “shall” and all that follows through the period at the end and inserting “coordinate with the Secretaries of the military departments”; and

(ii) in paragraph (3)(A)—

(I) by striking “the Director for Cost Assessment and Program Evaluation or another” and inserting “an”; and

(II) by striking “the Director of Operational Test and Evaluation, the senior official of the Department of Defense with responsibility for developmental testing,” and inserting “the senior official of the Department of De-
fense with responsibility for develop-
mental testing”.

(X) Section 925(b)(2) of the National De-
fense Authorization Act for Fiscal Year 2017
(Public Law 114–328; 10 U.S.C. 4271 note) is
amended—

(i) in subparagraph (A), by adding
“and” at the end;

(ii) by striking subparagraph (B); and

(iii) by redesignating subparagraph
(C) as subparagraph (B).

(Y) Section 3113(b) of the National Defense
Authorization Act for Fiscal Year 2017 (Public
Law 114–328; 50 U.S.C. 2512 note) is amended
by striking paragraph (4).

(Z) Section 1618(a) of the National Defense
Authorization Act for Fiscal Year 2016 (Public
Law 114–92; 10 U.S.C. 4205 note) is amended
by striking “and the Director of Cost Assessment
and Program Evaluation”.

(AA) Section 907(a)(1) of the National De-
fense Authorization Act for Fiscal Year 2014
(Public Law 113–66; 10 U.S.C. 1564 note) is
amended by striking “acting through the Direc-
tor of Cost Assessment and Program Evaluation and”.


(CC) Section 201(d) of the Weapon Systems Acquisition Reform Act of 2009 (Public Law 111–23; 10 U.S.C. 181 note) is amended by striking “Director of Cost Assessment and Program Evaluation” and inserting “official designated under section 902(b) of the National Defense Authorization Act for Fiscal Year 2024”.

(DD) Section 3221 of the National Nuclear Security Administration Act (50 U.S.C. 2411(e)) is amended—

(i) by striking subsection (e); and

(ii) by redesignating subsections (f) through (i) as subsections (e) through (h), respectively.
Section 4217(c) of the Atomic Energy Defense Act (50 U.S.C. 2537(c)) is amended by striking “acting through the Director of Cost Assessment and Program Evaluation and”.

(4) EFFECTIVE DATE.—The repeals and amendments made by this subsection shall take effect on the date of the enactment of this Act.

(b) IMPLEMENTATION.—Not later than one year after the date of the enactment of this Act—

(1) each duty or responsibility that remains assigned to the Director of Cost Assessment and Program Evaluation of the Department of Defense shall be transferred to an officer or employee of the Department of Defense designated by the Secretary of Defense, except that any officer or employee so designated may not be an individual who served as the Director of Cost Assessment and Program Evaluation before the date of the enactment of this Act; and

(2) the personnel, functions, and assets of the Office of Cost Assessment and Program Evaluation shall be transferred to such other organizations and elements of the Department as the Secretary considers appropriate.

(c) REFERENCES.—Any reference in any law, regulation, guidance, instruction, or other document of the Fed-
eral Government to the Director of Cost Assessment and Program Evaluation of the Department of Defense shall be deemed to refer to the applicable officer or employee of the Department of Defense designated by the Secretary of Defense under subsection (b)(1).

(d) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that sets forth such recommendations for legislative action as the Secretary considers appropriate for modifications to law to carry out this section and the repeals and amendments made by this section.

SEC. 903. CONFORMING AMENDMENTS TO CARRY OUT ELIMINATION OF POSITION OF CHIEF MANAGEMENT OFFICER.

(a) REMOVAL OF REFERENCES TO CHIEF MANAGEMENT OFFICER IN PROVISIONS OF LAW RELATING TO PRECEDENCE.—Chapter 4 of title 10, United States Code, is amended—

(1) in section 133a(c)—

(A) in paragraph (1), by striking “, the Deputy Secretary of Defense, and the Chief Management Officer of the Department of Defense” and inserting “and the Deputy Secretary of Defense”; and
(B) in paragraph (2), by striking “the Chief Management Officer,”;

(2) in section 133b(c)—

(A) in paragraph (1), by striking “the Chief Management Officer of the Department of Defense,”; and

(B) in paragraph (2), by striking “the Chief Management Officer,”;

(3) in section 137a(d), by striking “the Chief Management Officer of the Department of Defense,”;

and

(4) in section 138(d), by striking “the Chief Management Officer of the Department of Defense,”.

(b) ASSIGNMENT OF PERIODIC REVIEW OF DEFENSE AGENCIES AND DOD FIELD ACTIVITIES TO SECRETARY OF DEFENSE.—Section 192(c) of such title is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking “the Chief Management Officer of the Department of Defense” and inserting “the Secretary of Defense”; and

(B) in subparagraphs (B) and (C), by striking “the Chief Management Officer” and inserting “the Secretary”; and
(2) in paragraph (2), by striking “the Chief Management Officer” each place it appears and inserting “the Secretary”.

(c) **Assignment of Responsibility for Financial Improvement and Audit Remediation to Under Secretary of Defense (Comptroller).**—Section 240b of such title is amended—

(1) in subsection (a)(1), by striking “The Chief Management Officer of the Department of Defense shall, in consultation with the Under Secretary of Defense (Comptroller),” and inserting “The Under Secretary of Defense (Comptroller) shall, in consultation with the Performance Improvement Officer of the Department of Defense,”; and

(2) in subsection (b)(1)(C)(ii), by striking “the Chief Management Officer” and inserting “the Performance Improvement Officer”.

(d) **Removal of Chief Management Officer as Recipient of Reports of Audits by External Auditors.**—Section 240d(d)(1)(A) of such title is amended by striking “and the Chief Management Officer of the Department of Defense”.

(e) **Conforming Amendments to Provisions of Law Related to Freedom of Information Act Exemptions.**—Such title is further amended—
(1) in section 130e—
   (A) by striking subsection (d);
   (B) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively; and
   (C) in subsection (d), as so redesignated—
      (i) by striking “, or the Secretary’s designee,”; and
      (ii) by striking “, through the Office of the Director of Administration and Management”;
   and

(2) in section 2254a—
   (A) by striking subsection (c);
   (B) by redesignating subsection (d) as subsection (c); and
   (C) in subsection (c), as so redesignated—
      (i) by striking “, or the Secretary’s designee,”; and
      (ii) by striking “, through the Office of the Director of Administration and Management”.

(f) ASSIGNMENT OF RESPONSIBILITY FOR ANNUAL REVIEW OF AGENCY INFORMATION TECHNOLOGY PORTFOLIO TO THE CHIEF INFORMATION OFFICER.—Section 11319(d)(4) of title 40, United States Code, is amended, in the second sentence, by striking “the Chief Management
Officer of the Department of Defense (or any successor to such Officer), in consultation with the Chief Information Officer, the Under Secretary of Defense for Acquisition and Sustainment, and” and inserting “the Chief Information Officer of the Department of Defense, in consultation with the Under Secretary of Defense for Acquisition and Sustainment and”.

(g) Removal of Chief Management Officer as Required Coordinator on Defense Resale Matters.—Section 631(a) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 2481 note) is amended by striking “, in coordination with the Chief Management Officer of the Department of Defense,”.

SEC. 904. ELIMINATION OF THE CHIEF DIVERSITY OFFICER OF THE DEPARTMENT OF DEFENSE.

(a) Repeal of Position.—Section 147 of title 10, United States Code, is repealed.

Subtitle B—Other Department of Defense Organization and Management Matters

Sec. 921. Modification of analysis required for reductions to civilian workforce under general policy for total force management.

(a) In general.—Section 129a(b) of title 10, United States Code, is amended by adding at the end the following: “Such analysis shall be documented in writing.”.

(b) Review and report.—Not later than March 1, 2024, the Comptroller General of the United States shall—

(1) conduct a review of any written analysis prepared by the Secretary of Defense relating to the reduction of the civilian workforce of the Department of Defense for purposes of section 129a(b) of title 10, United States Code (as amended by subsection (a)), and shall include as part of such review an assessment of whether the analysis prepared by the Secretary sufficiently addresses the readiness needs of the Department; and

(2) submit to the congressional defense committees a report on the results of such review.
SEC. 922. ADDITIONAL REQUIREMENTS UNDER GENERAL POLICY FOR TOTAL FORCE MANAGEMENT.

Section 129a of title 10, United States Code, is amended—

(1) by redesignating subsections (f) and (g) as subsection (h) and (i), respectively; and

(2) by inserting after subsection (e) the following new subsections:

“(f) DATA ANALYTICS.—(1) The Secretary of Defense shall develop data analytics to specifically identify the quantitative metrics and qualitative relationships of the sizing and composition of the civilian workforce of the Department of Defense. Such data analytics shall be documented in writing.

“(2) Not later than March 31 each year, the Secretary of Defense shall provide to the congressional defense committees a briefing on the analytics developed under paragraph (1).

“(g) ADDITIONAL PLANNING, PROGRAMING, AND BUDGETING REQUIREMENTS.—The Secretary of Defense shall ensure that planning, programming, and budgeting reviews consider all components of the total force (including a active and reserve military, civilian workforce, and contract support) in a holistic manner to avoid duplication and waste and ensure that risk, cost, and mission validation and prioritization considerations consistent with this
section and the National Defense Strategy inform the sourcing and prioritization of requirements.”

SEC. 923. ELIGIBILITY OF CHIEF OF THE NATIONAL GUARD BUREAU FOR APPOINTMENT AS CHAIRMAN OF THE JOINT CHIEFS OF STAFF.

Section 152(b)(1)(B) of title 10, United States Code, is amended by striking “the Commandant of the Marine Corps, or the Chief of Space Operations” and inserting “the Commandant of the Marine Corps, the Chief of Space Operations, or the Chief of the National Guard Bureau”.

SEC. 924. COAST GUARD INPUT TO THE JOINT REQUIREMENTS OVERSIGHT COUNCIL.

Section 181(d) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(5) INPUT FROM COMMANDANT OF COAST GUARD.—The Council shall seek, and strongly consider, the views of the Commandant of the Coast Guard regarding Coast Guard capabilities in support of national defense.”

SEC. 925. CODIFICATION OF THE DEFENSE INNOVATION UNIT AND ESTABLISHMENT OF THE NON-TRADITIONAL INNOVATION FIELDING ENTERPRISE.

(a) Codification of Defense Innovation Unit.—
(1) **In general.**—Chapter 303 of title 10, United States Code, is amended by adding at the end the following new section:

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§ 4127. Defense Innovation Unit

“(a) Establishment. There is established in the Department of Defense a Defense Innovation Unit (referred to in this section as the ‘Unit’).

“(b) Director and Deputy Director. There is a Director and a Deputy Director of the Unit, each of whom shall be appointed by the Secretary of Defense from among persons with substantial experience in innovation and commercial technology, as determined by the Secretary.

“(c) Authority of Director. The Director is the head of the Unit. The Director—

“(1) shall serve as a principal staff assistant to the Secretary on matters within the responsibility of the Unit;

“(2) shall report directly to the Secretary of Defense without intervening authority; and

“(3) may communicate views on matters within the responsibility of the Unit directly to the Secretary without obtaining the approval or concurrence of any other official within the Department of Defense.

“(d) Responsibilities. The Unit shall have the following responsibilities:
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“(1) Seek out, identify, and support the development of commercial technologies that have the potential to be implemented within the Department.

“(2) Accelerate the adoption of commercial technologies within the Department of Defense to transform military capacity and capabilities.

“(3) Serve as the principal liaison between the Department of Defense and individuals and entities in the national security innovation base, including, entrepreneurs, startups, commercial technology companies, and venture capital sources.

“(4) Carry out programs, projects, and other activities to strengthen the national security innovation base.

“(5) Coordinate the activities of other organizations and elements of the Department of Defense on matters relating to commercial technologies, dual use technologies, and the innovation of such technologies.

“(6) Coordinate and oversee the nontraditional defense innovation fielding enterprise established under section 4063 of this title.

“(7) Carry out such other activities as the Secretary of Defense determines appropriate.”.
(2) MODIFICATION OF AUTHORITY TO CARRY OUT
CERTAIN PROTOTYPE PROJECTS.—Section 4022 of
title 10, United States Code, is amended—

(A) in subsection (a)—

(i) in paragraph (1), by inserting “the
Director of the Defense Innovation Unit,”
after “Defense Advanced Research Projects
Agency,”;

(ii) in paragraph (2)(A), by inserting
“, the Defense Innovation Unit,” after “De-
fense Advanced Research Projects Agency”;
and

(iii) in paragraph (3), by inserting “,
Defense Innovation Unit,” after “Defense
Advanced Research Projects Agency”; and

(B) in subsection (e)(1)—

(i) by redesignating subparagraphs (C)
through (E) as subparagraphs (D) through
(F), respectively; and

(ii) by inserting after subparagraph
(B) the following new subparagraph:
“(C) the Director of the Defense Innovation
Unit;”.
(3) Modification of Other Transaction Authority.—Section 4021 of title 10, United States Code, is amended—

(A) in subsection (b), by inserting ‘‘, the Defense Innovation Unit,’’ after ‘‘Defense Advanced Research Projects Agency’’; and

(B) in subsection (f), by striking ‘‘and the Defense Advanced Research Projects Agency’’ and inserting ‘‘, the Defense Innovation Unit, and the Defense Advanced Research Projects Agency’’.

(4) Conforming Amendments.—Section 1766 of title 10, United States Code, is amended—

(A) in subsection (b), by striking ‘‘as determined by the Under Secretary of Defense for Research and Engineering’’ and inserting ‘‘as determined by the Secretary of Defense’’; and

(B) in subsection (c)(3), by striking ‘‘as directed by the Under Secretary of Defense for Research and Engineering’’ and inserting ‘‘as directed by the Secretary of Defense’’.

(b) Establishment of Nontraditional Innovation Fielding Enterprise.—Subchapter I of chapter 303 of title 10, United States Code, is amended by inserting after section 4062 the following new section:
§ 4063. Nontraditional innovation fielding enterprise

(a) Establishment.—The Secretary of Defense shall designate within the Department of Defense a group of organizations to be known, collectively, as the ‘nontraditional innovation fielding enterprise’ (referred to in this section as the ‘NIFE’). The purpose of the NIFE is to streamline coordination and minimize duplication of efforts among elements of the Department of Defense on matters relating to the development, procurement, and fielding of nontraditional capabilities.

(b) Composition.—The NIFE shall consist of—

(1) the Defense Innovation Unit; and

(2) each organization designated as a service-level NIFE lead under subsection (c).

(c) Designation of Service-level NIFE Leads.—

(1) Not later than 120 days after the effective date of this section, each Secretary of a military department, in consultation with the Director of the Defense Innovation Unit, shall designate a single organization within each armed force under the jurisdiction of such Secretary to serve as the lead organization within that armed force on matters within the responsibility of the NIFE. Each organization so designated shall be known as a ‘service-level NIFE lead’.
“(2) An organization designated under paragraph (1) shall be an organization of an armed force that—

“(A) exists as of the effective date of this section; and

“(B) has a demonstrated ability to engage at scale with nontraditional defense contractors, as determined by the Secretary concerned.

“(d) LEADERSHIP.—

“(1) HEAD OF NIFE.—Subject to the authority, direction, and control of the Secretary of Defense, the Director of the Defense Innovation Unit shall serve as the head of the NIFE and, in such capacity, shall be responsible for the overall oversight and coordination of the NIFE.

“(2) SERVICE-LEVEL LEADS.—Each head of an organization of an armed force designated as a service-level NIFE lead under subsection (c) shall serve as the head of the NIFE within that armed force and, in such capacity, shall be responsible for the oversight and coordination of the activities of the NIFE within that armed force.

“(e) DUTIES.—The Director of the Defense Innovation Unit shall carry out the following activities in support of the NIFE:
“(1) Coordinate with the Joint Staff and the commanders of the combatant commands to identify operational challenges that have the potential to be addressed through the use of nontraditional capabilities, including dual-use technologies, that are being developed and financed in the commercial sector.

“(2) Using funds made available to the Defense Innovation Unit for the activities of the NIFE—

“(A) select projects to be carried out by one or more of the service-level NIFE leads;

“(B) allocate funds to service-level NIFE leads to carry out such projects; and

“(C) monitor the execution of such projects by the service-level NIFE leads.

“(3) On a semiannual basis, submit to the Secretary of Defense and the congressional defense committees a report on the progress of the projects described in paragraph (2). Each such report shall identify any gaps in resources or authorities that have the potential to disrupt the progress of such projects.

“(4) Serve as Chair of the NIFE Resource Advisory Board under subsection (f).

“(5) Serve as the principal liaison between the Department of Defense, nontraditional defense con-
tractors, investors in nontraditional defense companies, and departments and agencies of the Federal Government pursuing nontraditional capabilities similar to those pursued by the Department.

“(6) Lead engagement with industry, academia, and other non-government entities to develop—

“(A) domestic capacity with respect to innovative, commercial, and dual-use technologies and the use of nontraditional defense contractors; and

“(B) the capacity of international allies and partners of the United States with respect to such technologies and the use of such contractors.

“(f) NIFE RESOURCE ADVISORY BOARD.—

“(1) Establishment.—There is established in the Department of Defense an advisory board to be known as the ‘NIFE Resource Advisory Board’ (referred to in this subsection as the ‘Board’).

“(2) Members.—The Board shall be composed of the following members—

“(A) The Director of the Defense Innovation Unit.

“(B) The head of each service-level NIFE lead.

“(C) The Director of the Joint Staff.
“(D) The Chief Digital and Artificial Intelligence Officer of the Department of Defense.

“(E) The Director of the Office of Strategic Capital of the Department of Defense.

“(3) CHAIR.—The Director of the Defense Innovation Unit shall serve as Chair of the Board.

“(4) MEETINGS.—The Board shall meet annually and may meet more frequently at the call of the Chair.

“(5) RESPONSIBILITIES.—On an annual basis the Board shall—

“(A) identify not fewer than 10 objectives of the Department of Defense that have the potential to be supported using nontraditional capabilities that are capable of being fielded at scale within a period of three years; and

“(B) for each objective identified under subparagraph (A)—

“(i) develop a specific set of requirements and a budget for the development and fielding of nontraditional capabilities to support such objective; and

“(ii) based on such budget and requirements, solicit proposals from public and
private sector entities for providing such capabilities.

“(6) NONAPPLICABILITY OF CERTAIN REQUIREMENTS.—Section 1013(a)(2) of title 5 (relating to the termination of advisory committees) shall not apply to the Board.

“(g) DEFINITIONS.—In this section:

“(1) The term ‘nontraditional capability’ means a solution to an operational challenge that can significantly leverage commercial innovation or external capital with minimal dependencies on fielded systems.

“(2) The term ‘nontraditional defense contractor’ has the meaning given that term in section 3014 of this title.”.

(c) EFFECTIVE DATE AND IMPLEMENTATION.—

(1) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect 180 days after the date of the enactment of this Act.

(2) IMPLEMENTATION.—Not later than the effective date specified in paragraph (1), the Secretary of Defense shall issue or modify any rules, regulations, policies, or other guidance necessary to implement the amendments made by subsections (a) and (b).

(d) MANPOWER SUFFICIENCY EVALUATION.—
(1) Evaluation.—The Secretary of Defense shall evaluate the staffing levels of the Defense Innovation Unit as of the date of the enactment of this Act to determine if the Unit is sufficiently staffed to achieve the responsibilities of the Unit under sections 4063 and 4127 of title 10, United States Code, as added by subsections (a) and (b) of this section.

(2) Report.—Not later than the effective date specified in subsection (c)(1), the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the results of the evaluation under paragraph (1). The report shall include a plan—

(A) to address any staffing shortfalls identified as a part of the assessment; and

(B) for funding any activities necessary to address such shortfalls.

SEC. 926. DESIGNATION OF EXPLOSIVE ORDNANCE DISPOSAL CORPS AS A BASIC BRANCH OF THE ARMY.

(a) Designation as Basic Branch.—Section 7063(a) of title 10, United States Code, is amended—

(1) in paragraph (12), by striking “and” at the end;
(2) by redesignating paragraph (13) as paragraph (14); and

(3) by inserting after paragraph (12) the following new paragraph:

“(13) Explosive Ordnance Disposal Corps; and”.

(b) ORGANIZATION AND FUNCTIONS.—Chapter 707 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 7085. Explosive Ordnance Disposal Corps: organization and functions

“(a) CHIEF OF CORPS.—There is a Chief of the Explosive Ordnance Disposal Corps of the Army. The Secretary of the Army shall appoint the Chief from among general officers of the Army who are Explosive Ordnance Disposal qualified and are serving in the Logistics Corps as of the time of the appointment. The Secretary of the Army shall not assign any officer who has not served as an officer in the Explosive Ordnance Disposal Corps as the Chief of the Explosive Ordnance Disposal Corps.

“(b) FUNCTIONS.—The Explosive Ordnance Disposal Corps shall, at a minimum, perform functions relating to—

“(1) the disposal of explosive ordnance and munitions management; and

“(2) ensuring the safety of explosives.”.
(c) **Conforming Repeal.**—Section 582 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1415) is repealed.

(d) **Effective Date.**—The amendments and repeal made by subsections (a) through (c) shall take effect 180 days after the date of the enactment of this Act.

**SEC. 927. REPEAL OF AUTHORITY TO APPOINT A NAVAL RESEARCH ADVISORY COMMITTEE.**

Section 8024 of title 10, United States Code, is repealed.

**SEC. 928. ELIGIBILITY OF MEMBERS OF SPACE FORCE FOR INSTRUCTION AT THE NAVAL POSTGRADUATE SCHOOL.**

Section 8545 of title 10, United States Code, is amended—

(1) in subsection (a)(1), by striking “and Coast Guard” and inserting “Space Force, and Coast Guard”; and

(2) in subsection (c), by striking “and Coast Guard” and inserting “Space Force, and Coast Guard”.

**SEC. 929. MEMBERSHIP OF THE AIR FORCE RESERVE FORCES POLICY COMMITTEE.**

Section 10305(b) of title 10, United States Code, is amended—
(1) by striking “consists of” and inserting “shall have voting members, who shall be” before “officers”; 
(2) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively; 
(3) by inserting “(1)” before “The committee”; 
and 
(4) by adding at the end the following new paragraph: 
“(2)(A) The committee shall have four nonvoting members, who shall be the Chief Master Sergeants of the Air Force, the Air Force Reserve, the Air National Guard, and the Space Force. 
“(B) A nonvoting member who cannot attend a meeting of the committee may designate a member in the grade of E-8 or E-9 to attend in their stead.”.

SEC. 930. FRAMEWORK FOR CLASSIFICATION OF AUTONOMOUS CAPABILITIES.

(a) In general.—Not later than 180 days after the date of the enactment of this Act, the Chief Digital and Artificial Intelligence Officer of the Department of Defense, in consultation with the Under Secretary of Defense for Policy, the Under Secretary of Defense for Research and Engineering, the commanders of the combatant commands, and the Secretaries of the military departments, shall establish
a Department-wide classification framework for autonomous capabilities.

(b) PURPOSE.—The purpose of the framework required under subsection (a) shall be to facilitate the development of a common understanding within the Department of Defense of autonomous capabilities and related operational requirements to better plan for, resource, and integrate appropriate autonomy-enabling hardware and software into current and future systems across the Department.

(c) AUTONOMY CLASSIFICATION FRAMEWORK.—At a minimum, the framework required under subsection (a) shall—

(1) include multiple levels of increasingly complex autonomous maneuver capability with a focus on classifying necessary levels of human supervision or control during operational use;

(2) apply to current and future autonomous systems operating across land, air, maritime, and space domains;

(3) include estimates of costs necessary to achieve specific levels of autonomous capability; and

(4) include—

(A) operational requirements including necessary levels of survivability in GPS- or communications-denied environments;
(B) specific operational or engagement scenarios; and

(C) necessary levels of teaming with other autonomous systems.

(d) PROGRESS REPORT.—Not later than 30 days after the establishment of the framework under subsection (a), the Chief Digital and Artificial Intelligence Officer shall submit to the congressional defense committees a report that includes a description of the framework and the specific methodologies, criteria, and operational requirements used to develop the classifications under the framework.

(e) REGULAR REASSESSMENT.—

(1) IN GENERAL.—Not less frequently than once every two years, the Chief Digital and Artificial Intelligence Officer shall reassess and update the classification framework required under subsection (a) to ensure the framework incorporates recent developments in technology, standards, and operational requirements relating to autonomous capabilities.

(2) BRIEFING.—Not later than 30 days of the completion of each reassessment under paragraph (1), the Chief Digital and Artificial Intelligence Officer shall provide to the congressional defense committees a briefing on the results of the reassessment and any
resulting revisions to the classification framework under subsection (a).

(f) IMPLEMENTATION.—Not later than 90 days after the establishment of the framework under subsection (a), the Under Secretary of Defense for Policy shall issue instructions to the military departments to implement such framework by operationalizing the use of the framework in the planning and budgeting processes of individual program offices.

(g) PLAN FOR INTEGRATION OF AUTONOMOUS CAPABILITIES INTO SYSTEMS OF THE DEPARTMENT OF DEFENSE.—

(1) PLAN REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Chief Digital and Artificial Intelligence Officer of the Department of Defense shall develop and implement a plan and procedures to standardize the planning, resourcing, and integration efforts with respect to autonomous capabilities for current and future systems across the Department.

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

   (A) A Department-wide assessment of the status of efforts to resource and integrate auton-
omy software into current and future systems, including—

(i) the identification of current and future systems across the Department which can be integrated with autonomy software to enable continuous operational capability of such systems in GPS- or communications-denied environments, including those systems identified in the report required by section 246 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1622); and

(ii) an assessment of gaps in—

(I) program funding related to the acquisition of autonomy software;

(II) acquisition processes, including the planning, programming, budgeting, and execution process for acquiring and integrating autonomy-enabling capabilities across relevant programs of record;

(III) training capabilities;

(IV) testing, evaluation, verification, and validation capabili-
ties in all environments, including virtual and real world environments; and

(V) efforts to test, resource, and scale commercially available technologies.

(B) A plan to address, to the maximum extent practicable, the gaps assessed in subparagraph (A), including—

(i) updated procedures to plan for autonomy software costs at the onset of the acquisition life cycle;

(ii) plans to include in greater detail the projected autonomy software costs for applicable programs of record within period covered by the Future Years Defense Program; and

(iii) plans to standardize the acquisition of autonomy software for programs of record across the military departments including the use of the capability classification framework under subsection (a).

(3) CONSULTATION.—The Chief Digital and Artificial Intelligence Officer shall develop the plan under paragraph (1) in consultation with—
(A) the Under Secretary of Defense for Acquisition and Sustainment;

(B) the Joint Chiefs of Staff;

(C) the senior acquisition executive of each military department;

(D) the commanders of the combatant commands; and

(E) such other organizations and elements of the Department of Defense as the Chief Digital and Artificial Intelligence Officer determines appropriate.

(4) REPORT.—

(A) IN GENERAL.—Not later than 90 days after the completion of the plan under paragraph (1), the Chief Digital and Artificial Intelligence Officer shall submit to the congressional defense committees a report that describes the specific elements of the plan.

(B) FORM.—The report under subparagraph (A) shall be submitted in unclassified form but may contain a classified annex.
SEC. 931. COMPREHENSIVE ASSESSMENT OF FORCE DESIGN MODERNIZATION EFFORTS OF THE MARINE CORPS.

(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 a federally funded research and development center to conduct an independent review, assessment, and analysis of the modernization initiatives Marine Corps.

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

(1) An assessment of changes in the National Defense Strategy, Defense Planning Guidance, Joint Warfighting Concept, and other strategic documents and concepts that informed the force design modernization requirements of the Marine Corps.

(2) An assessment of how the Marine Corps should be structured, organized, trained, equipped, and postured to meet the challenges of future competition, crisis, and conflict.

(3) An assessment of the ability of the defense innovation base and defense industrial base to develop and produce the technologies required to implement the force design modernization of the Marine Corps on a timeline and at production rates sufficient to sustain military operations.
(4) An assessment of forward infrastructure, and the extent to which installations are operationalized to deter, compete, and prevail during conflict in support of the modernization of the Marine Corps.

(5) An assessment of the current retention and recruiting environment and the ability of the Marine Corps to sustain manpower requirements necessary for operational requirements under title 10, United States Code.

(6) The extent to which the modernization initiatives within the Marine Corps are nested within applicable joint warfighting concepts.

(7) An assessment of whether the modernization of the Marine Corps is consistent with the strategy of integrated deterrence.

(8) An assessment of the ability of the Marine Corps to generate required force elements for the Immediate Ready Force and the Contingency Ready Force.

(9) The extent to which the modernized capabilities of the Marine Corps can be integrated across the Joint Force, including warfighting concepts at the combatant command level.

(10) The extent to which the modernization efforts of the Marine Corps meet the requirements of
current and future plans of combatant commanders and global force management operations.

(11) The extent to which modeling and simulation, experimentation, wargaming, and other analytic methods have supported the changes to the modernization initiatives of the Marine Corps.

(12) An inventory of existing or planned investments associated with the modernization efforts of the Marine Corps, disaggregated by the following capability areas:

(A) Command and Control.
(B) Information.
(C) Intelligence.
(D) Fires.
(E) Movement and Maneuver.
(F) Protection.
(G) Sustainment.

(13) An assessment of how observations regarding the invasion and defense of Ukraine affect the feasibility, advisability, and suitability of the modernization of the Marine Corps.

(c) REPORT.—

(1) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense com-
mittees a report on the results of the assessment re-
quired under subsection (a).

(2) FORM OF REPORT.—The report required
under paragraph (1) shall be submitted in unclassi-
ified form, but may include a classified annex to the
extent required to ensure that the report is accurate
and complete.

(d) EFFECT ON OTHER REQUIREMENTS.—Effective on
the date of the submittal of the report under subsection
(c)(1), the requirement to submit a briefing pursuant to sec-
tion 1023 of the Joint Explanatory Statement accom-
ppanying the James M. Inhofe National Defense Authoriza-
tion Act for Fiscal Year 2023 (Public Law 117–263), shall
cease to have force or effect.

SEC. 932. ENHANCING DEPARTMENT OF DEFENSE COORDI-
NATION OF GEOECONOMIC AFFAIRS.

(a) IN GENERAL.—Not later than 180 days after the
date of the enactment of this Act, the Secretary of Defense
shall conduct a review of the planning, resourcing, and con-
tributions of the Department of Defense to interagency ef-
forts with respect to geoeconomic affairs.

(b) DUTIES.—The review required under subsection
(a) shall include the following:

(1) A Department-wide assessment of capabilities
(A) assess geoeconomic competition between the United States and strategic competitors;

(B) identify methods to partner with governments and key commercial entities; and

(C) to support United States national interests.

(2) An assessment of any gaps in—

(A) existing departmental commercial due diligence and commercial partnership processes and procedures to enable sustainable cooperation with governmental and commercial entities within the United States and between the United States and trusted allies and partners for national defense purposes;

(B) efforts by the combatant commands to develop and to coordinate expertise on how strategic competitors may use economic and supply chain strategies within the areas of responsibility of the combatant commands;

(C) the contributions of the Department to the coordinated use of existing industrial base and supply chain tools, acquisition and budget authorities, industrial security oversight, technology transfer and export controls, cybersecurity standards and oversight, and mergers and acqui-
sition reviews to enhance innovation and industrial cooperation and to protect the defense capabilities of the United States and its allies; and

(D) the contributions of the Department to existing measures to safeguard the intellectual property and knowledge created from United States Government and private sector research and development funding while encouraging, where appropriate, the sharing of such knowledge with trusted allies and partners.

(3) A plan to address, to the maximum extent practicable, the gaps assessed under paragraph (2).

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report containing—

(1) the findings of the review required under subsection (a);

(2) a list of gaps identified by the assessment required under subsection (b)(2);

(3) for each identified gap, a description of the gap and an assessment of any legal authorities, budgeting and execution processes, or other issues the Secretary deems necessary to address the gap;

(4) the plan required under subsection (b)(3); and
(5) any other information the Secretary considers appropriate.

(d) **DEFINITION OF GEOECONOMICS.**—In this section, the term “geoeconomics” means the global interaction between competing national security and economic priorities comprising the various activities undertaken between governments, allies, competitors, producers, and consumers, including—

(1) how economics, technological innovation, and geography affect the distribution of capabilities in the international system; and

(2) how states use economic and technological instruments in pursuit of their strategic interests.

**Subtitle C—Space National Guard**

**SEC. 951. ESTABLISHMENT OF SPACE NATIONAL GUARD.**

(a) **ESTABLISHMENT.**—

(1) **IN GENERAL.**—There is established a Space National Guard that is part of the organized militia of the several States and Territories, Puerto Rico, and the District of Columbia—

(A) in which the Space Force operates; and

(B) active and inactive.

(2) **RESERVE COMPONENT.**—There is established a Space National Guard of the United States that is the reserve component of the United States Space
Force all of whose members are members of the Space National Guard.

(b) COMPOSITION.—The Space National Guard shall be composed of the Space National Guard forces of the several States and Territories, Puerto Rico and the District of Columbia—

(1) in which the Space Force operates; and

(2) active and inactive.

SEC. 952. NO EFFECT ON MILITARY INSTALLATIONS.

Nothing in this subtitle, or the amendments made by this subtitle, shall be construed to authorize or require the relocation of any facility, infrastructure, or military installation of the Space National Guard or Air National Guard.

SEC. 953. IMPLEMENTATION OF SPACE NATIONAL GUARD.

(a) REQUIREMENT.—Except as specifically provided by this subtitle, the Secretary of the Air Force and Chief of the National Guard Bureau shall implement this subtitle, and the amendments made by this subtitle, not later than 18 months after the date of the enactment of this Act.

(b) BRIEFINGS.—Not later than 90 days after the date of the enactment of this Act, and annually for the five subsequent years, the Secretary of the Air Force, Chief of the Space Force and Chief of the National Guard Bureau shall jointly provide to the congressional defense committees a briefing on the status of the implementation of the Space
National Guard pursuant to this subtitle and the amendments made by this subtitle. This briefing shall address the current missions, operations and activities, personnel requirements and status, and budget and funding requirements and status of the Space National Guard, and such other matters with respect to the implementation and operation of the Space National Guard as the Secretary and the Chiefs jointly determine appropriate to keep Congress fully and currently informed on the status of the implementation of the Space National Guard.

SEC. 954. CONFORMING AMENDMENTS AND CLARIFICATION OF AUTHORITIES.

(a) Definitions.—

(1) Title 10, United States Code.—Title 10, United States Code, is amended—

(A) in section 101(c)—

(i) by redesignating paragraphs (6) and (7) as paragraphs (8) and (9), respectively; and

(ii) by inserting after paragraph (5) the following new paragraphs:

“(6) The term ‘Space National Guard’ means that part of the organized militia of the several States and territories, Puerto Rico, and the District Of Columbia, active and inactive, that—

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“(A) is a space force;

“(B) is trained, and has its officers appointed under the sixteenth clause of section 8, article I of the Constitution;

“(C) is organized, armed, and equipped wholly or partly at Federal expense; and

“(D) is federally recognized.

“(7) The term ‘Space National Guard of the United States’ means the reserve component of the Space Force all of whose members are members of the Space National Guard.”; and

(B) in section 10101—

(i) in the matter preceding paragraph (1), by inserting “the following” before the colon; and

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

“(8) The Space National Guard of the United States.”.

(2) Title 32, United States Code.—Section 101 of title 32, United States Code is amended—

(A) by redesignating paragraphs (8) through (19) as paragraphs (10) and (21), respectively; and
(B) by inserting after paragraph (7) the following new paragraphs:

“(8) The term ‘Space National Guard’ means that part of the organized militia of the several States and territories, Puerto Rico, and the District Of Columbia, in which the Space Force operates, active and inactive, that—

“(A) is a space force;

“(B) is trained, and has its officers appointed under the sixteenth clause of section 8, article I of the Constitution;

“(C) is organized, armed, and equipped wholly or partly at Federal expense; and

“(D) is federally recognized.

“(9) The term ‘Space National Guard of the United States’ means the reserve component of the Space Force all of whose members are members of the Space National Guard.”.

(b) RESERVE COMPONENTS.—Chapter 1003 of title 10, United States Code, is amended—

(1) by adding at the end the following new sections:
§ 10115. Space National Guard of the United States: composition

“The Space National Guard of the United States is the reserve component of the Space Force that consists of—

“(1) federally recognized units and organizations of the Space National Guard; and

“(2) members of the Space National Guard who are also Reserves of the Space Force.

§ 10116. Space National Guard: when a component of the Space Force

“The Space National Guard while in the service of the United States is a component of the Space Force.

§ 10117. Space National Guard of the United States: status when not in Federal service

“When not on active duty, members of the Space National Guard of the United States shall be administered, armed, equipped, and trained in their status as members of the Space National Guard.”; and

(2) in the table of sections at the beginning of such chapter, by adding at the end the following new items:

“10116. Space National Guard: when a component of the Space Force.
“10117. Space National Guard of the United States: status when not in Federal service.”.
TITLE X—GENERAL PROVISIONS
Subtitle A—Financial Matters

SEC. 1001. GENERAL TRANSFER AUTHORITY.

(a) Authority to Transfer Authorizations.—

(1) Authority.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this division for fiscal year 2024 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) Limitation.—Except as provided in paragraph (3), the total amount of authorizations that the Secretary may transfer under the authority of this section may not exceed $6,000,000,000.

(3) Exception for Transfers Between Military Personnel Authorizations.—A transfer of funds between military personnel authorizations under title IV shall not be counted toward the dollar limitation in paragraph (2).

(b) Limitations.—The authority provided by subsection (a) to transfer authorizations—
(1) may only be used to provide authority for items that have a higher priority than the items from which authority is transferred; and

(2) may not be used to provide authority for an item that has been denied authorization by Congress.

(c) Effect on Authorization Amounts.—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) Notice to Congress.—The Secretary shall promptly notify Congress of each transfer made under subsection (a).

SEC. 1002. REQUIREMENT FOR A COVERED ARMED FORCE TO SUBMIT POSTURE STATEMENTS IN SUPPORT OF CONGRESSIONAL BUDGET PROCESS.

(a) Finding.—Congress finds that since the mid-20th century, as a matter of custom, the Secretary of Defense and the chiefs of the Armed Forces have provided written annual posture statements outlining budget priorities to Congress as a part of the annual budget process.

(b) Requirement.—Prior to the annual budget hearings of the congressional defense committees for fiscal year 2025, and each subsequent fiscal year, the Secretary of Defense, the Secretary of each Military Department, and the
chief of each covered Armed Force shall submit to the congressional defense committees a written posture statement in support of budget priorities. Each such posture statement shall include each of the following:

(1) An identification of the budget priorities of the department or Armed Force.

(2) An identification of strategic requirements to support the role of the Department or Armed Force in the national defense of the United States.

(3) An explanation of how resources are being applied to the national defense roles and responsibilities of the Department or Armed Force.

(4) Programmatic matters related to the roles and responsibilities of the Department or Armed Force.

(c) COVERED ARMED FORCE.—The term covered Armed Force means the following:

(1) The Army.

(2) The Navy.

(3) The Marine Corps.

(4) The Air Force.

(5) The Space Force.
Subtitle B—Counterdrug Activities

SEC. 1006. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES.

Section 112(a)(3) of title 32, United States Code, is amended by striking “$5,000” and inserting “$15,000”.

SEC. 1007. THREAT ANALYSIS REGARDING FENTANYL CRISIS.

(a) Threat Analysis.—The Secretary of Defense, in consultation with the Director of the Defense Threat Reduction Agency and Office of the Deputy Assistant Secretary of Defense for Counternarcotics and Stabilization Policy, shall conduct a threat analysis of any potential threats the illicit fentanyl drug trade poses to the defense interests of the United States. The threat analysis shall contain the following:

(1) An analysis of the illicit fentanyl drug trade, including the manufacture, distribution, and sale or trade, and trans-shipment of fentanyl and fentanyl-related substances.

(2) An analysis of new or emerging techniques or technologies that are likely to affect the evolution of the illicit fentanyl drug trade.

(b) Report.—Not later than March 31, 2024, the Secretary of Defense shall submit to the congressional defense committees a report that includes each of the following:
(1) The threat analysis required under subsection (a), including any recommendations of the Secretary for any related actions.

(2) Any actions the Department of Defense has taken in response to such threat analysis.

(3) Any other matter the Secretary determines appropriate.

SEC. 1008. REPORT ON ROLE OF DEPARTMENT OF DEFENSE IN SUPPORTING NATIONAL EMERGENCY DECLARATION COMBATING FENTANYL CRISIS.

(a) Sense of Congress.—It is the sense of Congress that—

(1) the declaration of a national emergency by the President to address the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States posed by international drug trafficking is an appropriate whole-of-Government response to the problems posed by drug trafficking and, in particular, fentanyl;

(2) the counternarcotics activities of the Department of Defense encompass unique capabilities that are critical for the efforts of the United States Government to combat the trafficking of illegal drugs, including fentanyl; and
(3) Department of Defense support for drug interdiction capacity and capability should be leveraged by Federal, State, local, and tribal law enforcement agencies, as appropriate and as permitted by law, to gain intelligence and lessons learned, and to enhance collaboration and effectiveness.

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

(1) A description of Department of Defense activities in support of efforts to deal with the national emergency declared in Executive Order 14059 on December 15, 2021.

(2) An assessment of the resources and authorities required to fully leverage the capabilities of the Department of Defense to best support efforts to address the threat posed by illicit drugs, including fentanyl and other synthetic opioids, that necessitated the declaration of the national emergency in Executive Order 14059.
Subtitle C—Naval Vessels and Shipyards

SEC. 1011. MODIFICATIONS TO ANNUAL NAVAL VESSEL CONSTRUCTION PLAN.

Section 231 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2), by inserting before the period at the end the following: “, together with the views of the Chief of Naval Operations and Commandant of the Marine Corps on the budget”; and

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

“(3) The unaltered assessment of the Chief of Naval Operations and the Commandant of the Marine Corps of the plan required under paragraph (1).”; and

(2) in subsection (b), by adding at the end the following new paragraphs:

“(3) In developing annual naval vessel construction plans for purposes of subsection (a)(1), the Secretary of the Navy shall take into consideration the most recent biennial report on shipbuilder training and the defense industrial base required by section 8693 of this title.
“(4) If the Secretary of the Navy includes more than one annual naval vessel construction plan for any fiscal year for purposes of subsection (a)(1), to the maximum extent practicable, the Secretary shall ensure that the first 10 years of each such plan are consistent.”.

SEC. 1012. CRITICAL COMPONENTS OF NATIONAL SEA-BASED DETERRENCE VESSELS.

Section 2218a(k)(3) of title 10, United States Code, is amended by adding at the end the following new subparagraphs:

“(P) Major bulkheads and tanks.

“(Q) All major pumps and motors.

“(R) Large vertical array.

“(S) Atmosphere control equipment.

“(T) Diesel systems and components.

“(U) Hydraulic valves and components.

“(V) Bearings.

“(W) Major air and blow valves and components.

“(X) Decks and superstructure.

“(Y) Castings, forgings, and tank structure.

“(Z) Hatches and hull penetrators.”.
SEC. 1013. GRANTS FOR IMPROVEMENT OF NAVY SHIP REPAIR OR ALTERATIONS CAPABILITY.

Chapter 131 of title 10, United States Code, is amended by inserting after section 2218a the following new section:

“§ 2219. Grants for improvement of Navy ship repair or alterations capability

“(a) Assistance Authorized.—(1) Subject to the availability of appropriations, the Secretary of the Navy may make grants to an eligible entity for the purpose of carrying out—

“(A) a capital improvement project; or

“(B) a maritime training program designed to foster technical skills and operational productivity.

“(2) The amount of a grant under this section may not exceed 75 percent of the total cost of the project or program funded by the grant.

“(3) A grant provided under this section may not be used to construct buildings or other physical facilities, except for piers, dry docks, and structures in support of piers and dry docks, or to acquire land.

“(4) The Secretary may not award a grant to an eligible entity under this section unless the Secretary determines that—

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“(A) the entity has access to sufficient non-Federal funding to meet the requirement under paragraph (2);

“(B) the entity has authority to carry out the proposed project; and

“(C) the project or program would improve—

“(i) efficiency, competitive operations, capability, or quality of United States Navy ship repair or alterations; or

“(ii) employee, or potential employee, skills and enhanced productivity related to United States Navy ship repair or alterations.

“(b) ELIGIBILITY.—To be eligible for a grant under this section, an entity shall—

“(1) be a shipyard or other entity that provides ship repair or alteration for non-nuclear ships;

“(2) submit an application, at such time, in such form, and containing such information and assurances as the Secretary may require, including a comprehensive description of—

“(A) the need for the project or program proposed to be funded under the grant;

“(B) the methodology to be used to implement the project or program; and
“(C) any existing programs or arrangements that could be used to supplement or leverage a grant provided under this section; and

“(3) enter into an agreement with the Secretary under which the entity agrees—

“(A) to complete the project or program funded by the grant within a certain timeframe and without unreasonable delay and the Secretary determines such project or program is likely to be completed within the timeframe provided in such agreement;

“(B) to return to the Secretary any amount of the grant that is—

“(i) not used by the grant recipient for the purpose for which the grant was awarded; or

“(ii) not obligated or expended within the timeframe provided in the agreement;

“(C) to maintain such records as the Secretary may require and make such records available for review and audit by the Secretary; and

“(D) not to purchase any product or material for the project or program using grant funds, including any commercially available off-
the-shelf item, unless such product or material is—

“(i) an unmanufactured article, material, or supply that has been mined or produced in the United States; or

“(ii) a manufactured article, material, or supply that has been manufactured in the United States substantially all from articles, materials, or supplies mined, produced, or manufactured in the United States.

“(c) GUIDELINES.—The Secretary shall issue guidelines to establish appropriate accounting, reporting, and review procedures to ensure that—

“(1) amounts awarded as grants under this section are used for the purposes for which such amounts were made available; and

“(2) an entity that receives a grant under this section complies with the terms of the agreement such entity enters into with the Secretary pursuant to subsection (b)(3).

“(d) DEFINITIONS.—In this section:

“(1) The term ‘commercially available off-the-shelf item’—
“(A) means any item of supply (including construction material) that is—

“(i) a commercial item, as defined by section 2.101 of title 48, Code of Federal Regulations (as in effect on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024); and

“(ii) sold in substantial quantities in the commercial marketplace; and

“(B) does not include bulk cargo, as defined in section 40102(4) of title 46, such as agricultural products and petroleum products.

“(2) The term ‘product or material’, with respect to a project or program—

“(A) means an article, material, or supply brought to the site where the project or program is being carried out for incorporation into the project or program; and

“(B) includes an item brought to the site preassembled from articles, materials, or supplies.

“(3) The term ‘United States’ includes the District of Columbia, the Commonwealth of Puerto Rico, the Northern Mariana Islands, Guam, American Samoa, and the Virgin Islands.”.
SEC. 1014. REPEAL OF OBSOLETE PROVISION OF LAW REGARDING VESSEL NOMENCLATURE.

Section 8662 of title 10, United States Code, is amended—

(1) by striking subsection (b); and

(2) by redesignating subsection (c) as subsection (b).

SEC. 1015. RESPONSIBILITY OF COMMANDANT OF THE MARINE CORPS WITH RESPECT TO NAVAL FORCE BATTLESHIP ASSESSMENT AND REQUIREMENT REPORTING.

Section 8695(e) of title 10, United States Code, is amended—

(1) in the subsection heading, by striking “AMPHIBIOUS WARFARE SHIPS” and inserting “RESPONSIBILITIES OF COMMANDANT OF MARINE CORPS”; and

(2) by inserting before the period at the end the following: “and for naval vessels with the primary mission of transporting Marines”.

SEC. 1016. POLICY OF THE UNITED STATES ON SHIPBUILDING DEFENSE INDUSTRIAL BASE.

Section 1025(a) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C. 7291 note) is amended—
(1) by striking “United States” and all that follows and inserting “United States—”; and

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

“(1) to have available, as soon as practicable, not fewer than 355 battle force ships, comprised of the optimal mix of platforms, with funding subject to the availability of appropriations or other funds; and

“(2) that the United States shipbuilding defense industrial base is fundamental to achieving the shipbuilding requirements of the Navy and constitutes a unique national security imperative that requires sustainment and support by the Navy and Congress.”.

SEC. 1017. AVAILABILITY OF FUNDS FOR RETIREMENT OR INACTIVATION OF LANDING DOCK SHIPS AND GUIDED MISSILE CRUISERS.

(a) LANDING DOCK SHIPS.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2024 for the Department of Defense may be obligated or expended to retire, prepare to retire, inactivate, or place in storage any of the following ships:

(1) USS Germantown (LSD-42).

(2) USS Gunston Hall (LSD-44).

(3) USS Tortuga (LSD-46).
(b) GUIDED MISSILE CRUISERS.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2024 for the Department of Defense may be obligated or expended to retire, prepare to retire, inactivate, or place in storage—

(1) the USS Shiloh (CG-67);

(2) the USS Cowpens (CG-63); or

(3) more than three other guided missile cruisers.

SEC. 1018. EXPEDITIONARY FAST TRANSPORT VESSELS.

(a) PROHIBITION ON REDUCED OPERATING STATUS.—None of the funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense for fiscal year 2024 may be used to place an expeditionary fast transport vessel into a reduced operating status.

(b) STRATEGY FOR USE.—

(1) STRATEGY AND CONCEPT OF OPERATIONS.—Not later than 180 days after the date of the enactment of this Act, the Chief of Naval Operations, in consultation with the Commander of United States Military Sealift Command, shall develop and implement a strategy and concept of operations for the use of expeditionary fast transport vessels in support of operational plans in the area of operations of United States Indo-Pacific Command.
(2) REPORT.—Not later than 30 days after the development of the strategy and concept of operations required under paragraph (1), the Chief of Naval Operations shall submit to the congressional defense committees a report describing such strategy and concept of operations.

SEC. 1019. GUAM SHIPYARD ASSESSMENT.

(a) ASSESSMENT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees an assessment of the ship building and repair capabilities located on Guam, as of the date of the enactment of this Act, and the feasibility of reestablishing the former Ship Repair Facility, Guam.

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

(1) A description of the capabilities to conduct shipbuilding and ship repair activities in Guam, as of the date of the enactment of this Act.

(2) A description of any planned improvements to shipbuilding and ship repair infrastructure in Guam.

(3) An evaluation of the feasibility of re-establishing a depot-level ship repair capability with dry-docking in Guam at the site of the former Ship Re-
pair Facility, Guam, including an identification of options for operating the ship repair capability through a public-private partnership.

SEC. 1020. AUTHORITY TO USE INCREMENTAL FUNDING TO ENTER INTO A CONTRACT FOR THE ADVANCE PROCUREMENT AND CONSTRUCTION OF A SAN ANTONIO-CLASS AMPHIBIOUS SHIP.

(a) In General.—Amounts authorized to be appropriated by this Act or otherwise made available for the Navy for Shipbuilding and Conversion for any of fiscal years 2023 through 2025 may be used by the Secretary of the Navy to enter into an incrementally funded contract for the advance procurement and construction of a San Antonio-class amphibious ship.

(b) Availability of Funds.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract is subject to the availability of appropriations for that purpose, and that total liability to the Government for the termination of the contract shall be limited to the total amount of funding obligated at time of termination.
SEC. 1021. AUTHORITY TO USE INCREMENTAL FUNDING TO ENTER INTO A CONTRACT FOR THE ADVANCE PROCUREMENT AND CONSTRUCTION OF A SUBMARINE TENDER.

(a) In General.—Amounts authorized to be appropriated by this Act or otherwise made available for the Navy for Shipbuilding and Conversion for fiscal year 2024 may be used by the Secretary of the Navy to enter into an incrementally funded contract for the advance procurement and construction of a submarine tender.

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

SEC. 1022. PLAN FOR EXTENDED PROHIBITION ON RETIREMENT OF SHIPS.

In the case of any ship or class of ship for which a provision of this Act limits the availability of funds authorized to be appropriated for the purposes retiring, preparing to retire, inactivating, or placing in storage any such ship, the Secretary of Defense shall include, with the Department of Defense materials submitted to Congress with the budget
of the President for fiscal year 2025, a plan to resource and retain such ship or class of ships until—

(1) the end of fiscal year 2027; or

(2) the end of the expected service life of the ships.

SEC. 1023. CONGRESSIONAL NOTIFICATION REGARDING PENDING RETIREMENT OF NAVAL VESSELS VIABLE FOR ARTIFICIAL REEFING.

(a) Sense of Congress.—It is the sense of Congress that the Secretary of the Navy should explore and solicit artificial reefing opportunities with appropriate entities for any naval vessel planned for retirement before initiating any plans to dispose of the vessel.

(b) Report.—Not later than 90 days before the retirement from the Naval Vessel Register of any naval vessel that is a viable candidate for artificial reefing, the Secretary of the Navy shall submit to the Committees on Armed Services of the Senate and House of Representatives notice of the pending retirement of such vessel.

SEC. 1024. QUARTERLY BRIEFINGS ON SUBMARINE READINESS.

(a) In General.—Not later than 30 days after the date of the enactment of this Act, and once every 90 days thereafter until September 30, 2026, the Secretary of the Navy shall provide to the congressional defense committees
quarterly briefings on SSN (attack) submarine class main-
tenance and readiness.

(b) INFORMATION TO BE PROVIDED.—Each briefing
under paragraph (1) shall include the following:

(1) The original estimated amount of time ex-
pected for SSN (attack) submarine depot-level main-
tenance activities to be completed, any adjustments to
the schedule, the reasons why any changes were nec-
essary, and the new expected timeframe for comple-
tion and any additional costs involved, which shall—

(A) by broken out by shipyard or private
entity (by site), by name, and by type of sub-
marine; and

(B) include any new efforts the Navy has
taken to address the delays it continues to face.

(2) Metrics for improvement and capacity of
public and private shipyards that affect depot-level
maintenance activities for SSN (attack) submarines,
including—

(A) trends in the amount of maintenance
work performed compared to shipyard capacity;

(B) an assessment of the adequacy of the
workforce;

(C) projections with respect to the avail-
ability of parts; and
(D) major infrastructure requirements at each shipyard for the subsequent 30 years to sustain the authorized fleetwide SSN (attack) submarine readiness level.

(3) Recommendations for legislative changes required with respect to policy or resources to ensure efficient and effective maintenance and operational readiness for the SSN (attack) class of submarine.

Subtitle D—Counterterrorism

SEC. 1031. EXTENSION OF PROHIBITION ON USE OF FUNDS

FOR TRANSFER OR RELEASE OF INDIVIDUALS

DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO THE UNITED STATES.


SEC. 1032. EXTENSION OF PROHIBITION ON USE OF FUNDS

TO CONSTRUCT OR MODIFY FACILITIES IN THE UNITED STATES TO HOUSE DETAINES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

Section 1034(a) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law
SEC. 1033. EXTENSION OF PROHIBITION ON USE OF FUNDS FOR TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO CERTAIN COUNTRIES.


SEC. 1034. EXTENSION OF PROHIBITION ON USE OF FUNDS TO CLOSE OR RELINQUISH CONTROL OF UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

Section 1036 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1551) is amended by striking “fiscal years 2018 through 2023” and inserting “fiscal years 2018 through 2024”.

Subtitle E—Miscellaneous Authorities and Limitations

SEC. 1041. MODIFICATION TO DEFINITIONS OF CONFUCIUS INSTITUTE.

(a) LIMITATION ON PROVISION OF FUNDS TO INSTITUTIONS OF HIGHER EDUCATION.—Paragraph (1) of section
1062(d) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 2241) is amended to read as follows:

“(1) CONFUCIUS INSTITUTE.—The term ‘Confucius Institute’ means—

“(A) any program that receives funding from or has any operational ties to—

“(i) the Chinese International Education Foundation; or

“(ii) the Center for Language Exchange Cooperation of the Ministry of Education of the People’s Republic of China; or

“(B) any cultural institute directly or indirectly funded by the Government of the People’s Republic of China.”.

(b) PROHIBITION OF FUNDS FOR CHINESE LANGUAGE INSTRUCTION.—Paragraph (2) of section 1091(d) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1998) is amended to read as follows:

“(2) CONFUCIUS INSTITUTE.—The term ‘Confucius Institute’ means—

“(A) any program that receives funding from or has any operational ties to—
“(i) the Chinese International Education Foundation; or

“(ii) the Center for Language Exchange Cooperation of the Ministry of Education of the People’s Republic of China; or

“(B) any cultural institute directly or indirectly funded by the Government of the People’s Republic of China.”.

SEC. 1042. LIMITATION ON PROVISION OF FUNDS TO INSTITUTIONS OF HIGHER EDUCATION HOSTING CONFUCIUS INSTITUTES.

Section 1062(b) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 2241 note) is further amended—

(1) in paragraph (1)—

(A) by striking “if the Secretary, after consultation with the National Academies of Sciences, Engineering, and Medicine, determines such a waiver is appropriate.” and inserting “if the institution of higher education provides to the Secretary—”; and

(B) and by adding at the end the following new subparagraphs:
“(A) a commitment that it will not host the Confucius Institute at any time after September 30, 2026;

“(B) a plan to close the Confucius Institute before such date; and

“(C) a justification for why the institution is unable to close the Confucius Institute immediately.”;

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

(3) by inserting after paragraph (1) the following new paragraph (2):

“(2) The Secretary shall issue a waiver under paragraph (1) on a case-by-case basis and may only issue such a waiver for a single year. An institution of higher education that receives a one-year waiver and seeks an additional waiver shall submit to the Secretary an application that includes—

“(A) the reason why an additional waiver is necessary; and

“(B) a description of the steps the institution has taken during the preceding year to ensure the Confucius Institute hosted by the institution is closed by not later than September 30, 2026.”; and
(4) by adding at the end the following new paragraph:

“(4) The authority to issue a waiver under paragraph (1) shall terminate on October 1, 2026, and any waiver issued under such paragraph shall not apply on or after such date.”.

SEC. 1043. MODIFICATION OF VETTING PROCEDURES AND MONITORING REQUIREMENTS FOR CERTAIN MILITARY TRAINING.


(1) by redesignating subsection (e) as subsection (f); and

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

“(e) TREATMENT OF NATO MEMBER NATIONS.—

“(1) In general.—Subject to paragraphs (2) and (3), the Secretary of Defense may exempt the nationals of a member nation of the North Atlantic Treaty Organization from the requirements applicable to covered individuals under this section.

“(2) Process required.—The Secretary of Defense shall establish a process for granting exemptions under this section. Such process shall—
“(A) include—

“(i) an identification of existing vetting procedures and security measures that are functionally equivalent to Department of Defense standards for eligibility for physical access to Department installations and facilities in the United States; or

“(ii) the establishment of alternative procedures and measures applicable to such member nations that are functionally equivalent to such Department of Defense standards; and

“(B) include such other measures as the Secretary determines appropriate.

“(3) Notification to Congress.—Not later than 30 days before granting an exemption under paragraph (1), the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives notification of the Secretary’s intent to grant such an exemption.”.

SEC. 1044. LIMITATION ON AVAILABILITY OF FUNDS UNTIL DELIVERY OF REPORT ON NEXT GENERATION TACTICAL COMMUNICATIONS.

(a) Report Required.—Not later than 180 days after the date of the enactment of this Act, the Commander
of United States Special Operations Command shall submit to the congressional defense committees a report on reported issues with the AN/PRC–163 radio that includes the following:

(1) A history of all issues with the AN/PRC–163 radio reported 30 days before the date of submission of such report, and the steps taken by the Commander and the manufacturer of such radio to remedy such reported issues.

(2) A summary and description of all such reported issues that have not been remedied as of the date of submission of such report that have been identified through consultation with users in the field at the tactical level and recently redeployed operators of such radio throughout the Command.

(3) A plan, developed in consultation with the manufacturer of such radio, to address and mitigate all identified issues with the radio by 2025.

(b) LIMITATION OF FUNDS.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2024 for the United States Special Operations Command for procurement of Next Generation Tactical Communications, not more than 75 percent may be obligated or expended until the Commander of United States Special Operations Command submits to the con-
gressional defense committees the report require under sub-
section (a).

SEC. 1045. LIMITATION ON USE OF FUNDS RELATED TO
MILITARY RELIGIOUS FREEDOM FOUNDA-
TION.

None of the funds authorized to be appropriated by this
Act or otherwise made available for fiscal year 2024 for the
Department of Defense may be used—

(1) to communicate with the Military Religious
Freedom Foundation, its leadership, or its founder; or

(2) to take any action or make any decision as
a result of any claim, objection, or protest made by
the Military Religious Freedom Foundation without
the authority of the Secretary of Defense.

SEC. 1046. PROHIBITION ON USE OF FUNDS FOR ADVISORY
COMMITTEES RELATED TO ENVIRONMENTAL,
SOCIAL, AND GOVERNANCE ASPECTS.

(a) PROHIBITION.—None of the funds authorized to be
appropriated by this Act or otherwise made available for
the Department of Defense for fiscal year 2024 may be
used—

(1) to establish in the Department of Defense an
advisory committee related to environmental, social,
and governance aspects; or
(2) for the Defense Advisory Committee on Diversity and Inclusion or any successor committee.

(b) DEFINITIONS.—In this section:

(1) The term “environmental” includes anything related to—

(A) emissions of greenhouse gases, including—

(i) carbon dioxide;

(ii) methane;

(iii) nitrous oxide;

(iv) nitrogen trifluoride;

(v) hydrofluorocarbons;

(vi) perfluorocarbons; and

(vii) sulfur hexafluoride;

(B) climate change; and

(C) environmental justice.

(2) The term “governance” means how a private entity is run, including the structure and composition of the entity based on race, color, national origin, or sex and how compensation is made.

(3) The term “social” includes anything related to—

(A) race, ethnicity, gender identity, sexual orientation, or socioeconomic standards;
(B) ideologies that oppose equal protection of the law or support discrimination on the basis of race, color, national origin, or sex; and

(C) critical race theory, social justice, or similar ideologies.

Subtitle F—Studies and Reports

SEC. 1061. ANNUAL REPORT ON UNFUNDED PRIORITIES OF DEFENSE POW/MIA ACCOUNTING AGENCY.

Chapter 9 of title 10, United States Code, is amended by inserting after section 222d the following new section:

“§ 222e. Unfunded priorities of Defense POW/MIA Accounting Agency: annual report

“(a) REPORTS.—Not later than 10 days after the date on which the budget of the President for a fiscal year is submitted to Congress pursuant to section 1105 of title 31, the Director of the Defense POW/MIA Accounting Agency shall submit to the Secretary of Defense and the Chairman of the Joint Chiefs of Staff, and to the congressional defense committees, a report on the unfunded priorities of the Defense POW/MIA Accounting Agency.

“(b) ELEMENTS.—(1) Each report under subsection (a) shall specify, for each unfunded priority covered by such report, the following:
“(A) A summary description of such priority, including the objectives to be achieved if such priority is funded (whether in whole or in part).

“(B) The additional amount of funds recommended in connection with the objectives under subparagraph (A).

“(C) Account information with respect to such priority, including the following (as applicable):

“(i) Line Item Number for applicable procurement accounts.

“(ii) Program Element number for applicable research, development, test, and evaluation accounts.

“(iii) Sub-activity group for applicable operation and maintenance accounts.

“(2) Each report under subsection (a) shall present the unfunded priorities covered by such report in order of urgency of priority.

“(c) UNFUNDED PRIORITY DEFINED.— In this section, the term ‘unfunded priority’, in the case of a fiscal year, means a program, activity, or mission requirement of the POW/MIA Accounting Agency that—

“(1) is not funded in the budget of the President for the fiscal year as submitted to Congress pursuant to section 1105 of title 31, United States Code;
“(2) is necessary to fulfill a requirement associated with an operational or contingency plan of a combatant command or other validated requirement; and

“(3) would have been recommended for funding through the budget referred to in paragraph (1) by the Director of the POW/MIA Accounting Agency in connection with the budget if additional resources had been available for the budget to fund the program, activity, or mission requirement.”.

SEC. 1062. QUARTERLY BRIEFINGS ON JOINT ALL DOMAIN COMMAND AND CONTROL EFFORT.

Section 1076(a) of the National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3866) is amended—

(1) by striking “October 1, 2024” and inserting “October 1, 2028, the Deputy Secretary of Defense”; and

(2) by striking “the Chief Information Officer of the Department of Defense,”.
SEC. 1063. EXTENSION OF REQUIREMENT TO SUBMIT A REPORT ON DEPARTMENT OF DEFENSE SUPPORT FOR DEPARTMENT OF HOMELAND SECURITY AT THE INTERNATIONAL BORDERS OF THE UNITED STATES.


SEC. 1064. AIR FORCE PLAN FOR MAINTAINING PROFICIENT AIRCREWS IN CERTAIN MISSION AREAS.

(a) Plan Required.—The Secretary of the Air Force shall develop a plan, and the associated actions and milestones for implementing the plan, to designate, equip, and train the number of combat air forces aviation units (in this section referred to as “CAF units”), equipped with fixed-wing or rotorcraft assets, that are required in order to maintain proficient aircrew skills in accordance with the Core Mission Essential Task List and Designed Operational Capability Statement of each such unit in the following mission areas:

(1) Close air support.

(2) Forward air controller–airborne.

(3) Combat search and rescue.

(b) Report.—The Secretary of the Air Force shall submit to the congressional defense committees a report on
the plan required under subsection (a). Such report shall include the following information:

(1) The number of CAF units required to meet steady-state, contingency, and wartime mission requirements for each mission area referred to in subsection (a).

(2) The number of proficient aircrews each unit must maintain in order to be qualified and current in each such mission area.

(3) The number of CAF units and aircrew personnel that, as of the date of the enactment of this Act, are trained and equipped to meet steady-state, contingency, and wartime mission requirements for each such mission area.

(4) The location of any CAF unit and associated aircraft that have been designated to be proficient in such mission areas.

(5) The minimum quantity of initial training and continuation training sorties and events aircrews will be required to achieve monthly and yearly to be qualified as proficient, current, and experienced in such mission areas.

(6) Any other information, data, or analyses the Secretary determines relevant.
(c) LIMITATION.—The Secretary of the Air Force may not reduce the total inventory of the Air Force of A-10 aircraft below 218 until the date that is 180 days after the date on which the Secretary submits the report required under subsection (b).

(d) DEFINITION OF PROFICIENT.—In this section, the term “proficient”, with respect to an aircrew, means that such aircrew—

(1) has thorough knowledge but occasionally may make an error of omission or commission;

(2) is able to operate in a complex, fluid environment and is able to handle most contingencies and unusual circumstances; and

(3) is prepared for mission tasking on the first sortie in a theater of operations.

SEC. 1065. ASSESSMENT AND STRATEGY RELATING TO RANGE CAPABILITY AND CAPACITY FOR JOINT ALL-DOMAIN OPERATIONS.

(a) REPORTS REQUIRED.—Not later than 180 days after the date of enactment of this Act, and not less frequently than once every three years thereafter until June 1, 2037, the Secretary of Defense shall submit to the congressional defense committees a report containing an assessment of the Department of Defense range capability and capacity in Florida.
(b) CONTENTS OF REPORTS.—Each report submitted under subsection (a) shall include each of the following:

(1) The amount and types of testing activities conducted at ranges in Florida.

(2) The capabilities and capacity available at ranges in Florida that are not available elsewhere in the United States.

(3) The capacity of such ranges to be used for additional testing activities.

(4) An evaluation of the possibility of using such ranges for the testing activities of other Federal agencies and private-sector entities in the United States.

(5) An evaluation of the capacity of ranges in Florida to be used to develop and train for current and future realistic, Joint All-Domain Operations exercises.

(6) An assessment of Joint All-Domain Operations training shortfalls at domestic military installations generally.

(7) An analysis of the use or potential use of Florida ranges as sites for a large-scale, operationally relevant, live-fire campaign-level Joint All-Domain Operations training exercises based on conflict in the South China Sea first island chain.

(9) A review of Department of Defense engagement with the State and local governments in Florida to maintain and expand Department of Defense ranges in Florida.

(10) A review of Department of Defense engagement in the Military Aviation and Installation Assurance Siting Clearinghouse, Sentinel Landscapes of Florida, and entities assessing existing and future sea lanes for compatibility with future range requirements.

(c) STRATEGY.—

(1) IN GENERAL.—Not later than November 1, 2024, the Secretary of Defense shall submit to the congressional defense committees a strategy to ensure range capability to develop Joint All-Domain Operations capabilities and training environments based on the results of the assessments conducted under subsection (a). Such strategy shall include—

(A) a plan to establish and field requirements for the development and testing of emerging technologies that require a Joint All-Domain Operations range capability in Florida;
(B) a plan to acquire and field infrastructure, technology, and human capital required to develop Joint All-Domain Operations capabilities and training environments in Florida;

(C) an identification of investments necessary to ensure the ranges in Florida will meet mission-driven, all-domain requirements of the future; and

(D) an analysis, determination, and prioritization of legislative action required to ensure the Department of Defense maintains range capability and capacity for future all-domain test and training in Florida.

(2) COORDINATION.—The Secretary of Defense shall develop the strategy required under paragraph (1) in coordination with the Joint Requirements Oversight Council, the Test Resource Management Center, the Director of Operational Test and Evaluation of the Department of Defense, and the Under Secretary of Defense for Research and Engineering.

(3) INCORPORATION.—The Secretary of Defense shall incorporate the strategy required by paragraph (1) into any existing capability of the Department of Defense for development and test strategies.
(d) INTERIM BRIEFING.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the congressional defense committees a briefing on—

(1) the first assessment of the Secretary under subsection (a); and

(2) the strategy required under subsection (c).

(e) DEFINITIONS.—In this section:

(1) The term “Joint All-Domain Operations” means operations comprised of air, land, maritime, cyberspace, and space domains, including operations with respect to the electromagnetic spectrum, and actions by the joint force in multiple domains integrated in planning and synchronized in execution at the speed and scale needed to gain advantage and accomplish the mission.

(2) The term “Military Mission Line” means the north-south line at 86°41′ W. longitude.

(f) FORM OF REPORTS AND STRATEGY.—Each report required under subsection (a) and the strategy required under subsection (c) shall be submitted in unclassified form that does not require safeguarding or dissemination controls, and may include a classified annex.
SEC. 1066. REPORT ON DEFENSE OF DEPARTMENT OF DEFENSE FACILITIES AND FORCES IN EUROPEAN AND INDO-PACIFIC REGIONS FROM MISSILE AND AIR ATTACK.

(a) Study.—The Secretary of Defense shall conduct a study to determine whether the Department of Defense has sufficient forces, systems, and capabilities to defend Department of Defense military facilities and deployed forces in the European and Indo-Pacific regions from hypersonic-, ballistic-, cruise-missile and air attack, or to otherwise defeat such attacks.

(b) Report.—

(1) In general.—Not later than June 30, 2024, the Secretary shall submit to the congressional defense committees a report on the findings of the study required by subsection (a). Such report shall include a specific and detailed plan for ensuring the ability of the Department of Defense to defend Department of Defense military facilities and deployed forces in the European and Indo-Pacific regions from hypersonic-, ballistic-, cruise-missile and air attack through 2030.

(2) Form of report.—The report required by this subsection shall be submitted in unclassified form, but may include a classified annex.
(3) **PUBLIC AVAILABILITY.**—Not later than 14 days after the date of the submission of the report required by paragraph (1), the Secretary shall make an unclassified summary of the report available to the public on an appropriate internet website of the Department of Defense.

**SEC. 1067. INDEPENDENT STUDY ON NAVAL MINE WARFARE.**

(a) **STUDY REQUIRED.**—Not later than 60 days after the date of the enactment of this Act, the Secretary of the Navy shall seek to enter into an agreement with a federally funded research and development center to conduct an independent study of the mine warfare capabilities of the Navy.

(b) **ELEMENTS.**—The study under subsection (a) shall include an assessment and comprehensive review of—

(1) the offensive and defensive mine warfare capabilities of the Navy; and

(2) the offensive mine inventories of Navy as of the date of study.

(c) **RESULTS.**—Following the completion of the study under subsection (a), the federally funded research and development center that conducts the study shall submit to the Secretary of Defense a report on the results of the study. The report shall include—
(1) a summary of the research and other activities carried out as part of the study; and

(2) considerations and recommendations to improve the mine warfare capabilities of the Navy, including recommendations for any legislation that may be needed for such purpose.

(d) Submittal to Congress.—

(1) IN GENERAL.—Not later than December 31, 2024, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives—

(A) an unaltered copy of the results of the study, as submitted to the Secretary under subsection (c); and

(B) the written responses of the Secretary and the Chairman of the Joint Chiefs of Staff to such results.

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

SEC. 1068. REPORT ON ESTABLISHMENT OF JOINT FORCE HEADQUARTERS IN INDO-PACIFIC REGION.

(a) Report Required.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Commander of the

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

(1) A description of the personnel, supporting infrastructure, and operational chain of command relationships associated with the joint force headquarters that is required to be established by section 1087 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–363; 10 U.S.C. 161 note).

(2) An evaluation of the personnel, supporting infrastructure, and operational chain of command relationships that would be required to support the potential establishment of an additional fully equipped and persistent joint force headquarters or joint task force that would be responsible for the operational employment of forces in the Western Pacific.

(3) An identification of the appropriate rank for the commander required to lead the efforts described in paragraphs (1) and (2) and the feasibility of using
an existing component commander to lead these efforts.

(4) An analysis of how the Department’s plan for Joint Task Force Micronesia aligns with the requirements described in paragraphs (1), (2), and (3), and in section 1087 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–363; 10 U.S.C. 161 note).

(5) An analysis of the advisability of establishing an additional joint task force or joint force headquarters responsible for the operational employment of forces in the Western Pacific.

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

SEC. 1069. ANNUAL BRIEFINGS ON IMPLEMENTATION OF FORCE DESIGN 2030.

(a) BRIEFINGS REQUIRED.—Not later than March 31, 2024, and annually thereafter through March 31, 2030, the Commandant of the Marine Corps shall provide to the congressional defense committees a briefing on the programmatic choices made to implement Force Design 2030, including new developmental and fielded capabilities and capabilities and capacity divested to accelerate the implementation of Force Design 2030.
(b) ELEMENTS.—Each briefing provided under subsection (a) shall include—

(1) an assessment of changes in the national defense strategy under section 113(g) of title 10, United States Code, defense planning guidance, the Joint Warfighting Concept (and associated Concept Required Capabilities), and other planning processes that informed Force Design 2030;

(2) an inventory and assessment of exercises and experiments related to Force Design 2030 beginning in fiscal year 2020, including—

(A) an identification of any capabilities that were involved in such exercises and experiments; and

(B) the extent to which such exercises and experiments validated or militated against proposed capability investments;

(3) an inventory of divestments of capability or capacity, whether force structure or equipment, starting in fiscal year 2020, including—

(A) a timeline of the progress of each divestment;

(B) the type of force structure or equipment divested or reduced;
(C) the percentage of force structure of equipment divested or reduced, including any equipment entered into inventory management or other form of storage;

(D) the rationale and context behind such divestment; and

(E) an identification of whether such divestment affects the ability of the Marine Corps to meet the requirements of the Global Force Management process and the operational plans, including—

(i) an explanation of how the Marine Corps plans to mitigate the loss of such capability or capacity if the divestment affects the ability of the Marine Corps to meet the requirements of the Global Force Management process and the operational plans, including through new investments, additional joint planning and training, or other methods; and

(ii) an assessment of the actual and projected recruitment and retention percentages of the Marine Corps, starting in fiscal year 2020;
(4) an inventory of extant or planned investments as a part of Force Design 2030, broken down by capability areas including—

(A) integrated air and missile defense;

(B) littoral mobility and maneuver;

(C) sea denial;

(D) recon and counter-recon forces;

(E) the amphibious warfare ship and maritime mobility requirements the Marine Corps submitted to the Department of the Navy in support of the Marine Corps organization and concepts under Force Design 2030 and its statutory requirements, including an explicit statement of—

(i) the planning assumptions about the readiness of amphibious warfare ships and maritime mobility platforms in developing the requirements; and

(ii) whether the Navy’s 30-year ship-building plan of and budget for the fiscal year covered by the briefing meet the amphibious ship requirements of the Navy;

(5) for each capability included in the inventory under paragraph (4)—

(A) the name;
(B) the purpose and context;

(C) an identification of the capability being replaced, if applicable;

(D) the date of initial operational capability;

(E) the date of full operational capability;

(F) the number of deliveries of units by year; and

(G) the approved acquisition objective or similar inventory objective;

(6) an assessment of how the capability investments identified in the inventory under paragraph (4) contribute to joint force efficacy in new ways, including through support of other military departments;

(7) an assessment of the ability of the Marine Corps to generate required force elements for the immediate ready force and the contingency ready force over the two fiscal years preceding the year during which the briefing is provided and the expected ability to generate such force elements through fiscal year 2030;

(8) an assessment of Marine Corps force structure and readiness of marine expeditionary units compared to availability of amphibious ships com-
prising an amphibious ready group over the two fiscal years preceding the year during which the briefing is provided and the expected availability of such ships through fiscal year 2030;

(9) an assessment by the Marine Corps of its compliance with the statutory organization prescribed in section 8063 of title 10, United States Code, specifically “The Marine Corps, within the Department of the Navy, shall be so organized as to include not less than three combat divisions and three air wings, and such other land combat, aviation, and other services as may be organic therein.”; and

(10) an assessment by the Marine Corps of its compliance with the statutory functions prescribed in section 8063 of title 10, United States Code, specifically “The Marine Corps shall be organized, trained, and equipped to provide fleet marine forces of combined arms, together with supporting air components, for service with the fleet in the seizure or defense of advanced naval bases and for the conduct of such land operations as may be essential to the prosecution of a naval campaign.”.
SEC. 1070. PLAN FOR TAIWAN NONCOMBATANT EVACUATION OPERATIONS.

(a) PLAN.—The Secretary of Defense, with the concurrence of the Secretary of State, shall maintain a sufficient evacuation plan that is suitable for execution as a non-combatant evacuation operations plan or any other evacuation mission conducted by the Department of Defense from Taiwan.

(b) ANNUAL REVIEW AND UPDATE.—On an annual basis, the Secretary of Defense shall—

(1) review the plan required under subsection (a) and update such plan as the Secretary determines necessary; and

(2) submit to Congress certification that the plan is either sufficient or needs to be updated.

(c) CONGRESSIONAL BRIEFINGS.—Not later than 180 days after the date of the enactment of this Act, and quarterly thereafter, the Assistant Secretary of Defense for Strategy, Plans, and Capabilities shall provide 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 an unclassified and classified briefing on the plan required under subsection (a).
Subtitle G—Other Matters

SEC. 1081. NAVY CONSIDERATION OF COAST GUARD VIEWS ON MATTERS DIRECTLY CONCERNING COAST GUARD CAPABILITIES.

Chapter 803 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 8029. Consideration of Coast Guard views on matters directly concerning Coast Guard capabilities

“The Secretary of the Navy shall ensure that the views of the Commandant of the Coast Guard are given appropriate consideration before a major decision is made by an element of the Department of the Navy on a matter that directly concerns any capability of the Coast Guard in support of national defense.”.

SEC. 1082. DEVELOPMENT OF COMMERCIAL INTEGRATION CELLS ACTION PLAN WITHIN CERTAIN COMBATANT COMMANDS.

(a) In General.—Not later than March 1, 2024, the Commander of the United States Africa Command, the Commander of the United States European Command, the Commander of the United States Indo-Pacific Command, the Commander of the United States Northern Command, and the Commander of the United States Southern Command shall each develop an action plan that includes—
(1) the potential establishment of a commercial integration cell within their respective combatant command for the purpose of closely integrating public and private entities with capabilities relevant to the area of operation of such combatant command; and

(2) the potential establishment of a chief technology officer position within their respective combatant command, who would—

(A) oversee such commercial integration cell; and

(B) report directly to the commander of the applicable combatant command.

(b) BRIEFING.—Not later than 30 days after the date of the enactment of this Act, each commander of a combatant command referred to in subsection (a) shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the feasibility, costs, and benefits of establishing a commercial integration cell.

SEC. 1083. REQUIREMENT TO UPDATE WARFIGHTING REQUIREMENTS FOR CONFRONTING RUSSIA IN EUROPE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) European warfighting requirements should reflect the most current state of affairs regarding as-
sessed adversary capabilities, capacity, and intent;

and

(2) maintaining up-to-date plans and assumptions is essential to—

(A) identifying and properly scoping global threats; and

(B) the ability of the Department of Defense to counter such threats to secure the defense and national security interests of the United States.

(b) REQUIREMENT.—The Secretary of Defense shall update the warfighting requirements of the Department of Defense for confronting Russia in Europe.

(c) BRIEFING.—Not later than 30 days after the date of the enactment of this Act, the Secretary shall provide to the congressional defense committees a briefing on the requirements updated under subsection (b).

SEC. 1084. UPDATE TO STRATEGIC PLAN ON DEPARTMENT OF DEFENSE COMBATING TRAFFICKING IN PERSONS PROGRAM.

(a) In general.—Not later than June 1, 2024, the Secretary of Defense shall provide to the Committee on Armed Services of the House of Representatives a briefing on an updated strategic plan for the combating trafficking in persons program of the Department of Defense.
(b) **ELEMENTS OF PLAN.**—The updated strategic plan required under subsection (a) shall include each of the following:

(1) An assessment of the efforts of the Department of Defense to combat trafficking in persons in areas with high populations of members of the United States Armed Forces, including in overseas locations.

(2) A review of the coordination of efforts of the Department to combat trafficking in persons across the military departments in areas where multiple military departments operate bases.

(3) Recommendations for improved cooperation with local communities and relevant Federal, State, and local law enforcement agencies in addressing trafficking in persons.

(4) A review of new methods and concepts for combating trafficking in persons that the Department has implemented since the previous strategic plan.

(5) A description of plans of the Department to adapt innovative approaches, and integrate new technologies.

**SEC. 1085. GUIDANCE FOR USE OF UNMANNED AIRCRAFT SYSTEMS BY NATIONAL GUARD.**

(a) **NEW GUIDANCE REQUIRED.**—Not later than 90 days after the date of the enactment of this Act, the Sec-
Secretary of Defense shall issue new guidance on the use of unmanned aircraft systems by the National Guard for covered activities.

(b) Briefing.—Not later than 60 days after the date on which the Secretary issues the new guidance under subsection (a), the Secretary shall provide to the Committee on Armed Services of the House of Representatives. Such briefing shall include—

(1) an explanation of whether the new guidance is more restrictive than guidance on the use of other types of aircraft for covered activities; and

(2) if the new guidance is more restrictive, an explanation for the reasons why such guidance is more restrictive.

(c) Covered Activities Defined.—In this section, the term “covered activities” means any of the following:

(1) Emergency operations.

(2) Search and rescue operations.

(3) Defense support to civil authorities.

(4) Support provided under section 502(f) of title 32, United States Code.

SEC. 1086. SENSE OF CONGRESS REGARDING DEFENSE PRESENCE IN THE INDO-PACIFIC REGION.

It is the sense of Congress that the Department of Defense should maintain sufficient force posture and capabili-
ties in the area of operations of the United States Indo-
Pacific Command.

**TITLE XI—CIVILIAN PERSONNEL MATTERS**

**SEC. 1101. AUTHORITY TO ESTABLISH EXCEPTED SERVICE POSITIONS FOR ARMY LAW ENFORCEMENT ACTIVITIES.**

Chapter 747 of title 10, United States Code, is amend-
ed by adding at the end the following new section:

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§ 7378. Army law enforcement activity recruitment and retention

“(a) GENERAL AUTHORITY.—

“(1) Consistent with paragraph (2), and without regard to the provisions of any other law relating to the appointment, number, classification, or compensa-
tion of employees, the Secretary of Defense may—

“(A) establish, as positions in the excepted service, such qualified positions in Army Law Enforcement Activities as the Secretary deter-
mines necessary to carry out the investigative re-
sponsibilities of such activities;

“(B) appoint an individual to a qualified position (after taking into consideration the availability of preference eligibles for appoint-
ment to the position); and
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“(C) subject to subsections (b) and (c), fix the compensation of an individual in a qualified position.

“(2) The authority of the Secretary under this section may not be used until on or after the date that each requirement of section 548 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) has been met.

“(b) BASIC PAY.—The Secretary shall—

“(1) consistent with section 5341 of title 5, adopt such provisions of that title to provide for prevailing rate systems of basic pay; and

“(2) apply those provisions for purposes of establishing rates of basic pay for qualified positions.

“(c) ADDITIONAL COMPENSATION, INCENTIVES, AND ALLOWANCES.—

“(1) The Secretary may provide employees in qualified positions compensation (in addition to basic pay), including benefits, incentives, and allowances, consistent with, and not in excess of the level authorized for, comparable positions authorized by title 5.

“(2) An employee in a qualified position whose rate of basic pay is fixed under subsection (b)(1) shall be eligible for an allowance under section 5941 of title 5 on the same basis and to the same extent as if the
employee was an employee covered by such section, including eligibility conditions, allowance rates, and all other terms and conditions in law or regulation.

“(d) IMPLEMENTATION PLAN REQUIRED.—The authority granted in subsection (a) shall become effective 90 days after the date on which the Secretary provides to the congressional defense committees a plan for implementation of such authority. The plan shall include the following:

“(1) An assessment of the current scope of the positions covered by the authority.

“(2) A plan for the use of the authority.

“(3) Other matters as appropriate.

“(e) REQUIRED REGULATIONS.—The Secretary, in coordination with the Director of the Office of Personnel Management, shall prescribe regulations for the administration of this section.

“(f) PROBATIONARY PERIOD.—The probationary period for all employees hired under the authority established in this section shall be one year.

“(g) INCUMBENTS OF EXISTING COMPETITIVE SERVICE POSITIONS.—

“(1) An individual occupying a position on the date of the enactment of this section that is selected to be converted to a position in the excepted service
under this section shall have the right to refuse such conversion.

“(2) After the date on which an individual who refuses a conversion under paragraph (1) stops serving in the position selected to be converted, the position may be converted to a position in the excepted service.

“(h) DEFINITIONS.—In this section:

“(1) The term ‘Army Law Enforcement Activities’ means the Army Criminal Investigation Command (or any successor organization) and any other Department of Army organization engaged primarily in law enforcement, security, or investigative responsibilities as designated by the Secretary of Defense.

“(2) The term ‘excepted service’ has the meaning given that term in section 2103 of title 5.

“(3) The term ‘preference eligible’ has the meaning given that term in section 2108 of title 5.

“(4) The term ‘qualified position’ means a position, designated by the Secretary for the purpose of this section, in which the individual occupying such position performs, manages, or supervises functions that execute law enforcement, security, or investigative responsibilities.”.
SEC. 1102. AUTHORIZATION TO PAY A LIVING QUARTERS ALLOWANCE FOR DEPARTMENT OF THE NAVY CIVILIAN EMPLOYEES ASSIGNED TO PERMANENT DUTY IN GUAM FOR PERFORMING WORK, OR SUPPORTING WORK BEING PERFORMED, ABOARD OR DOCKSIDE, OF U.S. NAVAL VESSELS.

(a) ALLOWANCE.—Notwithstanding any other provision of law, when Government owned or rented quarters are not otherwise provided without charge to a covered employee, the Secretary of the Navy may grant to a covered employee one or more of the following allowances:

(1) A living quarters allowance for rent, heat, light, fuel, gas, electricity, and water. The Secretary is authorized to pay such allowance by reimbursement or by advance payments without regard to section 3324(a) and (b) of title 31, United States Code.

(2) Under unusual circumstances, as determined by the Secretary, payment or reimbursement for extraordinary, necessary, and reasonable expenses, not otherwise compensated for, incurred in initial repairs, alterations, and improvements to the privately leased residence in Guam of a covered employee—

(A) the expenses are administratively approved in advance; and
(B) the duration and terms of the lease justify payment of the expenses by the Government.

(b) COVERED EMPLOYEE DEFINED.—In this section, the term “covered employee” means any civilian employee of the Department of the Navy who is assigned to permanent duty in Guam for performing work or supporting work being performed, aboard or dockside, of U.S. naval vessels.

SEC. 1103. CONSOLIDATION OF DIRECT HIRE AUTHORITIES FOR CANDIDATES WITH SPECIFIED DEGREES AT SCIENCE AND TECHNOLOGY REINVENTION LABORATORIES.

Section 4091 of title 10, United States Code, is amended—

(1) in subsection (a)(1), by striking “bachelor’s degree” and inserting “bachelor’s or advanced degree”;

(2) in subsection (c)—

(A) in the subsection heading, by striking “CALENDAR YEAR” and inserting “FISCAL YEAR”;

(B) in the matter preceding paragraph (1), by striking “calendar year” and inserting “fiscal year”;

(C) in paragraph (1), by striking “6 percent” and inserting “11 percent”; and
(D) in paragraphs (1), (2), and (3), by striking “the fiscal year last ending before the start of such calendar year” and inserting “the preceding fiscal year”;

(3) by striking subsection (f); and

(4) by redesignating subsection (g) as subsection (f).

SEC. 1104. DIRECT HIRE AUTHORITY FOR CERTAIN PERSONNEL OF THE DEPARTMENT OF DEFENSE.

Section 9905(a) of title 5, United States Code, is amended—

(1) in the matter preceding paragraph (1), by inserting “, 3307,” after “3303”; and

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

“(12) Any position in support of aircraft operations for which the Secretary determines there is a critical hiring need or shortage of candidates.

“(13) Any position in support of the safety of the public, law enforcement, or first response for which the Secretary determines there is a critical hiring need or shortage of candidates.”.
SEC. 1105. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE ANNUAL LIMITATION ON PREMIUM PAY AND AGGREGATE LIMITATION ON PAY FOR FEDERAL CIVILIAN EMPLOYEES WORKING OVERSEAS.


SEC. 1106. EXTENSION OF AUTHORITY TO GRANT COMPETITIVE STATUS TO EMPLOYEES OF INSPECTORS GENERAL FOR OVERSEAS CONTINGENCY OPERATIONS.

Section 419(d)(5)(B) of title 5, United States Code, is amended by striking “2 years” and inserting “5 years”.

SEC. 1107. EXTENSION OF DIRECT HIRE AUTHORITY FOR DOMESTIC INDUSTRIAL BASE FACILITIES AND MAJOR RANGE AND TEST FACILITIES BASE.

(a) Extension.—Section 1125(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) is amended by striking “2025” and inserting “2035”.

•HR 2670 RH18
(b) BRIEFING.—Section 1102(b) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91) is amended by striking “2025” and inserting “2035”.

SEC. 1108. WAIVER OF LIMITATION ON APPOINTMENT OF RECENTLY RETIRED MEMBERS OF ARMED FORCES TO DOD COMPETITIVE SERVICE POSITIONS.

(a) IN GENERAL.—Section 3326 of title 5, United States Code, is amended—

(1) in the section heading, by inserting “certain” before “positions”; and

(2) in subsection (b)—

(A) by striking “the civil service” and inserting “the excepted service or the Senior Executive Service”; and

(B) in paragraph (1), by striking “for the purpose” and all that follows through “Management”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter I of chapter 33 of such title is amended in the item relating to section 3326 by inserting “certain” before “positions”.

•HR 2670 RH18
SEC. 1109. EXCLUSION OF NONAPPROPRIATED FUND EMPLOYEES FROM LIMITATIONS ON DUAL PAY.

Section 5531(2) of title 5, United States Code, is amended by striking “Government corporation and” and inserting “Government corporation, but excluding”.

SEC. 1110. ONE-YEAR EXTENSION OF TEMPORARY AUTHORITY TO GRANT ALLOWANCES, BENEFITS, AND GRATUITIES TO CIVILIAN PERSONNEL ON OFFICIAL DUTY IN A COMBAT ZONE.


SEC. 1111. SUPPORT UNITED STATES STRATEGIC COMMAND AND UNITED STATES SPACE COMMAND ENTERPRISES.

(a) In General.—Chapter 81 of title 10, United States Code, is amended by adding at the end the following new section:
“SEC. 1599k. APPLICATION OF ACQUISITION DEMONSTRATION PROJECT TO DEPARTMENT OF THE AIR FORCE EMPLOYEES ASSIGNED TO SUPPORT UNITED STATES STRATEGIC COMMAND AND UNITED STATES SPACE COMMAND ENTERPRISES.

“(a) IN GENERAL.—For the purposes of the demonstration project, the Secretary of Defense may apply the provisions of section 1762 of this title, including any regulations, procedures, waivers, or guidance implementing such section, to an employee of the Department of the Air Force assigned to support the United States Strategic Command or United States Space Command, or a joint subordinate component command or center, as if the employee was a member of the acquisition workforce.

“(b) NUMBER OF PARTICIPANTS.—For the purposes of section 1762(c) of this title, participating employees are deemed not to be persons who may participate in the demonstration project.

“(c) TERMINATION OF AUTHORITY; CONVERSION.—Subsections (g) and (h) of section 1762 of this title shall apply to the authority under this section and to participating employees, respectively.

“(d) DEFINITIONS.—In this section:
“(1) Demonstration Project.—The term ‘demonstration project’ means the demonstration project authorized by section 1762 of this title.

“(2) Participating Employee.—The term ‘participating employee’ means an employee participating in the demonstration project pursuant to the authority under this section.”.

(b) Clerical Amendment.—The table of sections for chapter 81 of title 10, United States Code, is amended by adding at the end the following new item:

“1599k. Application of acquisition demonstration project to Department of the Air Force employees assigned to support United States Strategic Command and United States Space Command enterprises.”.

SEC. 1112. TEMPORARY EXTENSION OF AUTHORITY TO PROVIDE SECURITY FOR FORMER DEPARTMENT OF DEFENSE OFFICIALS.

During the period beginning on the date of enactment of this Act and ending on January 1, 2025, section 714(b)(2)(B) of title 10, United States Code, shall be applied by substituting “four years” for “two years”.

SEC. 1113. GAO REPORT ON CIVILIAN SUPPORT POSITIONS AT REMOTE MILITARY INSTALLATIONS.

(a) In General.—Not later than 2 years after the date of enactment of this Act, the Comptroller General shall assess and submit a report to the Secretary of Defense on the following:
(1) The average number of vacancies for civilian support services positions at remote or isolated military installations in comparison to vacancies for such positions at other military installations. In carrying out this paragraph, the Comptroller General shall account for the differences in military population size.

(2) The average number of days required to fill such a vacancy at a remote and isolated military installation in comparison to filling a vacancy of a position with the same duties (to the greatest extent practicable) at such other installations.

(3) Any recommendations on additional hiring incentives for civilian support services positions described in subsection (b)(1)(A) at a remote or isolated installations, and any recommendations on ways to ensure that such positions described in subsection (b)(1)(B) are able to effectively staff positions in order to meet the mission of their applicable military installation.

(b) DEFINITIONS.—In this section—

(1) the term “civilian support services positions” means—

(A) any position within the civil service (as that term is defined in section 2101 of title 5,
United States Code), including any non-
appropriated fund (NAF) position; and

(B) any Federal contractor (or subcontractor at any tier); and

(2) the term “military installation” has the
meaning given that term in section 2801 of title 10,
United States Code.

SEC. 1114. MODIFICATION TO SHORE LEAVE ACCRUAL FOR
CREWS OF VESSELS TO SUPPORT CREW ROTATIONS AND IMPROVE RETENTION OF CIVIL-
IAN MARINERS.

(a) IN GENERAL.—Chapter 81 of title 10, United
States Code, as amended by section 1111(a), is further
amended by adding at the end the following:

“§ 1599l. Shore leave accrual for civilian mariners of
the Department of Defense

“With respect to an officer, crewmember, or other em-
ployee of the Department of Defense serving aboard an
oceangoing vessel on an extended voyage, the first sentence
in the matter preceding paragraph (1) of subsection (c) of
section 6305 of title 5 shall be applied by substituting ‘7
calendar days’ for ‘30 calendar days’.”.

(b) CLERICAL AMENDMENT.—The table of sections for
such chapter is amended by adding after the item relating
to section 1599k, as added by section 1111(b), the following:

“1599l. Shore leave accrual for civilian mariners of the Department of Defense.”.
SEC. 1115. ASSESSMENTS OF STAFFING IN OFFICE OF THE UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS.

(a) IN GENERAL.—

(1) DOD ASSESSMENT.—The Secretary of Defense shall conduct an assessment validating each civil service position in the Office of the Under Secretary of Defense for Personnel and Readiness against existing personnel of the Office. For purposes of carrying out such assessment, the head of the Office shall submit to the Secretary the alignment of total force manpower resources of the Office against core missions, tasks, and functions, including a mapping of missions to the originating statute or Department policy.

(2) OFFICE ASSESSMENT.—The head of the Office shall conduct an assessment on the tasks, functions, and associated civilian personnel the Office believes are necessary to perform the duties of the Office.

(3) DOD ANALYSIS.—The Secretary shall determine whether there is any conflict between the assessment conducted under paragraph (1) and the assessment under paragraph (2), and what personnel actions (if any) the Secretary will take to eliminate such conflict.

(b) INTERIM BRIEFING AND REPORT.—
(1) **INTERIM BRIEFING.**—Not later than April 1, 2024, the Secretary of Defense shall provide to the congressional defense committees an interim briefing on the assessments under subsection (a).

(2) **FINAL REPORT.**—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the assessments under subsection (a). Such report shall include the following:

(A) A validation of every civil service position in the Office against existing civilian personnel requirements.

(B) The methodology and process through which such validation was performed.

(C) Relevant statistical analysis on civil service position fill rates against validated requirements.

(D) Analysis of each civil service position and grade and whether the position description and grade match the function and task requirements of the position.

(E) Plan to update grades and position descriptions to meet current and future requirements, tasks, and functions.
(F) Lessons learned through the civilian position validation process and statistical analysis under subparagraphs (B) through (F).

(G) Any legislative, policy or budgetary recommendations of the Secretary related to the subject matter of the report.

(d) DEFINITIONS.—In this section—

(1) the term “civil service” has the meaning given that term in section 2101 of title 5, United States Code; and

(2) the term “Office” means the Office of the Under Secretary of Defense for Personnel and Readiness.

SEC. 1116. MILITARY SPOUSE EMPLOYMENT ACT.

(a) APPOINTMENT OF MILITARY SPOUSES.—Section 3330d of title 5, United States Code, is amended—

(1) in subsection (a)—

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

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

“(3) The term ‘remote work’ refers to a particular type of telework under which an employee is not expected to report to an officially established
agency location on a regular and recurring basis.”;

and

(C) by adding at the end the following:

“(5) The term ‘telework’ has the meaning given
the term in section 6501.”;

(2) in subsection (b)—

(A) in paragraph (1), by striking “or” at
the end;

(B) in paragraph (2), by striking the period
at the end and inserting “; or”; and

(C) by adding at the end the following:

“(3) a spouse of a member of the Armed Forces
on active duty, or a spouse of a disabled or deceased
member of the Armed Forces, to a position in which
the spouse will engage in remote work.”; and

(3) in subsection (c)(1), by striking “subsection
(a)(3)” and inserting “subsection (a)(4)”.

(b) GAO STUDY AND REPORT.—

(1) DEFINITIONS.—In this subsection—

(A) the terms “agency” means an agency
described in paragraph (1) or (2) of section
901(b) of title 31, United States Code;

(B) the term “employee” means an em-
ployee of an agency;
(C) the term “remote work” means a particular type of telework under which an employee is not expected to report to an officially established agency location on a regular and recurring basis; and

(D) the term “telework” means a work flexibility arrangement under which an employee performs the duties and responsibilities of such employee’s position, and other authorized activities, from an approved worksite other than the location from which the employee would otherwise work.

(2) REQUIREMENT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study and publish a report regarding the use of remote work by agencies, which shall include a discussion of what is known regarding—

(A) the number of employees who are engaging in remote work;

(B) the role of remote work in agency recruitment and retention efforts;

(C) the geographic location of employees who engage in remote work;
(D) the effect that remote work has had on how often employees are reporting to officially established agency locations to perform the duties and responsibilities of the positions of those employees and other authorized activities; and

(E) how the use of remote work has affected Federal office space utilization and spending.

SEC. 1117. AMENDMENTS TO THE JOHN S. MCCAIN STRATEGIC DEFENSE FELLOWS PROGRAM.

(a) Selection of Participants.—Subsection (d)(2) of section 932 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 1580 note prec.) is amended to read as follows:

“(2) Geographical Representation.—Out of the total number of individuals selected to participate in the fellows program in any year, no more than 20 percent may be from any of the following geographic regions:

“(A) The Northeast United States.

“(B) The Southeast United States.

“(C) The Midwest United States.

“(D) The Southwest United States.

“(E) The Western United States.

“(F) Alaska, Hawaii, United States territories, and areas outside the United States.”.
(b) APPOINTMENT, PLACEMENT, AND CONVERSION.—

Such section is further amended—

(1) in subsection (d)(3)—

(A) by striking “assigned” and inserting “appointed”; and

(B) by striking “assignment” and inserting “appointment”; and

(2) by amending subsections (e) and (f) to read as follows:

“(e) APPOINTMENT.—

“(1) In general.—An individual who participates in the fellows program shall be appointed into an excepted service position in the Department.

“(2) Position requirements.—Each year, the head of each Department of Defense Component shall submit to the Secretary of Defense placement opportunities for participants in the fellows program. Such placement opportunities shall provide for leadership development and potential commencement of a career track toward a position of senior leadership in the Department. The Secretary of Defense, in coordination with the heads of Department of Defense Components, shall establish qualification requirements for the appointment of participants under paragraph (1) and subsection (f)(2).
“(3) APPOINTMENT TO POSITIONS.—Each year, the Secretary of Defense shall appoint participants in the fellows program to positions in the Department of Defense Components. In making such appointments, the Secretary shall seek to best match the qualifications and skills of the participants with the requirements for positions available for appointment.

“(4) TERM.—The term of each appointment under the fellows program shall be one year with the option to extend the appointment up to one additional year.

“(5) GRADE.—An individual appointed to a position under the fellows program shall be appointed at a level between GS–10 and GS–12 of the General Schedule based on the directly-related qualifications, skills, and professional experience of the individual.

“(6) EDUCATION LOAN REPAYMENT.—To the extent that funds are provided in advance in appropriations Acts, the Secretary of Defense may repay a loan of a participant in the fellows program if the loan is described by subparagraph (A), (B), or (C) of section 16301(a)(1) of title 10, United States Code. Any repayment of a loan under this paragraph may require a minimum service agreement, as determined by the Secretary.
“(7) Department of Defense Component defined.—In this subsection, the term ‘Department of Defense Component’ means a Department of Defense Component, as set forth in section 111 of title 10, United States Code.

“(f) Career Development.—

“(1) In general.—The Secretary of Defense shall ensure that participants in the fellows program—

“(A) receive career development opportunities and support appropriate for the commencement of a career track within the Department leading toward a future position of senior leadership within the Department, including ongoing mentorship support through appropriate personnel from entities within the Department; and

“(B) are provided appropriate employment opportunities for competitive and excepted service positions in the Department upon successful completion of the fellows program.

“(2) Noncompetitive appointment or conversion.—Upon a participant’s successful completion of the fellows program, the Secretary may, without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code, noncompetitively
appoint or convert the participant into a vacant competitive or excepted service position in the Department, if the Secretary determines that such appointment or conversion will contribute to the development of highly qualified future senior leaders for the Department. The Secretary may appoint or convert the participant into a position up to the GS–13 level of the General Schedule or an equivalent position for which the participant is qualified without regard to any minimum time in grade requirements.

“(3) APPOINTMENT OF FORMER PARTICIPANTS.—

The Secretary may utilize the authority in paragraph (2) for a participant—

“(A) up to 2 years after the date of the participant’s successful completion of the fellows program; or

“(B) in the case of a participant who entered the fellows program before the date of the enactment of this subparagraph, up to 5 years after the date of the participant’s successful completion of the fellows program.

“(4) PUBLICATION OF SELECTION.—The Secretary shall publish, on an Internet website of the Department available to the public, the names of the in-
SEC. 1118. INCLUDING MILITARY SERVICE IN DETERMINING FAMILY AND MEDICAL LEAVE ELIGIBILITY FOR FEDERAL EMPLOYEES.

(a) TITLE 5.—Section 6381(1)(B) of title 5, United States Code, is amended to read as follows:

“(B) has completed at least 12 months of service—

“(i) as an employee (as that term is defined in section 2105) of the Government of the United States, including service with the United States Postal Service, the Postal Regulatory Commission, and a non-appropriated fund instrumentality as described in section 2105(c); or

“(ii) which qualifies as honorable active service in the Army, Navy, Air Force, Space Force, or Marine Corps of the United States;”.

(b) FMLA.—

(1) IN GENERAL.—A covered employee who has completed 12 months of service which qualifies as honorable active service in the Army, Navy, Air Force, Space Force, or Marine Corps of the United States;”.

individuals selected to participate in the fellows program.”.
States shall be deemed to have met the service require-
ment in section 101(1)(A) of the Family and Medical
Leave Act of 1993, notwithstanding the requirements
of such section 101(1)(A).

(2) COVERED EMPLOYEE DEFINED.—In this sub-
section, the term “covered employee”—

(A) includes—

(i) any Federal employee eligible for
family and medical leave under the Family
and Medical Leave Act of 1993 based on
their status as such an employee;

(ii) any Federal employee covered by
the Congressional Accountability Act of
1995 eligible for family and medical leave
by operation of section 202 of such Act;

(iii) any Federal employee of the Exec-
utive Office of the President eligible for fam-
ily and medical leave by operation of sec-
tion 412 of title 3, United States Code; and

(iv) any non-judicial employee of the
District of Columbia courts and any em-
ployee of the District of Columbia Public
Defender Service; and

(B) does not include any member of the
Commissioned Corps of the Public Health Serv-
ice or the Commissioned Corps of the National Oceanic and Atmospheric Administration,

(c) DEPARTMENT OF VETERANS AFFAIRS.—Not later than 6 months after the date of enactment of this Act, the Secretary of Veterans Affairs shall modify the family and medical leave program provided by operation of section 7425(c) of title 38, United States Code, to conform with the requirements of the amendment made by subsection (a) with respect to military service in section 6381(1)(B)(ii) of title 5, United States Code, as added by such subsection.

SEC. 1119. ASSESSMENTS OF STAFFING IN OFFICE OF THE UNDER SECRETARY OF DEFENSE FOR RESEARCH AND ENGINEERING.

(a) IN GENERAL.—

(1) DOD ASSESSMENT.—The Secretary of Defense shall conduct an assessment validating each civil service position in the Office of the Under Secretary of Defense for Research and Engineering against existing personnel of the Office. For purposes of carrying out such assessment, the head of the Office shall submit to the Secretary the alignment of total force manpower resources of the Office against core missions, tasks, and functions, including a mapping of missions to the originating statute or Department policy.
(2) **OFFICE ASSESSMENT.**—The head of the Office shall conduct an assessment on the tasks, functions, and associated civilian personnel the Office believes are necessary to perform the duties of the Office.

(3) **DOD ANALYSIS.**—The Secretary shall determine whether there is any conflict between the assessment conducted under paragraph (1) and the assessment under paragraph (2), and what personnel actions (if any) the Secretary will take to eliminate such conflict.

(b) **INTERIM BRIEFING AND REPORT.**—

(1) **INTERIM BRIEFING.**—Not later than April 1, 2024, the Secretary of Defense shall provide to the congressional defense committees an interim briefing on the assessments under subsection (a).

(2) **FINAL REPORT.**—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the assessments under subsection (a). Such report shall include the following:

(A) A validation of every civil service position in the Office against existing civilian personnel requirements.

(B) The methodology and process through which such validation was performed.
(C) Relevant statistical analysis on civil service position fill rates against validated requirements.

(D) Analysis of each civil service position and grade and whether the position description and grade match the function and task requirements of the position.

(E) Plan to update grades and position descriptions to meet current and future requirements, tasks, and functions.

(F) Lessons learned through the civilian position validation process and statistical analysis under subparagraphs (B) through (F).

(G) Any legislative, policy or budgetary recommendations of the Secretary related to the subject matter of the report.

(d) DEFINITIONS.—In this section—

(1) the term “civil service” has the meaning given that term in section 2101 of title 5, United States Code; and

(2) the term “Office” means the Office of the Under Secretary of Defense for Research and Engineering.
SEC. 1120. ASSESSMENTS OF STAFFING IN DOD OFFICE FOR DIVERSITY, EQUITY, AND INCLUSION.

(a) In General.—

(1) Secretary Assessment.—The Secretary of Defense shall conduct an assessment validating each civil service position in the Office for Diversity, Equity, and Inclusion against existing personnel of the Office. For purposes of carrying out such assessment, the head of the Office shall submit to the Secretary the alignment of total force manpower resources of the Office against core missions, tasks, and functions, including a mapping of missions to the originating statute or Department policy.

(2) Office Assessment.—The head of the Office shall conduct an assessment on the tasks, functions, and associated civilian personnel the Office believes are necessary to perform the duties of the Office.

(3) Secretary Analysis.—The Secretary shall determine whether there is any conflict between the assessment conducted under paragraph (1) and the assessment under paragraph (2), and what personnel actions (if any) the Secretary will take to eliminate such conflict.

(b) Interim Briefing and Report.—

(1) Interim Briefing.—Not later than April 1, 2024, the Secretary of Defense shall provide to the
congressional defense committees an interim briefing on the assessments under subsection (a).

(2) **FINAL REPORT.**—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the assessments under subsection (a). Such report shall include the following:

(A) A validation of every civil service position in the Office against existing civilian personnel requirements.

(B) The methodology and process through which such validation was performed.

(C) Relevant statistical analysis on civil service position fill rates against validated requirements.

(D) Analysis of each civil service position and grade and whether the position description and grade match the function and task requirements of the position.

(E) Plan to update grades and position descriptions to meet current and future requirements, tasks, and functions.

(F) Lessons learned through the civilian position validation process and statistical analysis under subparagraphs (B) through (F).
(G) Any legislative, policy or budgetary recommendations of the Secretary related to the subject matter of the report.

(c) Budget Requirement.—The Secretary of Defense shall, in the Secretary’s annual budget submission to the Office of Management and Budget for fiscal year 2025 and each fiscal year thereafter, identify mission changes, opportunities for automation, and business process improvements that could better optimize the size, structure, composition of the Department of Defense’s workforce and its allocation against validated requirements.

(d) Definitions.—In this section—

(1) the term “civil service” has the meaning given that term in section 2101 of title 5, United States Code; and

(2) the term “Office” means the Office for Diversity, Equity, and Inclusion in the Department of Defense.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Assistance and Training

SEC. 1201. SUPPORT OF SPECIAL OPERATIONS FOR IRREGULAR WARFARE.

(a) Codification.—
(1) In general.—Chapter 3 of title 10, United States Code, is amended by inserting after section 127c a new section 127d consisting of—

(A) a heading as follows:

“§ 127d. Support of special operations for irregular warfare”, and

(B) a text consisting of the text of sub-sections (a) through (i) of section 1202 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1639).

(2) Clerical amendment.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 127c the following new item:

“127d. Support of special operations for irregular warfare.”.

(b) Modification of dollar amount.—Section 127d of title 10, United States Code, as so amended, is further amended in subsection (a) by striking “$15,000,000” and inserting “$25,000,000”.

(c) Conforming repeal.—Section 1202 of the National Defense Authorization Act for Fiscal Year 2018 is repealed.

SEC. 1202. MODIFICATION OF COMBATANT COMMANDER INITIATIVE FUND.

(a) In general.—Section 166a of title 10, United States Code, is amended—
(1) in subsection (b), by adding at the end the following:

“(11) Incremental expenses (as such term is defined in section 301(5) of this title) related to security cooperation programs and activities of the Department of Defense (as such term is defined in section 301(7) of this title).”; and

(2) in subsection (c)—

(A) in paragraph (2), by striking “and” at the end;

(B) in paragraph (3), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(4) incremental expenses related to security cooperation programs and activities of the Department of Defense, as authorized by subsection (b)(11), for United States Africa Command and United States Southern Command.”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Funds are authorized to be appropriated to the Combatant Commander Initiative Fund for fiscal year 2024, as specified in section 4301 of this Act, to carry out the activities authorized by paragraphs (7), (8), and (11) (as added by subsection (a)(1)) of section 166a(b) of title 10, United States
Code, for United States Africa Command and United States Southern Command.

SEC. 1203. EQUIPMENT DISPOSITION WITH RESPECT TO BUILDING CAPACITY OF FOREIGN SECURITY FORCES.

Section 333 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(h) EQUIPMENT DISPOSITION.—

“(1) IN GENERAL.—The Secretary of Defense may treat as stocks of the Department of Defense—

“(A) equipment procured to carry out a program pursuant to subsection (a) that has not yet been transferred to a foreign country and is no longer needed to support such program or another program carried out pursuant to such subsection; and

“(B) equipment that has been transferred to a foreign country to carry out a program pursuant to subsection (a) and is returned by the foreign country to the United States.

“(2) NOTICE AND WAIT.—Not later than 15 days before initiating activities under a program under subsection (a), the Secretary of Defense shall submit to the appropriate committees of Congress a written and electronic notice of the following:
“(A) The foreign country, and specific unit, whose capacity was intended to be built under the program, and the amount, type, and purpose of the equipment that was to be provided.

“(B) An explanation why the equipment is no longer needed to support such program or another program carried out pursuant to such subsection.”.

SEC. 1204. MISSION TRAINING THROUGH DISTRIBUTED SIMULATION.

Section 346 of title 10, United States Code, is amended—

(1) by striking the section designation and heading and inserting the following:

“§346. Mission training of certain foreign forces through distributed simulation and networked technology to enhance military interoperability and integration with United States Armed Forces”;

(2) in subsection (a)—

(A) in the subsection heading, by inserting “TRAINING AND” before “DISTRIBUTION AUTHORIZED”;
(B) in the matter preceding paragraph (1), by striking “interoperability” and inserting “interoperability and integration”; 
(C) in paragraph (1), by inserting “persistent advanced networked training and exercise activities, also referred to as mission training through distributed simulation, and other” before “electronically-distributed learning content”; and 
(D) in paragraph (2), by striking “computer software” and inserting “hardware and software”; and 

(3) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking “shall include” and inserting “may include”; and 

(B) by adding at the end the following:

“(3) Persistent advanced networked training and exercise activities.”.

**SEC. 1205. MODIFICATIONS TO SECURITY COOPERATION WORKFORCE DEVELOPMENT PROGRAM AND ESTABLISHMENT OF DEFENSE SECURITY COOPERATION UNIVERSITY.**

(a) Modifications to Program.—Section 384 of title 10, United States Code, is amended—
(1) by amending subsection (c) to read as follows:

“(c) ELEMENTS.—The Program shall consist of elements relating to the development and management of the security cooperation workforce for the purposes specified in subsection (b), including the following elements on training, certification, assignment, career development, and tracking of personnel of the security cooperation workforce:

“(1) Establishment of a comprehensive system to track and account for all Department of Defense personnel in the security cooperation workforce, using systems of record in the military departments, the Office of the Secretary of Defense, the combatant commands, Defense Agencies, Department of Defense Field Activities, and the National Guard.

“(2) Establishment of a management information system, pursuant to regulations prescribed by the Secretary of Defense, acting through the Under Secretary of Defense for Policy and the Director of the Defense Security Cooperation Agency, to ensure that the all organizations and elements of the Department provide standardized information and data to the Secretary on persons serving in security cooperation positions. Such management information system shall, at a minimum, provide for the collection and
retention of information concerning the qualification, assignments, and tenure of persons in the security cooperation workforce.

“(3) Implementation and management of the security cooperation human capital initiative under subsection (e).

“(4) Establishment of a defense security cooperation service which shall include—

“(A) members of the armed forces and civilians assigned to security cooperation organizations of United States missions overseas; and


“(5) Such other elements as the Secretary of Defense determines appropriate.”;

(2) in subsection (e)—

(A) in the subsection heading, by striking “GUIDANCE” and inserting “SECURITY COOPERATION HUMAN CAPITAL INITIATIVE”;

(B) by striking paragraphs (1) and (2) and inserting the following new paragraph:

“(1) IN GENERAL.—The Secretary shall implement a security cooperation human capital initiative
to identify, account for, and manage the career progression of personnel in the security cooperation workforce.”;

(C) by striking “(3) SCOPE OF GUIDANCE.—
The guidance shall do the following” and inserting “(2) ELEMENTS.—The security cooperation human capital initiative shall do the following:”

(D) in paragraph (2) (as amended and redesignated by subparagraph (C))—

(i) by striking subparagraph (E);

(ii) by redesignating subparagraphs (F) through (H) as paragraphs (E) through (G), respectively; and

(iii) by adding at the end the following new subparagraphs:

“(H) Identify career paths that provide a competency-based road map for security cooperation employees to aid in their career planning and professional development.

“(I) Develop a competency-based approach to the security cooperation workforce that enables components of the Department of Defense to incorporate competencies in recruitment and retention tools such as job analysis, position descriptions, vacancy announcements, selection assess-
ment questionnaires, and employee training and development plans.

“(J) Align with the Department of Defense and Defense Security Cooperation Agency strategic planning, budget process, performance management goals, and metrics to ensure the appropriate workforce mix and skill sets to accomplish the security cooperation mission.

“(K) Include assessment measures intended to assess progress in implementing the security cooperation workforce using results-oriented performance measures.”

(3) by redesignating subsections (f) through (h) as subsections (g) through (i), respectively; and

(4) by inserting after subsection (e) the following new subsection:

“(f) AUTHORITIES AND RESPONSIBILITIES OF ASSISTANT SECRETARY.—Subject to the authority, direction, and control of the Secretary of Defense, the Assistant Secretary of Defense for Strategy, Plans, and Capabilities shall—

“(1) carry out all powers, functions, and duties of the Secretary of Defense with respect to the security cooperation workforce in the Department of Defense;

“(2) ensure that the policies of the Secretary of Defense established in accordance with this section are
implemented throughout the Department of Defense; and

“(3) prescribe policies and requirements for the educational programs of the defense security cooperation university structure established under section 384a.”.

(b) Establishment of Defense Security Cooperation University.—Subchapter VII of chapter 16 of title 10, United States Code, is amended by inserting after section 384 the following new section:

“§384a. Defense security cooperation university

“(a) Defense Security Cooperation University Structure.—The Secretary of Defense, acting through the Under Secretary of Defense for Policy and the Director of the Defense Security Cooperation Agency, shall establish a structure for a defense security cooperation university to provide for—

“(1) the professional educational development and training of the security cooperation workforce;

“(2) research and analysis of defense security cooperation policy issues from an academic perspective;

“(3) advancement of the profession of security cooperation by serving as an intellectual home for critical inquiry, research, knowledge, publication, and learning;
“(4) operation of university components deemed necessary for the execution of the university mission.

“(5) implementation and management of the program under section 384(a) of this title; and

“(6) implementation of the security cooperation human capital initiative required under section 384(e) of this title to ensure the workforce is appropriately educated, trained, and allocated to execute its mission.

“(b) CIVILIAN FACULTY MEMBERS.—The Secretary of Defense may employ civilian faculty members at the Defense Security Cooperation University pursuant to section 1595 of title 10, United States Code.

“(c) COMPONENT INSTITUTIONS.—The defense security cooperation university structure shall include the School of Security Cooperation Studies and the College of Strategic Security Cooperation.

“(d) COOPERATIVE RESEARCH AND DEVELOPMENT AGREEMENTS.—

“(1) IN GENERAL.—In engaging in research and development projects pursuant to subsection (a) of section 4001 of this title by a contract, cooperative agreement, or grant pursuant to subsection (b)(1) of such section, the Secretary may enter into such con-
tract or cooperative agreement or award such grant through the Defense Security Cooperation University.


“(e) ACCEPTANCE OF RESEARCH GRANTS.—

“(1) IN GENERAL.—The Secretary of Defense, acting through the Undersecretary of Defense for Policy and the Director of the Defense Security Cooperation Agency, may authorize the President of the Defense Security Cooperation University to accept qualifying research grants. Any such grant may only be accepted if the work under the grant is to be carried out by a professor or instructor of the Defense Security Cooperation University for a scientific, literary, or educational purpose.

“(2) QUALIFYING GRANTS.—A qualifying research grant under this section is a grant that is awarded on a competitive basis by an entity referred to in paragraph (3) for a research project with a scientific, literary, or educational purpose.

“(3) ENTITIES FROM WHICH GRANTS MAY BE ACCEPTED.—A grant may be accepted under this section
only from a corporation, fund, foundation, educational institution, or similar entity that is organized and operated primarily for scientific, literary, or educational purposes.

“(4) ADMINISTRATION OF GRANT FUNDS.—The Director of the Defense Security Cooperation Agency shall establish an account for administering funds received as research grants under this section. The President of the Defense Security Cooperation University shall use the funds in the account in accordance with applicable provisions of the regulations and the terms and condition of the grants received.

“(5) RELATED EXPENSES.—Subject to such limitations as may be provided in appropriations Acts, appropriations available for the Defense Security Cooperation University may be used to pay expenses incurred by such University in applying for, and otherwise pursuing, the award of qualifying research grants.

“(6) REGULATIONS.—The Secretary of Defense, through the Under Secretary of Defense for Policy and the Director of the Defense Security Cooperation Agency, shall prescribe regulations for the administration of this subsection.”.
(c) DESIGNATION OF CENTER OF EXCELLENCE.—Not later than January 1, 2025, the Secretary of Defense shall designate the School of Security Cooperation Studies or the College of Strategic Security Cooperation of the Defense Security Cooperation University to serve as a Foreign Military Sales Center of Excellence for the following purposes:

(1) To improve the training and education of personnel engaged in the planning and execution of foreign military sales.

(2) To conduct research and establish best practices to ensure that foreign military sales are timely and effective.

(3) To expand existing curriculum to ensure that the relevant workforce is fully trained and prepared to manage and execute foreign military sales programs.

(d) IMPLEMENTATION OF DEFENSE SECURITY COOPERATION UNIVERSITY STRUCTURE.—

(1) PLAN REQUIRED.—The Secretary of Defense, acting through the Under Secretary of Defense for Policy and the Director of the Defense Security Cooperation Agency, shall develop an implementation plan for the structure for a defense security cooperation university required under section 384a of title 10, United States Code (as added by subsection (b)).
(2) ELEMENTS.—The implementation plan under paragraph (1) shall provide for the following:

(A) Operation under a charter developed by the Secretary of Defense.

(B) Establishment of a university mission to achieve objectives formulated by the Secretary of Defense. Such objectives shall include—

(i) the achievement of more efficient and effective use of available security cooperation resources by coordinating Department of Defense security cooperation education and training programs and tailoring those programs to support the careers of personnel in security cooperation positions;

(ii) the development of education, training, research, and publication capabilities in the area of security cooperation; and

(iii) implementation of the security cooperation human capital initiative required under section 384(e) of title 10, United States Code (as amended by subsection (a)) to ensure the workforce is appropriately educated, trained, and allocated to execute its mission.
(C) Establishment of appropriate lines of authority (including relationships between the university any existing security cooperation education and training institutions and activities) and accountability for the accomplishment of the university mission (as established by the Secretary).

(D) A coherent framework for the educational development of personnel in security cooperation positions.

(E) Appropriate organizations, such as a policy guidance council, composed of senior Department of Defense officials, to recommend or establish policy, and a board of visitors, composed of persons selected for their preeminence in the fields of academia, business, and the defense industry, to advise on organization management, curricula, methods of instruction, facilities, and other matters of interest to the university.

(F) Implementation of the management information system required under section 384(c)(2) of title 10, United States Code (as added by subsection (a)), to address, with respect to the security cooperation workforce:
(i) the exchange of human resource data electronically, leveraging automated and secure real-time or near real-time interfaces between a program-managed management information system and the human resource system of record of the various components;

(ii) the technical expertise and business skills to ensure the Department is able to manage the full scope of chapter 16 of title 10, United States Code including any and all reporting requirements while achieving best value for the expenditure of public resources;

(iii) the collection and retention of information concerning the positions and billets;

(iv) the collection and retention of information concerning the qualifications, assignments, and tenure of persons currently in the security cooperation workforce and alumni of the security cooperation workforce who may return to the security cooperation workforce;
(v) the chain of command within each organization that employs members of the security cooperation workforce;

(vi) the full workforce (whether full-time or part-time) engaged in planning, executing, and managing—

(I) foreign military sales;

(II) end-use monitoring and the number of hours of training and education provided with respect to end-use monitoring laws, regulations, principles, and practice; and

(III) institutional capacity building and the training and education provided to institutional capacity building planners and practitioners.

(vii) measures to ensure the workforce described in clause (vi) receives the appropriate levels of training and education:

(viii) succession management and career paths.

(ix) expenditures associated with recruiting, retention, awards, and other incentives available to, and provided to, the security cooperation workforce.
(x) any other information necessary for the Secretary of Defense to comply with the requirements of this section and the amendments made by this section.

(G) Implementation of the defense security cooperation service required under section 384(c)(4) of title 10, United States Code (as added by subsection (a)), including plans and measures to address—

(i) the overall command and control relationships and organizational construct of the defense security cooperation service;

(ii) the anticipated number of personnel necessary to manage the defense security cooperation service at initial operating capacity and at full operational capacity;

(iii) the conditions that define initial operating capacity and full operational capacity and the anticipated dates at which the defense security cooperation service is expected to reach those milestones;

(iv) the number of military and civilian personnel working at embassies of the United States abroad that will be incor-
porated into the defense security cooperation
service; and

(v) any additional authorities needed
for the effective implementation of the de-
defense security cooperation service.

(H) Requirements for each military depart-
ment, combatant command, Defense Agency, De-
partment of Defense Field Activity, or any other
organization of the Department managing secu-
rity cooperation workforce personnel to provide
to the Defense Security Cooperation Agency, not
later than July 1 of each year, a joint table of
distribution or equivalent formal manpower doc-
ument that—

(i) lists each position in the security
cooperation workforce of the organization
concerned; and

(ii) uniquely codes every position with-
in component manpower systems for the se-
curity cooperation workforce.

(3) SUBMITTAL TO CONGRESS.—Not later than
90 days after the date of the enactment of this Act,
the Secretary of Defense, acting through the Under
Secretary of Defense for Policy and the Director of the
Defense Security Cooperation Agency, shall submit to
the Committees on Armed Services of the Senate and House of Representatives the implementation plan developed under paragraph (1), including the charter required under paragraph (2)(A).

(4) DEADLINE FOR IMPLEMENTATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, acting through the Under Secretary of Defense for Policy and the Director of the Defense Security Cooperation Agency, shall carry out the implementation plan developed under paragraph (1).

(e) REPORT ON SECURITY COOPERATION WORKFORCE.—

(1) IN GENERAL.—Not later than two years after the date of the enactment of this Act, and not less frequently than once every two years thereafter, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the Department of Defense security cooperation workforce.

(2) ELEMENTS.—Each report under paragraph (1) shall—

(A) identify current and projected security cooperation workforce manpower requirements, including expeditionary requirements within the
context of total force planning, needed to meet
the security cooperation mission;

(B) identify critical skill gaps (such as re-
cruitment in the existing or projected workforce)
and development of strategies to manage the se-
curity cooperation workforce to address those
gaps;

(C) address development, validation, imple-
mentation, and assessment of security coopera-
tion workforce and Department-wide com-
petencies for security cooperation and associated
occupational series using the Department tax-
onomy;

(D) produce a comparison between com-
petency proficiency levels against target pro-
iciency levels at enterprise and individual levels
to identify competency gaps and gap closure
strategies, for competencies needed at the time of
the report and in the future;

(E) identify any exceptions and waivers
granted with respect to the application of quali-
fication, assignment, and tenure policies, proce-
dures, and practices to persons, billets or posi-
tions;
(F) indicate relative promotion rates for security cooperation workforce personnel; and

(G) include any other matters the Secretary of Defense determines appropriate.

(f) COMPTROLLER GENERAL EVALUATION.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct an independent evaluation of the actions taken by the Secretary of Defense to carry out the requirements of this section and the amendments made by this section.

(2) REPORT.—Not later than two years after the date of the enactment of this Act, the Comptroller General shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the evaluation conducted under paragraph (1). Such report shall include—

(A) an analysis of the effectiveness of the actions taken by the Secretary to carry out the requirements of this section and the amendments made by this section; and

(B) such legislative and administrative recommendations as the Comptroller General considers appropriate to meet the objectives of this section and the amendments made by this section.
SEC. 1206. REQUIREMENT FOR MILITARY EXERCISES.

(a) EXERCISES REQUIRED.—Beginning on January 1
of the year which begins after the date of the enactment
of this Act, the Secretary of Defense shall require the United
States Central Command or other relevant commands,
units, or organizations of the United States Armed Forces,
as the Secretary deems appropriate, to conduct military ex-
ercises that—

(1) occur not fewer than two times in a calendar
year;

(2) shall include invitations for the armed forces
of Israel, provided that the Government of Israel con-
sents to the participation of its forces in such exer-
cises;

(3) may include invitations for the armed forces
of other allies and partners of the United States to
take part in the exercises;

(4) seek to enhance the interoperability and effec-
tiveness of the United States Armed Forces, the armed
forces of Israel, and the armed forces of other allies
and partners of the United States in coalition oper-
ations; and

(5) shall include, at a minimum, the following
activities—

(A) practicing or simulating large-scale and
long-range strike missions;
(B) practicing the aerial refueling of combat aircraft of the armed forces of Israel by United States aerial refueling aircraft; and

(C) practicing the provision by the United States Armed Forces of other enabling capabilities to the armed forces of Israel, including—

(i) logistics support;

(ii) intelligence, surveillance, and reconnaissance; and

(iii) air defense.

(b) SUNSET.—The requirements in subsection (a) shall terminate one year after the date of the enactment of this Act.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Armed Services of the House of Representatives; and

(2) the Committee on Armed Services of the Senate.

SEC. 1207. REPORT ON END-USE MONITORING.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate congressional committees a report on Department of Defense and Depart-
ment of State procedures related to alleged violations of re-
quirements imposed by the United States Government with
respect to use, transfers, and security of defense articles and
defense services provided to foreign countries pursuant to—

(1) section 333 of title 10, United States Code
(relating to authority to build the capacity of foreign
security forces) or any other authority of the Depart-
ment of Defense to provide defense items to foreign
countries; and

(2) Foreign Military Sales under section 36 of
the Arms Export Control Act (22 U.S.C. 2776).

(b) MATTERS TO BE INCLUDED.—The report required
by subsection (a) shall include the following:

(1) The extent to which the Department of De-
fense and the Department of State coordinate to
track, report, and investigate violations described in
subsection (a).

(2) Any findings of Department of Defense or
Department of State investigations of such violations
and the actions taken in response to such findings.

(3) The extent to which the Department of De-
fense and the Department of State have identified les-
sions learned or designated areas for increased moni-
toring as a result of such investigations.
(4) The extent to which the Department of Defense and the Department of State have established expectations in policy and in transfer agreements regarding what would constitute such violations.

(5) Any lessons learned on end-use monitoring with respect to the conflict in Ukraine and the feasibility to apply such lessons to other regions affected by conflict.

(6) Any other matters determined to be appropriate by the Comptroller General.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives; and

(2) the Committee on Armed Services and the Committee on Foreign Relations of the Senate.

SEC. 1208. REPORT ON ENHANCED END-USE MONITORING.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate congressional committees a report on enhanced end-use monitoring of defense items provided to foreign countries pursuant to—
(1) section 333 of title 10, United States Code (relating to authority to build the capacity of foreign security forces) or any other authority of the Department of Defense to provide defense items to foreign countries; and

(2) Foreign Military Sales under section 36 of the Arms Export Control Act (22 U.S.C. 2776).

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall include the following:

(1) A description of the Department of Defense’s process for determining the items subject to enhanced end-use monitoring and the factors the Department considers in designating items for such monitoring.

(2) The extent to which, and how, the Department of Defense coordinates with the Department of State and other agencies in designating items for such monitoring.

(3) The extent to which the Department of Defense considers changing conditions in a country or region in designating items for such monitoring.

(4) The extent to which security cooperation organizations at United States diplomatic missions overseas completed such monitoring as required by Department of Defense policy in each of the fiscal years 2018 through 2022.
(5) Any lessons learned on such monitoring with respect to the conflict in Ukraine and the feasibility to apply such lessons to other regions affected by conflict.

(6) Any other matters determined to be appropriate by the Comptroller General.

(c) Appropriate Congressional Committees Defined.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives; and

(2) the Committee on Armed Services and the Committee on Foreign Relations of the Senate.

SEC. 1209. REPORT ON PARTNER COUNTRY FORCES.

(a) In General.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional committees a report that—

(1) specifies the number of partner countries whose military forces have participated in security cooperation training or equipping programs or received security assistance training or equipping authorized under the Foreign Assistance Act of 1961 (22
U.S.C. 2151 et seq.) or chapter 16 of title 10, United States Code; and

(2) lists each instance, during the period beginning on January 1, 2000, and ending on the date of the submission of the report, in which a unit of a foreign military force trained or equipped under the authorities specified in paragraph (1) subsequently engaged in a coup, insurrection, or action to overthrow a democratically-elected government, or attempted any such action.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives; and

(2) the Committee on Armed Services and the Committee on Foreign Relations of the Senate.
Subtitle B—Matters Relating to the Middle East and Central Asia

SEC. 1211. EXTENSION OF CROSS-SERVICING AGREEMENTS FOR LOAN OF PERSONNEL PROTECTION AND PERSONNEL SURVIVABILITY EQUIPMENT IN COALITION OPERATIONS.


SEC. 1212. MODIFICATION OF QUARTERLY REPORTS ON EX GRATIA PAYMENTS.

Subsection (h)(2) of section 1213 of the National Defense Authorization Act for Fiscal Year 2020 (10 U.S.C. 2731 note) is amended—

(1) in the matter preceding subparagraph (A), by striking “With respect to a preceding 90-day period in which no ex gratia payments were made” and inserting “The status of all other pending ex gratia payments or requests, including”;

(2) in subparagraph (A), by striking “; or” and inserting “; and”;
(3) by redesignating subparagraphs (A) (as amended) and (B) as subparagraphs (D) and (E), respectively; and

(4) by inserting before subparagraph (D), as so redesignated, the following:

“(A) when any such request was made;

“(B) what steps the Department is taking to respond to the request;

“(C) whether the Department denied any requests for any such payment, along with the reason for such denial;”.

SEC. 1213. EXTENSION AND MODIFICATION OF AUTHORITY TO PROVIDE ASSISTANCE TO VETTED SYRIAN GROUPS AND INDIVIDUALS.


(b) Sunset.—Subsection (l)(3)(D) of such section is amended by striking “December 31, 2023” and inserting “December 31, 2024”.
SEC. 1214. EXTENSION AND MODIFICATION OF AUTHORITY TO PROVIDE ASSISTANCE TO COUNTER THE ISLAMIC STATE OF IRAQ AND SYRIA.


(b) Funding.—Subsection (g) of such section is amended by striking “Overseas Contingency Operations for fiscal year 2023, there are authorized to be appropriated $358,000,000” and inserting “fiscal year 2024, there are authorized to be appropriated $241,950,000”.

(c) Sunset.—Subsection (o)(5) of such section is amended by striking “December 31, 2023” and inserting “December 31, 2024”.

SEC. 1215. PLAN OF ACTION TO EQUIP AND TRAIN IRAQI SECURITY FORCES AND KURDISH PESHMERGA FORCES.

(a) In General.—Not later than February 1, 2024, the Secretary of Defense, in consultation with the Secretary of State, shall develop a plan of action to equip and train Iraqi security forces and Kurdish Peshmerga forces to defend against attack by missiles, rockets, and unmanned systems. The plan of action shall be based on and informed

(b) Matters to be Included.—The plan required by subsection (a) shall include the following:

(1) The provision of available equipment to Iraq and the Iraqi Kurdistan Region to counter the air and missile threats addressed in the report, to include air defense systems, to counter attack by missiles, rockets, and unmanned systems.

(2) The provision of appropriate training of Iraqi security forces and Kurdish Peshmerga forces to support fielding and operational employment of the available equipment described in paragraph (1).

(c) Implementation.—

(1) In General.—The Secretary of Defense shall begin implementation of the plan required by subsection (a) not later than 90 days after development of the plan.

(2) Waiver.—The Secretary of Defense may delay implementation of the plan required by subsection (a) if such implementation would adversely impact United States stocks and readiness.
(3) Congressional notification.—If the Secretary of Defense exercises the waiver authority under paragraph (2), the Secretary shall—

(A) notify the congressional defense committees of the exercise of such authority and the reason therefor not later than 10 days prior to the exercise of such authority; and

(B) notify the congressional defense committees of the exercise of such authority every 30 days thereafter until implementation of the plan required by subsection (a) begins.

(d) Congressional briefing.—Not later than July 1, 2024, the Secretary of Defense should provide to the congressional defense committees a briefing on progress of the air defense equipping and training effort against the air and missile threat to Iraq, including in the Iraqi Kurdistan Region.

SEC. 1216. EXTENSION OF UNITED STATES-ISRAEL ANTI-TUNNEL COOPERATION.


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SEC. 1217. PLAN TO ENABLE ISRAEL TO GAIN OBSERVER STATUS IN THE EURO-NATO JOINT JET PILOT TRAINING PROGRAM.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall develop a plan to enable Israel to gain observer status in the Euro-NATO Joint Jet Pilot Training Program (ENJJP).

SEC. 1218. EXTENSION AND MODIFICATION OF ANNUAL REPORT ON MILITARY POWER OF IRAN.

(a) MATTERS TO BE INCLUDED.—Subsection (b) of section 1245 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84) is amended—

(1) in paragraph (2)(D), by inserting after “Iran’s conventional forces” the following: “and Iran’s unconventional or parallel military forces”;

(2) in paragraph (4)—

(A) in subparagraph (B), by striking “missile launch sites” and inserting “missile launch and storage sites”;

(B) in subparagraph (C), by striking “; and” at the end;

(C) in subparagraph (D), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

“(E) an assessment of Iran’s space launch vehicle program and the ability of Iran to use...
those technologies to develop and field an inter-
continental ballistic missile; and

“(F) a detailed analysis of the effectiveness
of Iran’s drone forces.”;

(3) in paragraph (7), by inserting “the People’s
Republic of China,” before “Cuba”; and

(4) by adding at the end the following:

“(9) An assessment of groups that are supported
by Iran and designated by the United States as for-
eign terrorist organizations and regional military
groups, including Hezbollah, Hamas, the Houthis,
and the Special Groups in Iraq, in particular those
forces as having been assessed as to be willing to
carry out terrorist operations on behalf of Iran.

“(10) An assessment of how Iran would utilize
additional resources to further activities described in
paragraphs (1) through (9).”.

(b) DEFINITIONS.—Subsection (c)(1)(B) of such sec-
tion is amended to read as follows:

“(B) includes all branches and sub-branches
of Iran’s national army or Artesh, such as its
ground forces, air force, navy, and air defense
forces as well as most branches of its parallel
military, and the Islamic Revolutionary Guard
Corps excluding its Quds-Force.”.
SEC. 1219. PROHIBITION ON TRANSPORTING CURRENCY TO THE TALIBAN AND THE ISLAMIC EMIRATE OF AFGHANISTAN.

None of the amounts authorized to be appropriated by this Act or otherwise made available to the Department of Defense may be made available for the operation of any aircraft of the Department of Defense to transport currency or other items of value to the Taliban, the Islamic Emirate of Afghanistan, or any subsidiary, agent, or instrumentality of either the Taliban or the Islamic Emirate of Afghanistan.

SEC. 1220. MODIFICATIONS TO THE OFFICE OF THE SPECIAL INSPECTOR GENERAL FOR AFGHANISTAN RECONSTRUCTION.

Section 1229(m)(1)(B) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 5 App.) is amended by striking “the reconstruction of Afghanistan” and inserting “assistance for the benefit of the Afghan people”.

Subtitle C—Matters Relating to Ukraine

SEC. 1221. DIRECT HIRE AUTHORITY FOR CERTAIN PERSONNEL OF THE OFFICE OF THE INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE.

Section 9905 of title 5, United States Code, is amended by adding at the end the following:
“(d) Inspector General of the Department of Defense.—

“(1) In general.—The Inspector General of the Department of Defense, in connection with the Inspector General’s oversight of United States support and activities carried out in response to Russia’s further invasion of Ukraine, may select, appoint, and employ, without regard to the provisions of subchapter I of chapter 33 (other than sections 3303 and 3328 of such chapter), qualified candidates to any of positions in the Office of Inspector General involved in or for the conduct of reviews, audits, evaluations, inspections, and investigations with respect to oversight of such support and activities, including—

“(A) financial management, accounting, auditing, actuarial, cost estimation, or operational research; and

“(B) scientific, technology, technical, engineering, data science, or mathematics.

“(2) Sunset.—The authority provided under this subsection shall expire on the later of—

“(A) the date established under subsection (b)(1); or

“(B) the end of the first fiscal year in which the total amount appropriated for United States
support and activities carried out in response to
Russia’s further invasion of Ukraine, including
amounts made available for the reconstruction of
Ukraine, is less than $1,000,000,000.”.

SEC. 1222. SPECIAL INSPECTOR GENERAL FOR UKRAINE AS-
SISTANCE.

(a) Office of Special Inspector General.—There
is established the Office of the Special Inspector General for
Ukraine Assistance to provide for the oversight of inde-
pendent and objective conduct and supervision of audits
and investigations relating to the programs and operations
funded with amounts appropriated or otherwise made
available to the Government of Ukraine to defeat the Rus-
sian invasion.

(b) Appointment of Special Inspector General;
Removal.—

(1) Appointment.—The head of the Office of the
Special Inspector General for Ukraine Assistance
shall be known as the Special Inspector General for
Ukraine Assistance (in this section referred to as the
“Special Inspector General”), who shall be designated
by the President.

(2) Qualifications.—The appointment of the
Special Inspector General shall be made solely on the
basis of integrity and demonstrated ability in ac-
counting, auditing, financial analysis, law, management analysis, public administration, or investigations.

(3) SELECTION.—The Special Inspector General may be a member of the civil service or Foreign Service and may be selected from among the offices of the Inspectors General.

(4) DEADLINE FOR APPOINTMENT.—The appointment of an individual as Special Inspector General shall be made not later than 30 days after the date of enactment of this Act.

(5) PROHIBITION ON POLITICAL ACTIVITIES.—For purposes of section 7324 of title 5, United States Code, the Special Inspector General shall not be considered an employee who determines policies to be pursued by the United States in the nationwide administration of Federal law.

(6) REMOVAL.—The Inspectors General shall be removable from office in accordance with the provisions of section 403(b) of title 5, United States Code.

(c) SUPERVISION.—

(1) IN GENERAL.—The Special Inspector General shall report directly to, and be under the general supervision of, the Secretary of State and the Secretary of Defense.
(2) RULE OF CONSTRUCTION.—Nothing in this section may be construed to limit the ability of the Inspectors General to enter into agreements to conduct joint audits, inspections, or investigations in the exercise of their oversight responsibilities in accordance with this section with respect to Ukraine.

(d) DUTIES.—The duties of the Special Inspector General are as follows:

   (1) To appoint, from among the offices of the Inspectors General, an Assistant Inspector General, who shall supervise auditing and investigative activities and assist the Special Inspector General in the discharge of responsibilities under this subsection.

   (2) To develop and carry out, in coordination with the offices of the Inspectors General, a joint strategic plan to conduct comprehensive oversight of all military and nonmilitary United States support for Ukraine.

   (3) To apply key lessons from prior oversight work, in coordination with the offices of the Inspectors General, to Ukraine response programs and operations to minimize waste, fraud, and abuse.

   (4) With respect to military and nonmilitary United States support for Ukraine—
(A) to ensure, through joint or individual audits, inspections, and investigations, independent and effective oversight of—

(i) all funds appropriated or otherwise made available for such support; and

(ii) the programs, operations, and contracts carried out using such funds; and

(B) to review and ascertain the accuracy of information provided by Federal agencies relating to—

(i) obligations and expenditures;

(ii) costs of programs and projects;

(iii) accountability of funds;

(iv) the tracking and monitoring of all lethal and nonlethal security assistance and compliance with end-use certification requirements; and

(v) the award and execution of major contracts, grants, and agreements in support of Ukraine.

(4) To employ, or authorize the employment by the Inspectors General, on a temporary basis using the authorities in section 3161 of title 5, United States Code (without regard to subsection (b)(2) of such section), such auditors, investigators, and other
personnel as the Special Inspector General considers appropriate to carrying out the duties described in this subsection.

(5) To carry out such other responsibilities relating to the coordination and efficient and effective discharge by the Inspectors General of duties relating to United States military and nonmilitary support for Ukraine as the Special Inspector General shall specify.

(6) To discharge the responsibilities under this subsection in a manner consistent with the authorities and requirements of this section and the authorities and requirements applicable to the Inspectors General under chapter 4 of title 5, United States Code.

(e) DEPLOYMENT OF SPECIAL INSPECTOR GENERAL STAFF.—

(1) IN GENERAL.—The Office of the Special Inspector General for Ukraine shall maintain a presence of at least 1 individual in the country of Ukraine at all times.

(2) EVACUATION PLAN.—The Special Inspector General shall coordinate with the appropriate chief of mission for this purpose and shall maintain a plan to evacuate personnel should it be required.
(3) NOTICE AND JUSTIFICATION.—To any extent that the Special Inspector General determines that the Office of the Special Inspector General cannot maintain such a presence in Ukraine, the Special Inspector General shall notify the appropriate congressional committees in writing within 7 days of such determination, along with a justification for why the presence could not be maintained.

(f) REPORTS.—

(1) QUARTERLY REPORTS.—

(A) IN GENERAL.—Not later than 30 days after the end of each fiscal-year quarter, the Special Inspector General shall submit to the appropriate committees of Congress a report summarizing with respect to that quarter and, to the extent possible, the period from the end of such quarter to the date on which the report is submitted, the activities of the Special Inspector General with respect to programs and operations funded with amounts appropriated or otherwise made available for military and nonmilitary support for Ukraine.

(B) ELEMENTS.—Each report required by subparagraph (A) shall include, for the period covered by the report—
(i) a description of any identified waste, fraud, or abuse with respect to programs and operations funded with amounts appropriated or otherwise made available for the military and nonmilitary support of Ukraine;

(ii) a description of the status and results of—

(I) investigations, inspections, and audits; and

(II) referrals to the Department of Justice;

(iii) a description of the overall plans for review by the Inspectors General of such support of Ukraine, including plans for investigations, inspections, and audits; and

(iv) an evaluation of the compliance of the Government of Ukraine with all requirements for receiving United States funds, including a description of any area of concern with respect to the ability of the Government of Ukraine to achieve such compliance.

(2) PUBLIC AVAILABILITY.—The Special Inspector General shall publish on a publicly available
internet website each report required by paragraph (1) in English and any other language the Special Inspector General determines is widely used and understood in Ukraine.

(3) FORM.—Each report required by this subsection shall be submitted in unclassified form, but may include a classified annex if the Special Inspector General considers it necessary.

(4) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to authorize the public disclosure of information that is—

(A) specifically prohibited from disclosure by any other provision of law;

(B) specifically required by Executive order to be protected from disclosure in the interest of national defense or national security or in the conduct of foreign affairs; or

(C) a part of an ongoing criminal investigation.

(g) PUBLICATION OF UNITED STATES MILITARY AND NONMILITARY ASSISTANCE TO UKRAINE.—Not later than 30 days after the date of enactment of this Act, the President, acting through the Secretary of Defense and Secretary of State, shall publish a comprehensive accounting of amounts appropriated or otherwise made available by the
United States for military and nonmilitary support for Ukraine on a publicly available website of the United States Government.

(h) DEFINITIONS.—In this section:

(1) The term “amounts appropriated or otherwise made available for the military and nonmilitary support of Ukraine” means—

(A) amounts appropriated or otherwise made available on or after January 1, 2022, for—

(i) the Ukraine Security Assistance Initiative under section 1250 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1608);

(ii) any foreign military financing accessed by the Government of Ukraine;

(iii) the presidential drawdown authority under section 506(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2318(a));

(iv) the defense institution building program under section 332 of title 10, United States Code;
(v) the building partner capacity program under section 333 of title 10, United States Code;

(vi) the international military education and training program of the Department of State; and

(vii) the United States European Command; and

(B) amounts appropriated or otherwise made available on or after January 1, 2022, for the military, economic, reconstruction, or humanitarian support of Ukraine under any account or for any purpose not described in subparagraph (A).

(2) The term “appropriate congressional committees” means—

(A) the Committee on Appropriations, the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Appropriations, the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Oversight
and Accountability of the House of Representatives.

(3) The term “Inspectors General” means the following:

(A) The Inspector General of the Department of Defense.

(B) The Inspector General of the Department of State.

(C) The Inspector General of the United States Agency for International Development.

(i) TERMINATION.—The Office of the Special Inspector General for Ukraine Assistance shall terminate 180 days after the date on which amounts appropriated or otherwise made available for the military and nonmilitary support of Ukraine are less than the amounts that were appropriated or otherwise available for the military and non-military support of Ukraine on February 24, 2022.

SEC. 1223. EXTENSION OF UKRAINE SECURITY ASSISTANCE INITIATIVE.

Section 1250 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1068) is amended—

(1) in subsection (f)—
(A) in the matter preceding paragraph (1),
by striking “for overseas contingency oper-
ations”; and

(B) by adding at the end the following:
“(9) For fiscal year 2024, $300,000,000.”; and

(2) in subsection (h), by striking “December 31,
2024” and inserting “December 31, 2025”.

SEC. 1224. EXTENSION OF LEND-LEASE AUTHORITY TO
UKRAINE.

Section 2(a)(1) of the Ukraine Democracy Defense
1184) is amended by striking “fiscal years 2022 and 2023”
and inserting “fiscal years 2022 through 2024”.

SEC. 1225. PLAN AND REPORT RELATING TO ALLIED AND
PARTNER SUPPORT TO UKRAINE.

(a) Plan and Reports Required.—The Secretary
of Defense shall submit to the congressional defense commit-
tees—

(1) a plan to encourage increased total contribu-
tions made by allied and partner countries to meet
the military contributions of the United States; and

(2) every 90 days after the submission of the
plan described in paragraph (1) until the date de-
scribed in subsection (c)—
(A) a report on all contributions to Ukraine in absolute and relative terms, disaggregated by country, in the preceding 90-day period; and

(B) an update on efforts under the such plan.

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

(c) SUNSET.—The reporting requirement in subsection (a)(2) shall terminate on the earlier of—

(1) the date that is 180 days after the date on which amounts appropriated or otherwise made available for the support of Ukraine are less than the amounts that were appropriated or otherwise made available for the support of Ukraine on February 24, 2022; or

(2) December 31, 2025.

Subtitle D—Matters Relating to Russia, Europe, and NATO

SEC. 1231. STATEMENT OF POLICY RELATING TO NATO-RUSSIA FOUNDED ACT.

It is the policy of the United States that the agreement titled “Founding Act on Mutual Relations, Cooperation and Security between NATO and the Russian Federation”, done
at Paris on May 27, 1997 (commonly referred to as the “NATO-Russia Founding Act”), does not—
(1) prohibit the establishment of a permanent presence of the United States Armed Forces in Europe; or
(2) constrain in any manner the deployment of United States Armed Forces or North Atlantic Treaty Organization (NATO) forces.

SEC. 1232. STRATEGY TO DELAY, DISRUPT, AND DEGRADE ROSATOM'S PROLIFERATION ACTIVITIES AND OTHER REVENUE STREAMS.

(a) FINDINGS.—Congress finds the following:
(1) Russia’s state-owned nuclear energy corporation, Rosatom, is providing the People’s Republic of China highly enriched uranium for Chinese Communist Party fast-breeder reactors.
(2) The Department of Defense’s 2022 report to Congress on the Military and Security Developments Involving the People’s Republic of China noted the key role that increased weapons-grade plutonium production is key to China’s nuclear program, stating: “The PRC is also supporting this expansion by increasing its capacity to produce and separate plutonium by constructing fast breeder reactors and reprocessing facilities.”. The report also cites the CFR-
600 reactors and notes that each reactor will be capable of producing “enough plutonium for dozens of nuclear warheads annually”. This buildup puts China in violation of Article VI of the Treaty on the Non-Proliferation of Nuclear Weapons, requiring states to make good-faith efforts to cease an arms race and to engage in good-faith arms control negotiations.

(3) There are also credible reports that “Russia’s state nuclear power conglomerate has been working to supply the Russian arms industry with components, technology and raw materials for missile(s)”. Specifically, a letter from a Rosatom department chief, dated October 2022, shows Rosatom offering to provide goods to Russian military units and to Russian weapons manufacturers that are under sanctions.

(4) The United States Government has taken steps against Rosatom, such as sanctioning three Rosatom subsidiaries on February 24, 2023, and speaking out publicly against Rosatom’s behavior.

(5) Assistant Secretary of Defense for Space Policy, Dr. John F. Plumb, testified before the House Armed Services Subcommittee on Strategic Forces on March 8, 2023, that “It’s very troubling to see Russia and China cooperating on this . . . They may have talking points around it, but there’s no getting
around the fact that breeder reactors are plutonium, and plutonium is for weapons. So, I think the [Defense] Department is concerned. And of course, it matches our concerns about China’s increased expansion of its nuclear forces as well, because you need more plutonium for more weapons.”

(b) STRATEGY.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State, the Secretary of the Treasury, and the Secretary of Energy, with the assistance of the Director of National Intelligence, shall submit to the appropriate congressional committees a strategy to delay, disrupt, and degrade Rosatom’s and other Russian state-owned entities’ proliferation activities and other revenue streams that directly fund Russia’s military forces.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In subsection (b), the term “appropriate congressional committees” means—

(1) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Energy and Commerce, the Committee on Financial Services, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Energy
and Natural Resources, the Committee on Banking, Housing, and Urban Affairs, and the Select Committee on Intelligence of the Senate.

SEC. 1233. BALTIC SECURITY INITIATIVE.

(a) Sense of Congress.—It is the sense of Congress that—

(1) supporting and strengthening the security of the Baltic states of Estonia, Latvia, and Lithuania is in the national security interests of the United States;

(2) the United States and the Baltic states are leaders in the mission of defending independence and democracy from aggression and in promoting stability and security within the North Atlantic Treaty Organization (NATO), with non-NATO partners, and with other international organizations such as the European Union;

(3) the Baltic states are model NATO allies in terms of burden sharing, investing over 2 percent of their gross domestic product on defense expenditure, allocating over 20 percent of their defense budgets on capital modernization, matching security assistance from the United States, frequently deploying their forces around the world in support of allied and United States objectives, and sharing diplomatic,
technical, military, and analytical expertise on defense and security matters;

(4) the United States should pursue consistent efforts focused on defense and security assistance, coordination, and planning, such as the United States Baltic Dialogue, designed to ensure the continued security of the Baltic states and on deterring current and future challenges to the national sovereignty of United States allies and partners in the Baltic region;

(5) the Secretary of Defense and Secretary of State should seek to require matching funds from those Baltic states in amounts commensurate with amounts provided.

(b) STRATEGY.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense, with the concurrence of the Secretary of State, shall submit to the appropriate congressional committees a report setting forth a strategy to deepen security cooperation with the Baltic states of Estonia, Latvia, and Lithuania to—

(1) achieve United States national security strategy objectives;

(2) enhance regional planning and cooperation among Baltic states, particularly with respect to long-term regional capability projects; and
(3) enhance the Baltic states’ defenses and resiliency.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives; and

(2) the Committee on Armed Services and the Committee on Foreign Relations of the Senate.

SEC. 1234. PROHIBITION ON NEW START TREATY INFORMATION SHARING.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2024 for the Department of Defense may be used to provide the Russian Federation with notifications as required by the New START Treaty.

(b) WAIVER.—The Secretary of Defense may waive the prohibition in subsection (a) on a case-by-case basis if the Secretary of Defense certifies to the appropriate congressional committees in writing, 30 days in advance of exercising such a waiver, that—

(1) the waiver is in the national security interest of the United States; and
(2) the Russian Federation is providing similar information to the United States as required by the New START Treaty.

(c) DEFINITIONS.—In this section—

(1) the term “appropriate congressional committees” means—

(A) the Committee on Armed Services and

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

(B) the Committee on Armed Services and

the Committee on Foreign Relations of the Senate; and

Subtitle E—Matters Relating to the Armed Forces Abroad and the Authorities of the Department of Defense

SEC. 1241. REPORT ON HOSTILITIES INVOLVING UNITED STATES ARMED FORCES.

(a) In general.—Not later than 48 hours after any incident in which the United States Armed Forces are involved in an attack or hostilities, whether in an offensive or defensive capacity, the President shall transmit to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a report on the incident, unless the President—

(1) otherwise reports the incident within 48 hours pursuant to section 4 of the War Powers Resolution (50 U.S.C. 1543); or

(2) has determined prior to the incident, and so reported pursuant to section 1264 of the National Defense Authorization Act for Fiscal Year 2018 (50 U.S.C. 1549), that the United States Armed Forces involved in the incident would be operating under specific statutory authorization within the meaning of section 5(b) of the War Powers Resolution (50 U.S.C. 1544(b)).
(b) MATTERS TO BE INCLUDED.—Each report required by subsection (a) shall include—

(1) the statutory and operational authorities under which the United States Armed Forces were operating when the incident occurred, including any relevant executive orders and an identification of the operational activities authorized under any such executive orders;

(2) the date, location, and duration of the incident and the other parties involved;

(3) a description of the United States Armed Forces involved in the incident and the mission of such Armed Forces;

(4) the numbers of any combatant casualties and civilian casualties that occurred as a result of the incident; and

(5) any other information the President determines appropriate.

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

SEC. 1242. PROTECTION AND LEGAL PREPAREDNESS FOR SERVICEMEMBERS ABROAD.

(a) IN GENERAL.—The Secretary of Defense, in coordination with the Secretary of State, shall seek to ensure that
members of the Armed Forces stationed in each foreign country with which the United States maintains a Status of Forces Agreement are afforded, at a minimum:

(1) the right to legal counsel for his or her defense, in accordance with the Status of Forces Agreement or other binding law or agreement with another country;

(2) access to competent language translation services;

(3) a prompt and speedy trial;

(4) the right to be confronted with the witnesses against him or her; and

(5) a compulsory process for obtaining witnesses in his or her favor if they are within the foreign country’s jurisdiction.

(b) REVIEW REQUIRED.—Not later than December 31, 2024, the Secretary of Defense, in collaboration with the Secretary of State, shall—

(1) review the 10 largest foreign countries by United States Armed Forces presence and evaluate local legal systems, protections afforded by bilateral agreements between the United States and countries being evaluated, and how the rights and privileges afforded under such agreements may differ from United States law; and
(2) brief the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives and the Committee on Armed Services and the Committee on Foreign Relations of the Senate on the findings of the review.

(c) TRAINING REQUIRED.—The Secretary of Defense shall review and improve as necessary training and educational materials for members of the Armed Forces, their spouses, and dependents, as appropriate, who are stationed in a country reviewed pursuant to subsection (b)(1) regarding relevant foreign laws, how such foreign laws may differ from the laws of the United States, and the rights of accused in common scenarios under such foreign laws.

(d) TRANSLATION STANDARDS AND READINESS.—The Secretary of Defense, in coordination with the Secretary of State, shall review foreign language standards for servicemembers and employees of the Department of Defense and Department of State who are responsible for providing foreign language translation services in situations involving foreign law enforcement where a servicemember may be being detained, to ensure such persons maintain an appropriate proficiency in the legal terminology and meaning of essential terms in a relevant language.
SEC. 1243. PROHIBITION ON FUNDING FOR THE GLOBAL ENGAGEMENT CENTER.

None of the amounts authorized to be appropriated to the Department of Defense or otherwise made available by this Act may be made available for the Global Engagement Center established pursuant to section 1287 of the National Defense Authorization Act for Fiscal Year 2017 (22 U.S.C. 2656 note).

SEC. 1244. DETERMINATION OF LOCATION FOR MCCAIN IRREGULAR WARFARE CENTER.


(b) LOCATION CRITERIA.—The Secretary shall select a permanent location based on established criteria, which should include that the location—

(1) is an academic institution that studies security implications with respect to irregular warfare and the full spectrum of competition and conflict;
(2) has an established record in interdisciplinary studies relevant to irregular warfare;

(3) has a demonstrated network of foreign academic and government partners;

(4) has availability of facility space and staff;

and

(5) has the ability to provide immediate support for full operational capability.

TITLE XIII—OTHER MATTERS RELATING TO FOREIGN NATIONS.

Subtitle A—Matters Relating to the Indo-Pacific and Pacific Regions

SEC. 1301. EXTENSION OF PACIFIC DETERRENCE INITIATIVE AND REPORT, BRIEFINGS, AND PLAN UNDER THE INITIATIVE.

(a) Extension of Initiative.—Subsection (c) of section 1251 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (10 U.S.C. 113 note) is amended—

(1) by striking “the National Defense Authorization Act for Fiscal Year 2023” and inserting “the National Defense Authorization Act for Fiscal Year 2024”; and
(2) by striking “fiscal year 2023” and inserting “fiscal year 2024”.

(b) Extension of Report and Briefings.—Subsection (d) of such section is amended—

(1) in paragraph (1)(A), by striking “fiscal years 2024 and 2025” and inserting “fiscal years 2025 and 2026”; and

(2) in paragraph (2), by striking “fiscal years 2023 and 2024” each place it appears and inserting “fiscal years 2025 and 2026”.

(c) Extension of Plan.—Subsection (e) of such section is amended by striking “fiscal years 2023 and 2024” and inserting “fiscal years 2025 and 2026”.

SEC. 1302. INDEPENDENT ASSESSMENT AND REPORT ON THE PROGRESS MADE UNDER THE PACIFIC DETERRENCE INITIATIVE.

(a) Independent Assessment.—

(1) In general.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall select and enter into an agreement with a federally funded research and development center, or another appropriate independent entity, with expertise on defense matters pertaining to the Indo-Pacific region to conduct an assessment of the Department of Defense activities carried out pursuant to the

(2) MATTERS TO BE INCLUDED.—The assessment required by paragraph (1) shall include updates on the current state of defense posture in the Indo-Pacific region, to include—

(A) base infrastructure and resiliency efforts;

(B) prepositioned equipment and munitions stocks;

(C) investments required to address contested logistics;

(D) the status of current and planned military construction;

(E) the planned Indo-Pacom exercise schedule and joint operations;

(F) whether Pacific Deterrence Initiative funding has aligned with the purpose described in section 1251 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021; and

(G) any recommendations to improve the Department of Defense’s posture, resiliency, presence, or lethality in the Indo-Pacific region that
may be advisable together with analysis of the feasibility of implementing such recommenda-
tions.

(b) REPORT.—Not later than 270 days after the date of the enactment of this Act, the independent entity selected under subsection (a) shall submit to the congressional defense committees a report on the findings of the assessment conducted under that subsection.

c) DEPARTMENT OF DEFENSE SUPPORT.—The Secretary of Defense shall provide the independent entity selected under subsection (a) with timely access to appropriate information, data, resources, and analyses necessary for the independent entity to conduct the assessment required by that subsection in a thorough and independent manner.

SEC. 1303. SENSE OF CONGRESS ON SOUTH KOREA.

It is the sense of Congress that the Secretary of Defense should reinforce 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 extended deterrence 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 at Washington, October 1,
1953, in support of the shared objective of a peaceful and stable Korean Peninsula.

SEC. 1304. SENSE OF CONGRESS ON TAIWAN DEFENSE RELATIONS.

It is the sense of Congress that—

(1) the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. et seq.) and the Six Assurances provided by the United States to Taiwan in July 1982 are the foundation for United States-Taiwan relations;

(2) as set forth in the Taiwan Relations Act, the United States decision to establish diplomatic relations with the People’s Republic of China rests upon the expectation that the future of Taiwan will be determined by peaceful means, and that any effort to determine the future of Taiwan by other than peaceful means, including boycotts and embargoes, is of grave concern to the United States;

(3) the increasingly coercive and aggressive behavior of the People’s Republic of China toward Taiwan is contrary to the expectation of the peaceful resolution of the future of Taiwan;

(4) as set forth in the Taiwan Relations Act, the capacity to resist any resort to force or other forms of coercion that would jeopardize the security, or the
social or economic system, of the people on Taiwan should be maintained;

(5) the United States should continue to support the development of capable, ready, and modern defense forces necessary for Taiwan to maintain sufficient defensive capabilities, including by—

(A) supporting acquisition by Taiwan of defense articles and services through foreign military sales, direct commercial sales, and industrial cooperation, with an emphasis on capabilities that support an asymmetric strategy;

(B) ensuring timely review of and response to requests of Taiwan for defense articles and services;

(C) conducting practical training and military exercises with Taiwan that enable Taiwan to maintain sufficient defensive capabilities, as described in the Taiwan Relations Act;

(D) exchanges between defense officials and officers of the United States and Taiwan at the strategic, policy, and functional levels, consistent with the Taiwan Travel Act (Public Law 115–135; 132 Stat. 341), especially for the purposes of—
(i) enhancing cooperation on defense planning;
(ii) improving the interoperability of the military forces of the United States and Taiwan; and
(iii) improving the reserve force of Taiwan;
(E) cooperating with Taiwan to improve its ability to employ military capabilities in asymmetric ways, as described in the Taiwan Relations Act; and
(F) expanding cooperation in humanitarian assistance and disaster relief; and
(6) the United States should increase its support to a free and open society in the face of aggressive efforts by the Government of the People’s Republic of China to curtail or influence the free exercise of rights and democratic franchise.

SEC. 1305. BRIEFING ON MULTI-YEAR PLAN TO FULFILL DEFENSIVE REQUIREMENTS OF MILITARY FORCES OF TAIWAN.

(a) BRIEFING REQUIRED.—Not later than 90 days after the date of enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State and the Director of National Intelligence, shall brief the appropriate
congressional committees on the status of the efforts to de-
velop and implement the joint multi-year plan to fulfill de-
fensive requirements of military forces of Taiwan required
under section 5506 of the James M. Inhofe National Defense
Authorization Act for Fiscal Year 2023 (Public Law 117–

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
FINED.—In this section, the term “appropriate congres-
sional committees” means—

(1) the Committee on Armed Services, the Com-
mittee on Foreign Affairs, and the Permanent Select
Committee on Intelligence of the House of Representa-
tives; and

(2) the Committee on Armed Services, the Com-
mittee on Foreign Relations, and the Select Com-
mittee on Intelligence of the Senate.

SEC. 1306. MODIFICATION TO THE AMERICAN, BRITISH, CA-
NADIAN, AND AUSTRALIAN ARMIES’ PRO-
GRAM.

(a) IN GENERAL.—Section 1274(a) of the National De-
2350a(a) note) is amended by inserting “or the air force
program known as the Five Eyes Air Force Interoperability
Council” after “the American, British, Canadian, and Aus-
tralian Armies’ Program”.

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(b) **Clerical Amendment.**—The heading of section 1274 of such Act (and the entry in the table of contents for such Act corresponding to such section 1274) is amended to read as follows: “Administration of the American, British, Canadian, and Australian Armies’ Program and the Five Eyes Air Force Interoperability Council”.

**SEC. 1307. Modifications to Initiative to Support Protection of National Security Academic Researchers from Undue Influence and Other Security Threats.**

(a) **Performance Requirements.**—Section 1286 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 4001 note) is amended—

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

“(10)(A) The development and implementation of measures of effectiveness and performance to assess and track progress of the Department in carrying out the initiative.

“(B) In developing and implementing such measures, the Secretary—

“(i) shall seek independent advice and guidance to ensure such measures—
“(I) align with the measures of effectiveness and performance used in other research security initiatives of the Federal Government; and

“(II) incorporate relevant input from institutions of higher education and other entities in academic community; and

“(ii) shall consider—

“(I) the quality of data available to support assessments based on such measures, including identification of any areas in which gaps in the data available to the Secretary may require collection of new data or modifications to existing data sets;

“(II) available means and methods for the automated collection of such data, including identification of areas in which gaps exist that may require the development of new means and methods of data collection or data visualization; and

“(III) development of an analysis and assessment methodology framework that incorporates the measures developed under this paragraph while also taking into account, to the extent appropriate, other meth-
ods of assessing undue foreign influence on
Department of Defense research activities,
such as commercial due diligence and the
analysis of beneficial ownership, foreign
ownership, and foreign control and influ-
ence.”; and
(2) in subsection (e)(2), by adding at the end the
following new subparagraph:
“(G) Based on the measures of effectiveness
and performance developed under subsection
(c)(10)—
“(i) an evaluation of the effectiveness
of the initiative and the Department’s per-
formance during the period covered by the
report; and
“(ii) an assessment of whether and to
what extent the implementation of such
measures affected the ability of the Depart-
ment to achieve the goals of the initiative.”.
(b) INSTITUTIONAL RESEARCH SECURITY PRO-
GRAMS.—Such section 1286 is further amended—
(1) by redesignating subsection (h) as subsection
(i); and
(2) by inserting after subsection (g) the following
new subsection:
“(h) Institutional Research Security Programs.—

“(1) In general.—Each institution of higher education that receives more than $50,000,000 in funds in a fiscal year from the Department of Defense for defense research and engineering activities shall, as a condition of receiving such funds, establish and maintain a research security policies relating to managing security risks relating to such defense research and engineering activities in accordance with the National Security Presidential Memorandum 33 (relating to research security) issued by the President on January 14, 2021.

“(2) Elements.—Each research security program under paragraph (1) shall include, at a minimum, measures to address—

“(A) cybersecurity;

“(B) foreign travel security;

“(C) insider threat awareness; and

“(D) export controls.

“(3) Certification.—On an annual basis each institution subject to paragraph (1) shall certify to the Secretary of Defense that the institution has implemented the research security program required under such paragraph.”.
SEC. 1308. LIMITATION ON AVAILABILITY OF FUNDS PENDING SUBMITTAL OF LIST IDENTIFYING CERTAIN FOREIGN ACADEMIC INSTITUTIONS.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2024 for operation and maintenance, Defense-wide, and available for the Office of the Under Secretary of Defense for Research and Engineering for the travel of persons, not more than 75 percent may be obligated or expended until the date on which the Secretary of Defense submits to the congressional defense committees the list required under section 1286(c)(8)(A) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 4001 note).

SEC. 1309. EXPANSION OF INTERNATIONAL TECHNOLOGY FOCUSED PARTNERSHIPS AND EXPERIMENTATION ACTIVITIES IN THE INDO-PACIFIC.

(a) Establishment.—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense shall develop a plan and roadmap to—

(1) expand international technology-focused partnerships, agreements, and experimentation activities in the Indo-Pacific region in order to—

(A) accelerate the creation and fielding of new capabilities and critical technologies as outlined in the National Defense Science and Tech-
ology Strategy, as directed by section 211 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81), consistent with the strategic plans of the Department of Defense with respect to the activities of Indo-Pacific Command;

(B) leverage the technological and manufacturing capabilities of private sector and government organizations in the United States and international partners;

(C) identify opportunities for cost sharing and financial and non-financial contributions by partner countries for activities to develop and deploy new operational capabilities; and

(D) coordinate with partner countries and their agencies that are currently involved, or could become involved, in co-production of capabilities;

(2) enhance capabilities, including those capabilities which use unmanned platforms, using lessons learned from Task Force-59, to—

(A) respond to grey zone activity; and

(B) enhance Indo-Pacific partner capacity to protect national resources against illegal fishing and resource extraction; and
(3) identify and accelerate the fielding of new capabilities and critical technologies that would improve Taiwan’s self-defense capabilities.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect section 112b(b) of title 1, United States Code.

(c) BRIEFING.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall provide the congressional defense committees a briefing on the plan and roadmap required under subsection (a).

Subtitle B—Matters Relating to China

SEC. 1311. MODIFICATIONS TO PUBLIC REPORTING OF CHINESE MILITARY COMPANIES OPERATING IN THE UNITED STATES.

(a) In General.—Subsection (c) of section 1260H of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (10 U.S.C. 113 note) is amended by adding at the end the following sentence: “The Secretary of Defense shall also consider information related to a Chinese military company operating directly or indirectly in the United States or any of its territories and possessions that is provided jointly by the chair and ranking member of any of the congressional defense committees in making such determinations.”.
(b) INCLUSION IN ANNUAL REPORT.—Subsection (b)(1) of such section 1260H is amended—

(1) by striking the period at the end and inserting a semicolon;

(2) by striking “as applicable, an explanation” and inserting the following: “as applicable—

“(A) an explanation”; and

(3) by adding at the end the following:

“(B) an identification of each entity included in the list pursuant to information provided by the chair and ranking member of a congressional defense committee and considered in accordance with subsection (c); and

“(C) with respect to each entity considered for inclusion in the list pursuant to such information, and with respect to which the Secretary of Defense determined that the entity did not meet the criteria for inclusion, a justification for such determination.”.

SEC. 1312. MODIFICATION TO ANNUAL REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE PEOPLE’S REPUBLIC OF CHINA.

Section 1202(b)(3)(C) of the National Defense Authorization Act for Fiscal Year 2000 (10 U.S.C. 113 note) is amended by inserting “including lessons learned by the Peo-
ple’s Republic of China from the Russian Federation,” after
“the Russian Federation,”.

SEC. 1313. PROHIBITION ON USE OF FUNDS FOR WORK PER-
FORMED BY ECOHEALTH ALLIANCE, INC., IN
CHINA ON RESEARCH SUPPORTED BY THE
GOVERNMENT OF CHINA.

(a) In General.—Except as provided under sub-
section (b), none of the funds authorized to be appropriated
by this Act or otherwise made available for fiscal year 2024
for the Department of Defense may be used to fund any
work to be performed by EcoHealth Alliance, Inc., in China
on research supported by the government of China, includ-
ing to provide any grants for such purpose.

(b) Waiver.—The Secretary of Defense may waive the
prohibition under subsection (a) if the Secretary determines
that such a waiver is in the national security interests of
the United States and, not later than 14 days after granting
such a waiver, submits to the congressional defense commit-
tees a detailed justification for the waiver, including—

(1) an identification of the Department of De-
fense entity obligating or expending the funds;

(2) an identification of the amount of such
funds;

(3) an identification of the intended purpose of
such funds;
(4) an identification of the recipient or prospective recipient of such funds (including any third-party entity recipient, as applicable);

(5) an explanation for how the waiver is in the national security interests of the United States; and

(6) any other information the Secretary determines appropriate.

SEC. 1314. STUDY AND REPORT ON IMPLEMENTATION OF NAVAL BLOCKADES OF SHIPMENTS OF FOSSIL FUELS TO CHINA IN EVENT OF ARMED CONFLICT.

(a) Study and Report.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report that contains the findings of a study on the feasibility of implementing one or more naval blockades of shipments of fossil fuels to China in the event of an armed conflict between the United States and China. Such report shall include—

(1) a description of—

(A) the requirements for such a blockade to effectively block such shipments;

(B) methods China could use to ship fossil fuels using air and land routes after such a blockade is implemented; and
(C) for each waterway specified in clauses (i) through (iv) of paragraph (2)(A), how such a blockade would be implemented in such waterway; and

(2) an assessment of—

(A) the suitability of strategic waterways in the proximity of China as a location for such a blockade, including—

(i) the Strait of Malacca;

(ii) the Taiwan Strait;

(iii) the Sunda Strait;

(iv) the South China Sea; and

(v) the East China Sea; and

(B) the capability of China to satisfy needs for fossil fuels in China after such a blockade is implemented through methods that include—

(i) the use of existing stockpiles of fossil fuels;

(ii) the rationing of fossil fuels; and

(iii) the reliance on existing or planned cross-border oil and gas pipelines to ship fossil fuels.

(b) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.
SEC. 1315. INDEPENDENT STUDY ON DEFENSE BUDGET OF

PEOPLE’S REPUBLIC OF CHINA.

(a) INDEPENDENT STUDY REQUIRED.—Not later than
60 days after the date of the enactment of this Act, the Sec-
dretary of Defense shall seek to enter into an agreement with
an entity independent of the Department of Defense under
which such entity shall conduct a study of the defense budg-
et of the People’s Republic of China.

(b) ESTIMATE.—The independent study conducted
under subsection (a) shall include an estimate, based on
open-source intelligence, of the amount of defense spending
of the People’s Republic of China. Such estimate shall—

(1) be generated in a methodologically sound
way that—

(A) avoids reliance on the aggregate spend-
ing amounts announced annually by the People’s
Republic of China; and

(B) employs the most accurate available
purchasing power parity exchange rates;

(2) be presented in a form that may be compared
against the defense spending of the United States;

(3) exclude any spending related to veterans’
benefits; and

(4) include an estimate of the amounts of defense
spending of the People’s Republic of China
disaggregated by functional defense categories of
spending, including—

(A) procurement from domestic and foreign
sources;

(B) operations and maintenance;

(C) pay and benefits;

(D) military construction; and

(E) research, development, test, and evalua-
tion.

(c) ADDITIONAL ESTIMATE ON OMITTED SPENDING.—
The independent study conducted under subsection (a) shall
include, in addition to the estimate under subsection (b),
an estimate the magnitude of omitted spending from the
official People’s Republic of China defense budget informa-
tion.

(d) SUBMISSION TO SECRETARY OF DEFENSE.—

(1) SUBMISSION.—Not later than one year after
the date of the enactment of this Act, the entity that
conducts the study under subsection (a) shall submit
to the Secretary of Defense a report containing the
findings of such study.

(2) FORM.—The report under paragraph (1)
shall be submitted in unclassified form, but may in-
clude a classified annex.
(e) Submission to Congress.—Not later than 30 days after the date on which the Secretary receives the report under subsection (d), the Secretary shall submit to the congressional defense committees such report (without change), together with any comments of the Secretary with respect to such report.

SEC. 1316. DETERMINATION ON INVOLVEMENT OF THE PRC IN THE MEXICAN FENTANYL TRADE.

Not later than 1 year after the date of the enactment of this Act, the Secretary of Defense shall certify to the Committees on Armed Services of the Senate and the House of Representatives whether officials in the Government of the People’s Republic of China assisted in, or approved with knowledge of the recipient, the transportation of pill presses, fentanyl products, or fentanyl precursors to 1 or more Mexican drug cartels.

TITLE XIV—OTHER AUTHORIZATIONS

Subtitle A—Military Programs

SEC. 1401. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2024 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4501.
SEC. 1402. CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE.

(a) Authorization of Appropriations.—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2024 for expenses, not otherwise provided for, for Chemical Agents and Munitions Destruction, Defense, as specified in the funding table in section 4501.

(b) Use.—Amounts authorized to be appropriated under subsection (a) are authorized for—

(1) the destruction of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521); and

(2) the destruction of chemical warfare materiel of the United States that is not covered by section 1412 of such Act.

SEC. 1403. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2024 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4501.
SEC. 1404. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2024 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4501.

SEC. 1405. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for fiscal year 2024 for the Defense Health Program for use of the Armed Forces and other activities and agencies of the Department of Defense for providing for the health of eligible beneficiaries, as specified in the funding table in section 4501.

Subtitle B—Other Matters

SEC. 1411. EXPANSION OF NATIONAL DEFENSE STOCKPILE REQUIREMENTS FOR ERA OF GREAT POWER COMPETITION.

(a) DECLARATION OF PURPOSES.—Section 2 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98a) is amended by adding at the end the following new subsection:

“(d) The quantities of strategic and critical materials stockpiled under this Act should be sufficient—

“(1) during the period beginning on January 1, 2025, and ending on December 31, 2027, to meet the national defense needs of the United States for a pe-
riod of not less than two years during a national emergency necessitating the total mobilization of the economy of the United States for a sustained conventional global war of indefinite duration; and

“(2) on and after January 1, 2028, to meet the national defense needs of the United States, for a period of not less than three years during a national emergency described in paragraph (1).”.

(b) NATIONAL EMERGENCY PLANNING ASSUMPTIONS.—Section 14(b) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h–5(b)) is amended—

(1) by redesignating paragraphs (1) through (7) as subparagraphs (A) through (G), respectively;

(2) by designating the matter preceding subparagraph (A), as redesignated by paragraph (1), as paragraph (1);

(3) in paragraph (1), as designated by paragraph (2), by striking the second sentence; and

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

“(2) For purposes of paragraph (1), the Secretary shall base the national emergency planning assumptions on—

“(A) during the period beginning on January 1, 2025, and ending on December 31, 2027,
a military conflict scenario requiring the total mobilization of the economy of the United States for a sustained conventional global war for a period of not less than two years; and

“(B) on and after January 1, 2028, a military conflict scenario requiring the total mobilization of the economy of the United States for a sustained conventional global war for a period of not less than three years.”.

SEC. 1412. MEMBERSHIP OF COAST GUARD ON STRATEGIC MATERIALS PROTECTION BOARD.

Section 10(b) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h-1(b)) is amended by adding at the end the following:

“(6) A senior official of the Coast Guard, as designated by the Secretary of the agency or department in which the Coast Guard operates, only with respect to matters of the Board relating to the Coast Guard.”.

SEC. 1413. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY DEMONSTRATION FUND FOR CAPTAIN JAMES A. LOVELL HEALTH CARE CENTER, ILLINOIS.

(a) AUTHORITY FOR TRANSFER OF FUNDS.—Of the funds authorized to be appropriated for section 1405 and
available for the Defense Health Program for operation and
maintenance, $172,000,000 may be transferred by the Sec-
retary of Defense to the Joint Department of Defense–De-
partment of Veterans Affairs Medical Facility Demonstra-
tion Fund established by subsection (a)(1) of section 1704
of the National Defense Authorization Act for Fiscal Year
2010 (Public Law 111–84; 123 Stat. 2571). For purposes
of subsection (a)(2) of such section 1704, any funds so
transferred shall be treated as amounts authorized and ap-
propriated specifically for the purpose of such a transfer.

(b) USE OF TRANSFERRED FUNDS.—For the purposes
of subsection (b) of such section 1704, facility operations
for which funds transferred under subsection (a) may be
used are operations of the Captain James A. Lovell Federal
Health Care Center, consisting of the North Chicago Vet-
erans Affairs Medical Center, the Navy Ambulatory Care
Center, and supporting facilities designated as a combined
Federal medical facility under an operational agreement
covered by section 706 of the Duncan Hunter National De-
fense Authorization Act for Fiscal Year 2009 (Public Law
SEC. 1414. AUTHORIZATION OF APPROPRIATIONS FOR ARMED FORCES RETIREMENT HOME.

There is hereby authorized to be appropriated for fiscal year 2024 from the Armed Forces Retirement Home Trust Fund the sum of $77,000,000 of which—

(1) $68,060,000 is for operating expenses; and

(2) $8,940,000 is for capital maintenance and construction.

TITLE XV—CYBERSPACE-RELATED MATTERS
Subtitle A—Cyber Matters

SEC. 1501. HARMONIZATION AND CLARIFICATION OF STRATEGIC CYBERSECURITY PROGRAM AND RELATED MATTERS.

(a) Harmonization and Clarification.—

(1) In General.—Chapter 19 of title 10, United States Code, is amended by inserting after section 391a the following new section:

“§ 391b. Strategic Cybersecurity Program

“(a) In General.—(1) There is a program to be known as the ‘Strategic Cybersecurity Program’ (in this section referred to as the ‘Program’) to ensure the ability of the Department of Defense to conduct the most critical military missions of the Department.

“(2) The Secretary of Defense shall designate a principal staff assistant from within the Office of the Secretary
of Defense whose office shall serve as the office of primary responsibility for the Program, providing policy, direction, and oversight regarding the execution of the responsibilities of the program manager selected pursuant to subsection (c)(1).

“(b) MEMBERSHIP.—In addition to the office of primary responsibility for the Program under subsection (a)(2) and the program manager selected pursuant to subsection (c)(1), membership in the Program shall include the following:

“(1) The Vice Chairman of the Joint Chiefs of Staff.

“(2) The Commanders of the United States Cyber Command, United States European Command, United States Indo-Pacific Command, United States Northern Command, United States Strategic Command, United States Space Command, United States Transportation Command.

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

“(4) The Under Secretary of Defense for Policy.

“(5) The Chief Information Officer of the Department of Defense.

“(6) The chief information officers of the military departments.
“(7) The Principal Cyber Advisor of the Department of Defense.

“(8) The Principal Cyber Advisors of the military departments.

“(9) Each senior official identified pursuant to subsection (i) of section 1647 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1118).

“(c) Program Office.—(1) There is in the Cybersecurity Directorate of the National Security Agency a program office to support the Program by identifying threats to, vulnerabilities in, and remediations for, the missions and mission elements specified in subsection (d)(1). Such program office shall be headed by a program manager selected by the Director of the National Security Agency.

“(2) The Chief Information Officer of the Department of Defense, in exercising authority, direction, and control over the Cybersecurity Directorate of the National Security Agency, shall ensure that the program office under paragraph (1) is responsive to the requirements and direction of the program manager selected pursuant to such paragraph.

“(3) The Secretary may augment the personnel assigned to the program office under paragraph (1) by assigning personnel as appropriate from among members of any
covered armed force (including the reserve components thereof), civilian employees of the Department of Defense (including the Defense Intelligence Agency), and personnel of the research laboratories of the Department of Defense, who have particular expertise in the areas of responsibility referred to in subsection (d).

“(d) DESIGNATION OF MISSION ELEMENTS OF PROGRAM.—(1) The Under Secretary of Defense for Policy, the Under Secretary of Defense for Acquisition and Sustainment, and the Vice Chairman of the Joint Chiefs of Staff shall identify and designate for inclusion in the Program all of the systems, critical infrastructure, kill chains, and processes, including systems and components in development, that comprise the following military missions of the Department of Defense:

“(A) Nuclear deterrence and strike.

“(B) Select long-range conventional strike missions germane to the warfighting plans of the United States European Command and the United States Indo-Pacific Command.

“(C) Offensive cyber operations.

“(D) Homeland missile defense.

“(2) The Vice Chairman of the Joint Chiefs of Staff shall coordinate the identification and prioritization of the missions and mission components, and the development and
approval of requirements relating to the cybersecurity of the
missions and mission components, of the Program.

“(e) ADDITIONAL RESPONSIBILITIES OF HEAD OF OF-
FICE OF PRIMARY RESPONSIBILITY.—In addition to pro-
viding policy, direction, and oversight as specified in sub-
section (a)(2), the head of the office of primary responsi-
bility for the Program designated under such subsection
shall be responsible for overseeing and providing direction
on any covered statutory requirement that is ongoing, re-
current (including on an annual basis), or unfulfilled, in-
cluding by—

“(1) reviewing any materials required to be sub-
mitted to Congress under the covered statutory re-
quirement prior to such submission; and

“(2) ensuring such submissions occur by the ap-
plicable deadline under the covered statutory require-
ment.

“(f) RESPONSIBILITIES OF PROGRAM MANAGER.—The
program manager selected pursuant to subsection (c)(1)
shall be responsible for the following:

“(1) Conducting end-to-end vulnerability assess-
ments of the missions of the Program and the con-
stituent systems, infrastructure, kill chains, and proc-
esses thereof.
“(2) Prioritizing and facilitating the remediation of identified vulnerabilities in such constituent systems, infrastructure, kill chains, and processes.

“(3) Conducting, prior to the Milestone B approval for any proposed such system or infrastructure germane to the missions of the Program, appropriate reviews of the acquisition and system engineering plans for that proposed system or infrastructure, in accordance with the policy and guidance of the Under Secretary of Defense for Acquisition and Sustainment regarding the components of such reviews and the range of systems and infrastructure to be reviewed.

“(4) Advising the Secretaries of the military departments, the commanders of the combatant commands, and the Joint Staff on the vulnerabilities and cyberattack vectors that pose substantial risk to the missions of the Program and their constituent systems, critical infrastructure, kill chains, or processes.

“(5) Ensuring that the Program builds upon (including through the provision of oversight and direction by the head of the office of primary responsibility for the Program pursuant to subsection (e), as applicable), and does not duplicate, other efforts of the Department of Defense relating to cybersecurity, including the following:


“(C) The activities of the cyber protection teams of the Department of Defense.

“(g) Responsibilities of Secretary of Defense.—The Secretary of Defense shall define and issue guidance on the roles and responsibilities for components of the Department of Defense other than those specified in this section with respect to the Program, including—

“(1) the roles and responsibilities of the acquisition and sustainment organizations of the military departments in supporting and implementing remedial actions;

“(2) the alignment of Cyber Protection Teams with the prioritized missions of the Program;
“(3) the role of the Director of Operational Test and Evaluation in conducting periodic assessments, including through red teams, of the cybersecurity of missions in the Program; and

“(4) the role of the Principal Cyber Adviser in coordinating and monitoring the execution of the Program.

“(h) ANNUAL REPORTING.—Not later than December 31 of each year, the head of the office of primary responsibility for the Program, in coordination with the appropriate members of the Program under subsection (b), shall submit to the congressional defense committees an annual report on the efforts carried out pursuant to this section or any covered provision of law, including with respect to such efforts concerning—

“(1) the evaluation of cyber vulnerabilities of each major weapon system of the Department of Defense and related mitigation activities under section 1647 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1118);

“(2) the evaluation of cyber vulnerabilities of the critical infrastructure of the Department of Defense under section 1650 of the National Defense Authoriza-
tion Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 2224 note);

“(3) operational technology and the mapping of mission-relevant terrain in cyberspace under 1505 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 394 note);

“(4) the assessments of the vulnerabilities to and mission risks presented by radio-frequency enabled cyber attacks with respect to the operational technology embedded in weapons systems, aircraft, ships, ground vehicles, space systems, sensors, and datalink networks of the Department of Defense under section 1559 of the National Defense Authorization Act for Fiscal Year 2023; and

“(5) the work of the Program in general, including information relating to staffing and accomplishments.

“(i) ANNUAL BUDGET DISPLAY.—(1) On an annual basis for each fiscal year, concurrently with the submission of the budget of the President for that fiscal year under section 1105(a) of title 31, United States Code, the head of the office of primary responsibility for the Program, in coordination with the appropriate members of the Program under subsection (b), shall submit to the congressional defense committees a consolidated budget justification display
that covers all programs and activities associated with this section and any covered provision of law, including with respect to the matters listed in subsection (h).

“(2) Each display under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

“(j) DEFINITIONS.—In this section:

“(1) The term ‘covered armed force’ means the Army, Navy, Air Force, Marine Corps, or Space Force.

“(2) The term ‘covered statutory requirement’ means a requirement under any covered provision of law.

“(3) The term ‘covered provision of law’ means the following:


“(D) Section 1559 of the National Defense Authorization Act for Fiscal Year 2023.”.

(2) CONFORMING AMENDMENTS.—

(A) REPEAL OF DUPLICATE BRIEFING REQUIREMENT.—Section 1647 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1118) is amended—

(i) by striking subsection (c); and

(ii) by redesignating subsections (d) through (j) as subsections (c) through (i), respectively.

(B) REPEAL OF ADDITIONAL DUPLICATE BRIEFING REQUIREMENT.—Section 1650 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 2224 note) is amended—

(i) by striking subsection (d); and

(ii) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively.

(C) REPEAL OF DUPLICATE PROVISION RELATING TO STRATEGIC CYBERSECURITY PROGRAM.—Section 1640 of the National Defense
Authorization Act for Fiscal Year 2018 (Public
Law 115–9; 10 U.S.C. 2224 note) is repealed.

(D) Repeal of duplicate budget re-
quirement.—Section 1637 of the John S.
McCain National Defense Authorization Act for
Fiscal Year 2019 (Public Law 115–232; 10
U.S.C. 221 note) is repealed.

(E) Repeal of duplicate reporting re-
quirement.—Section 1505 of the National De-
fense Authorization Act for Fiscal Year 2022
(Public Law 117–81; 10 U.S.C. 394 note) is
amended—

(i) by striking subsection (h); and

(ii) by redesignating subsections (i)
and (j) as subsections (h) and (i), respec-
tively.

(F) Repeal of additional duplicate
briefing requirement; removal of ref-
erence to repealed provision.—Section
1559 of the James M. Inhofe National Defense
Authorization Act for Fiscal Year 2023 is
amended—

(i) by striking “, section 1637 of the
John S. McCain National Defense Author-
ization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 221 note),”; and
(ii) by striking subsection (f).

(b) Report Required.—Not later than 180 days after the date of the enactment of this Act, the head of the office of primary responsibility for the Strategic Cybersecurity Program under section 391b of title 10, United States Code, as added by subsection (a), shall submit to the congressional defense committees a report setting forth the plan of the head to harmonize and interlink the annual reporting and annual budget display requirements under subsections (h) and (i) of such section, respectively, to ensure unity and a lack of duplication in such efforts.

SEC. 1502. OFFICE FOR ACADEMIC ENGAGEMENT RELATING TO CYBER ACTIVITIES.

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

“§2192c. Office for academic engagement relating to cyber activities

“(a) Establishment.—The Secretary of Defense, acting through the Chief Information Officer of the Department of Defense, shall establish an office to establish, maintain, and oversee any activities of the Department of Defense that pertain to the relationship between the Depart-

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ment and academia, including with entities involved in primary, secondary, or postsecondary education, with respect to cyber-related matters (in this section referred to as the ‘Office’).

“(b) DIRECTOR.—The Office shall have a Director who shall report directly to the Chief Information Officer of the Department of Defense. An individual serving as Director shall, while so serving, be a member of the Senior Executive Service.

“(c) RESPONSIBILITIES.—(1) The Office shall be responsible for the following:

“(A) Serving as the consolidated focal point for engagements carried out between the Department of Defense and academia with respect to cyber-related matters.

“(B) Coordinating covered academic engagement programs for the Department of Defense.

“(C) Conducting ongoing analysis, as determined necessary by the Director, of the performance of cyber-related educational scholarships, camps, support efforts, and volunteer partnerships of the Department of Defense.

“(D) Identifying actions the Secretary of Defense may take to improve the cyber skills of personnel within the Department of Defense through participa-
tion by such personnel in covered academic engagement programs, for the purposes of assisting the Secretary in cyber-related matters and meeting the long-term national defense needs of the United States for personnel proficient in such skills.

“(E) Managing funds and resources for the National Centers for Academic Excellence in Cybersecurity program, the Department of Defense Cyber Scholarship Program, the National Defense University College of Information and Cyberspace, the University Consortium for Cybersecurity, and the senior military colleges.

“(F) Establishing requirements, policies, and procedures to collect data on, and to monitor and evaluate, the performance of covered academic engagement programs with respect to the involvement in such programs by the Department of Defense.

“(G) Monitoring and evaluating through applicable performance measurements (including those established pursuant to subparagraph (F)) the performance of covered academic engagement programs with respect to the involvement in such programs by the Department of Defense, and advising the Secretary of Defense on whether to continue, modify, or terminate such involvement.
“(H) Making budgetary determinations, taking into consideration the findings of performance evaluations under subparagraph (G), with respect to—

“(i) the involvement in covered academic engagement programs by the Department of Defense; and

“(ii) other matters relating to the responsibilities under this subsection.

“(2) Notwithstanding any provision of law to the contrary, the Office shall be the office of primary responsibility for carrying out, among other legislative provisions, the following:


“(d) Authority relating to compliance.—The Secretary of Defense shall take such steps as may be necessary to ensure that the Director of the Office has sufficient authority to compel and enforce compliance with any deci-
sions or directives issued pursuant to the responsibilities
under subsection (b).

“(e) ADDITIONAL AUTHORITIES.—In carrying out this
section, the Director of the Office may, under any provision
of this chapter or any other provision of this title providing
for the support of educational programs in cyber-related
matters (and unless otherwise specified in such provi-
sion)—

“(1) enter into contracts and cooperative agree-
ments;

“(2) make grants of financial assistance;

“(3) provide cash awards and other items;

“(4) accept voluntary services; and

“(5) support national competition judging, other
educational event activities, and associated award
ceremonies in connection with covered academic en-

gagement programs.

“(f) RELATIONSHIP TO OTHER ENTITIES.—The Under
Secretary of Defense for Research and Engineering and the
Secretaries concerned shall coordinate and collaborate with
the Director of the Office on covered academic engagement
programs sponsored by the Under Secretary as Science,
Technology, Engineering, and Mathematics (STEM) pro-
grams and activities.
“(g) Covered Academic Engagement Program Defined.—In this section, the term ‘covered academic engagement program’ means any of the following:

“(1) A primary, secondary, or post-secondary educational program with a cyber focus.

“(2) A program of the Department of Defense for the recruitment or retention of cyberspace civilian and military personnel, including scholarship programs.

“(3) An academic partnership focused on establishing cyber talent among the personnel referred to in paragraph (2).”.

(b) Deadline for Establishment.—The Secretary of Defense shall establish the office under section 2192c of title 10, United States Code, as added by subsection (a), by not later than 270 days after the date of the enactment of this Act.


Section 1521(a) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 2224 note) is amended—

(1) by redesignating paragraph (6) as paragraph (7);
(2) in paragraph (7), as so redesignated, by striking “(1) through (5)” and inserting “(1) through (6)”;
and
(3) by inserting after paragraph (5) the following new paragraph:
“(6) Evaluating emerging cyber technologies, such as artificial intelligence-enabled security tools, for efficacy and applicability to the requirements of the Department of Defense.”.

SEC. 1504. AUTHORITY TO ESTABLISH PROGRAM OF UNITED STATES CYBER COMMAND ON DARK WEB AND DEEP WEB ANALYSIS TOOLS.

(a) In General.—The Commander of the United States Cyber Command, pursuant to the authority provided under section 167b(d) of title 10, United States Code, may establish within such Command a program, or augment an existing such program, to integrate into the packages of tools distributed to the combatant commands tools for the analysis of information from locations on the Internet referred to as the “dark web” and “deep web”.

(b) Elements.—Under the program established or augmented under subsection (a), the Commander may—

(1) develop a comprehensive and tailored approach to the use of open-source intelligence tools for the analysis and distribution of information collected
from the locations on the Internet described in subsection (a);

(2) develop and validate technical requirements relating to such collection, analysis, and distribution, including with respect to data fidelity and data provenance;

(3) assess and acquire technologies to—

(A) collect information from the locations specified in paragraph (1); and

(B) analyze and, as appropriate, distribute such information; and

(4) enable the cross-organizational sharing of such information across the Department of Defense.

(c) ROLE OF ASSISTANT SECRETARY OF DEFENSE FOR CYBER POLICY.—Consistent with section 167b(d) of such title, the Commander shall implement this section subject to the authority, direction, and control of the Assistant Secretary of Defense for Cyber Policy.

SEC. 1505. MILITARY CYBERSECURITY COOPERATION WITH TAIWAN.

(a) REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, acting through the Under Secretary of Defense for Policy, in concurrence with the Secretary of State and in coordination with the Commander of the United States Cyber Com-
mand and the Commander of the United States Indo-Pa-
cific Command, shall seek to cooperate with the Ministry
of Defense of Taiwan on defensive military cybersecurity
activities.

(b) IDENTIFICATION OF ACTIVITIES.—In cooperating
on defensive military cybersecurity activities with the Min-
istry of Defense of Taiwan under subsection (a), the Sec-
retary of Defense may carry out efforts to identify coopera-
tive activities to—

(1) defend military networks, infrastructure, and
systems;

(2) counter malicious cyber activity that has
compromised such military networks, infrastructure,
and systems;

(3) leverage United States commercial and mili-
tary cybersecurity technology and services to harden
and defend such military networks, infrastructure,
and systems; and

(4) conduct combined cybersecurity training ac-
tivities and exercises.

(c) BRIEFINGS.—

(1) REQUIREMENT.—Not later than 180 days
after the date of the enactment of this Act, the Sec-
retary of Defense, in coordination with the Secretary
of State, shall provide to the appropriate congres-
sional committees a briefing on the implementation of this section.

(2) CONTENTS.—The briefing under paragraph (1) shall include the following:

(A) A description of the feasibility and advisability of cooperating with the Ministry of Defense of Taiwan on the defensive military cybersecurity activities identified pursuant to subsection (b).

(B) An identification of any challenges and resources that would be needed to addressed to conduct such cooperative activities.

(C) An overview of efforts undertaken pursuant to this section.

(D) Any other matters the Secretary determines relevant.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives; and

(2) the Committee on Armed Services and the Committee on Foreign Relations of the Senate.
Subtitle B—Personnel

SEC. 1521. AUTHORITY TO ACCEPT VOLUNTARY AND UNCOMPENSATED SERVICES FROM CYBERSECURITY EXPERTS.

(a) AUTHORITY.—Section 167b(d) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(4) The Commander of the United States Cyber Command may accept voluntary and uncompensated services from cybersecurity experts, notwithstanding the provisions of section 1342 of title 31, and may delegate such authority to the chiefs of the armed forces.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

Section 167b of such title, as amended by subsection (a), is further amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking “referred to as the ‘cyber command’” and inserting “referred to as the ‘United States Cyber Command’”; and

(B) in paragraph (2), by striking “Cyber Command” and inserting “United States Cyber Command”;
(2) in subsection (b), by striking “Cyber Command” each place it appears and inserting “United States Cyber Command”;

(3) in subsections (c) and (d)—

(A) by striking “cyber command” each place it appears and inserting “United States Cyber Command”;

(B) by striking “commander of the” each place it appears and inserting “Commander of the”; and

(C) by striking “commander of such command” each place it appears and inserting “Commander of such Command”; and

(4) in subsection (d)(3)(C), by striking “of the commander” and inserting “of the Commander”.

SEC. 1522. MATTERS RELATING TO MANAGEMENT OF UNITED STATES MARINE CORPS CYBERSPACE OPERATIONS OFFICERS.

(a) REQUIRED SERVICE.—Section 651(c) of title 10, United States Code, is amended—

(1) in paragraph (1), by inserting “or in the case of an unrestricted officer designated within a cyberspace occupational specialty” before the closing period; and

(2) in paragraph (2)—
(A) in subparagraph (A), by striking ‘‘; or’’
and inserting a semicolon;

(B) in subparagraph (B), by striking the
closing period and inserting ‘‘; or’’; and

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

‘‘(C) in the case of an unrestricted officer who
has been designated with a cyberspace occupational
specialty, the period of obligated service specified in
such contract or agreement.’’.

(b) Minimum Service Requirement for Certain
Cyberspace Occupational Specialties.—Chapter 37 of
title 10, United States Code, is amended by adding at the
end the following new section:

§ 658. Minimum service requirement for certain
cyberspace occupational specialties

‘‘(a) Cyberspace Operations Officer.—The min-
imum service obligation for any member who successfully
completes training in the armed forces in direct accession
to the cyberspace operations officer occupational specialty
of the Marine Corps shall be eight years.

‘‘(b) Service Obligation Defined.—In this section,
the term ‘‘service obligation’’ means the period of active duty
or, in the case of a member of a reserve component who
completed cyberspace operations training in an active duty
for training status as a member of a reserve component, the period of service in an active status in the Selected Reserve, required to be served after completion of cyberspace operations training.”

**SEC. 1523. MODIFICATIONS TO RATES OF PAY FOR CERTAIN CYBER-RELATED POSITIONS OF DEPARTMENT OF DEFENSE.**

Section 1599f of title 10, United States Code, is amended—

(1) in the heading, by striking “United States Cyber Command” and inserting “Department of Defense cyber”;

(2) in subsection (a)(1)(A), by striking “responsibilities of the United States Cyber Command” and all that follows and inserting “cyber mission of the Department of Defense;”;

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

“(b) BASIC PAY; SPECIAL RATES OF PAY.—(1) The Secretary shall fix the rates of basic pay for any qualified position established under subsection (a) in relation to the rates of pay provided for employees in comparable positions in the Department.
“(2)(A) Notwithstanding part III of title 5, the Secretary may, for one or more categories of qualified positions that require cyber expertise—

“(i) establish higher minimum rates of pay than those established under paragraph (1); and

“(ii) make corresponding increases in all rates of pay of the pay range for each grade or level, subject to paragraph (3) or (4).

“(B) The rates of pay under subparagraph (A) shall be basic pay for the same purposes specified in section 5305(j) of title 5.

“(3) Except as provided in paragraph (4), a minimum rate of pay established for a category of positions under paragraph (2) may not exceed the maximum rate of basic pay (excluding any locality-based comparability payment under section 5304 of title 5 or similar provision of law) for the position in that category of positions without the authority of paragraph (1) by more than 30 percent, and no rate may be established under this section in excess of the rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5.

“(4)(A) Notwithstanding paragraph (3), the Secretary may establish higher annual limitations on special rates of pay for positions or employees selected by the Secretary as follows:
“(i) With respect to a qualified position that requires cyber expertise for which the Secretary determines a higher rate is necessary, a rate of pay not to exceed the rate of basic pay payable for level II of the Executive Schedule under section 5313 of title 5.

“(ii) With respect to an individual that the Secretary determines, by name, possesses advanced skills and competencies and performs critical functions that execute the cyber mission of the Department, a rate not to exceed the rate of basic pay payable for the Vice President under section 104 of title 3.

“(B) Employees receiving a special rate under subparagraph (A) shall be subject to an aggregate pay limitation that parallels the limitation established in section 5307 of title 5, except that—

“(i) any allowance, differential, bonus, award, or other similar cash payment in addition to basic pay that is authorized under this title, the applicable provisions of title 5, or any other applicable law (excluding the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.)) shall be counted as part of aggregate compensation; and
“(ii) aggregate compensation may not exceed the rate established for the Vice President of the United States under section 104 of title 3.

“(C) The number of individuals who receive basic pay established under subparagraph (A)(ii) may not exceed 1000 at any time.

“(5) If the Secretary of Defense removes a category of positions from coverage under a rate of pay authorized by paragraph (2) or (4) after that rate of pay takes effect—

“(A) the Secretary of Defense shall provide notice of the loss of coverage of the special rate of pay to each individual in such category; and

“(B) the loss of coverage will take effect on the first day of the first pay period after the date of the notice.

“(6) Subject to the limitations in this subsection, rates of pay established under this subsection by the Secretary of Defense may be revised from time to time.”; and

(4) in subsection (k)(5), by striking “the responsibilities of the United States Cyber Command relating to cyber operations” and inserting “the cyber mission of the Department of Defense”.

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SEC. 1524. RESPONSIBILITY FOR CYBERSECURITY AND CRITICAL INFRASTRUCTURE PROTECTION OF THE DEFENSE INDUSTRIAL BASE.

Section 1724 of the National Defense Authorization Act for Fiscal Year 2021 (116–283; 10 U.S.C. 2224 note) is amended—

(1) in subsection (b), by striking “The Secretary of Defense shall designate the Principal Cyber Advisor of the Department of Defense” and inserting “Not later than 30 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024, the Secretary of Defense shall designate a principal staff assistant from within the Office of the Secretary of Defense who shall serve”;

(2) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking “the Principal Cyber Advisor of the Department of Defense” and inserting “the principal staff assistant designed under subsection (b)”;

(B) in paragraph (1), by striking “Sector Specific Agency” and inserting “Sector Risk Management Agency”;

(3) in subsection (d), by striking “Principal Cyber Advisor of the Department of Defense” and in-
serting “principal staff assistant designated under subsection (b)”;

and

(4) in subsection (e)—

(A) in the matter preceding paragraph (1), by striking “this Act” and inserting “the National Defense Authorization Act for Fiscal Year 2024”;

(B) in paragraph (2), by striking “Sector Specific Agency functions under Presidential Policy Directive-21 from non-cybersecurity Sector Specific Agency functions” and inserting “functions of a Sector Risk Management Agency pursuant to section 9002 of the National Defense Authorization Act for Fiscal Year 2021 (6 U.S.C. 652a) from non-cybersecurity functions of a Sector Risk Management Agency”; and

(C) by striking paragraph (3).

Subtitle C—Reports and Other Matters

SEC. 1531. OVERSIGHT FOR COMMAND POST COMPUTING ENVIRONMENT CONTRACT AWARD.

Not later than 14 days after the date on which the Secretary of the Army awards a contract for the procurement of the “Command Post Computing Environment” program, the Secretary shall provide to the congressional defense com-
mittees a written notification of the award, including an
identification of the criteria used in the selection of the
award recipient and any other information determined nec-
essary by the Secretary.

SEC. 1532. PROHIBITION ON AVAILABILITY OF FUNDS RE-
LATING TO CENSORSHIP OR BLACKLISTING
OF NEWS SOURCES BASED ON SUBJECTIVE
CRITERIA OR POLITICAL BIASES.

(a) Prohibition on Availability of Funds.—None
of the funds authorized to be appropriated by this Act or
otherwise made available for any fiscal year for the Depart-
ment of Defense may be obligated or expended to—
(1) enter into any contract or other agreement
with any entity described in subsection (b) or with
any advertising or marketing agency that uses the
functions described in subsection (b)(4) of such an en-
tity; or
(2) provide any form of support to an entity de-
scribed in subsection (b).

(b) Entities Described.—The entities described in
this subsection are the following:
(1) NewsGuard Technologies Inc., or any com-
pany owned or controlled by such entity.
(2) The Global Disinformation Index, incorporated in the United Kingdom as “Disinformation Index LTD”.

(3) Graphika Technologies Inc. or any company owned or controlled by such entity.

(4) Any other entity the function of which is to advise the censorship or blacklisting of news sources based on subjective criteria or political biases, under the stated function of “fact checking” or otherwise removing “misinformation”.

(c) Certification Requirement.—Prior to the Secretary of Defense entering into any contract or other agreement (or extending, renewing, or otherwise modifying an existing contract or other agreement) with an entity for the purpose of that entity implementing military recruitment advertisements on behalf of the Department of Defense, the Secretary shall require, as a condition of such contract or agreement, that the entity certify to the Secretary that the entity is in compliance with subsection (a).

SEC. 1533. GAO REVIEW OF CYBERSPACE OPERATIONS MANAGEMENT.

(a) Review.—Not later than 150 days after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a comprehensive review of the management by the Secretary of Defense of matters relating
to the conduct of, and preparation for, cyberspace oper-
ations.

(b) ELEMENTS.—The review under subsection (a) shall include an evaluation and assessment by the Comptroller General of the following:

(1) The number of commands, organizations, units, and personnel (including an identification of the rank and grade thereof) responsible for conducting cyberspace operations across the Department of Defense.

(2) The command and control relationships associated with such commands, organizations, units, and personnel.

(3) The number of command staff, secretariats, organizations, units, and personnel (including an identification of the rank and grade thereof) with any responsibility for budgetary, personnel, policy, or training matters, including the management of such matters, affecting cyberspace operations across the Department of Defense.

(4) The ratio of personnel specified in paragraph (1) determined to be fully trained and qualified, as defined by the Commander of the United States Cyber Command, relative to the total number of such personnel assigned to operational billets.
(5) The ratio of personnel specified in paragraph (3), relative to the total number of personnel assigned to billets within the Cyber Mission Force of the United States Cyber Command.

(6) How the ratio determined pursuant to paragraph (5) with respect to the personnel described in such paragraph compares to such ratio with respect to personnel in other warfighting disciplines, such as air-to-air combat, infantry operations, or long range fires.

(7) An assessment of potential duplication in effort or cost between the various entities specified in paragraph (3) with any responsibility for budgetary, personnel, policy, or training matters, including the management of such matters, affecting cyberspace operations across the Department of Defense.

(8) The extent to which there is a senior official of the Department of Defense who is accountable to the Secretary of Defense to ensure that the Department of Defense has an effective and efficient force structure, and has trained and ready forces, necessary to conduct cyberspace operations at all echelons (including strategic, operational, and tactical echelons).

(9) Any other matters the Comptroller General determines appropriate.
(c) COMPONENTS TO BE CONSIDERED.—In carrying out the review under subsection (a), the Comptroller General shall take into consideration, at a minimum, the following:

(1) Office of the Department of Defense Principal Cyber Advisor.

(2) Office of the Department of Defense Chief Information Officer.

(3) Office of the Deputy Assistant Secretary of Defense for Cyber Policy.


(5) Office of the Director, Command, Control, Communications and Computers/Cyber and Chief Information Officer, J-6, Joint Staff.

(6) Office of the Department of the Army Principal Cyber Advisor.

(7) Office of the Army Deputy Chief of Staff, G-3/5/7.

(8) Office of the Army Deputy Chief of Staff, G-2.

(9) Office of the Army Deputy Chief of Staff, G-6.

(10) United States Army Training & Doctrine Command.
(11) United States Army Cyber Command.

(12) Office of the Department of the Navy Principal Cyber Advisor.

(13) Office of the Deputy Chief of Naval Operations for Information Warfare.

(14) United States Fleet Forces Command.

(15) Naval Information Forces.

(16) United States Fleet Cyber Command.

(17) Office of the Department of the Air Force Principal Cyber Advisor.

(18) Office of the Deputy Chief of Staff for Intelligence, Surveillance, Reconnaissance, and Cyber Effects Operations, A2/6, Air Staff.

(19) Air Combat Command.

(20) 16th Air Force.

(21) Office of the United States Marine Corps Deputy Commandant for Information.

(22) Marine Corps Forces Cyberspace Command.

(23) Office of the Deputy Chief of Space Operations for Operations, Cyber, and Nuclear, Space Staff.

(d) INTERIM BRIEFINGS.—Not later than 45 days after the date of the enactment of this Act, and every 45 days thereafter until the date of the final submission under subsection (e), the Comptroller General shall provide to the con-
gressional defense committees interim briefings on the assessment under subsection (a).

(e) Final Submission of Results.—The Comptroller General shall submit to the congressional defense committees the final results of the assessment under subsection (a) in such form and at such time as may be mutually agreed upon by the Comptroller General and the committees.

SEC. 1534. STUDY ON OCCUPATIONAL RESILIENCY OF CYBER MISSION FORCE.

(a) Study.—Not later than 180 days after the date of the enactment of this Act, the Principal Cyber Advisor of the Department of Defense and the Undersecretary of Defense for Personnel and Readiness, in coordination with the principal cyber advisors of the military departments and the Commander of the United States Cyber Command, shall conduct a study on the personnel and resources required to enhance and support the occupational resiliency of the Cyber Mission Force.

(b) Elements.—The study under subsection (a) shall include the following:

(1) An inventory of the resources and programs available to personnel assigned to the Cyber Mission Force, disaggregated by Armed Force and location.
(2) An assessment of the risk to the occupational resiliency of such personnel relative to the respective operational work role within the Cyber Mission Force (as defined by the Commander of the United States Cyber Command) and the number of such personnel available to perform operations in each such category of operational work role.

(3) An evaluation of the extent to which personnel assigned to the Cyber Mission Force have been made aware of the resources and programs referred to in paragraph (1), and of measures required to improve such awareness.

(4) A determination by the Commander of the United States Cyber Command regarding the adequacy and accessibility of such resources and programs for personnel assigned to the Cyber Mission Force.

(5) Such other matters as may be determined necessary by the Principal Cyber Advisor of the Department of Defense and the Undersecretary of Defense for Personnel and Readiness.

(c) SUBMISSION TO CONGRESS.—Upon completing the study under subsection (a), the Principal Cyber Advisor of the Department of Defense and the Undersecretary of Defense for Personnel and Readiness shall submit to the con-
gressional defense committees a report containing the re-
sults of such study.

(d) OCCUPATIONAL RESILIENCY DEFINED.—In this
section, the term “occupational resiliency” means, with re-
spect to personnel assigned to the Cyber Mission Force, the
ability of such personnel to mitigate the unique psycho-
logical factors that contribute to the degradation of mental
health and job performance under such assignment.

TITLE XVI—SPACE ACTIVITIES,
STRATEGIC PROGRAMS, AND
INTELLIGENCE MATTERS
Subtitle A—Space Activities
SEC. 1601. CLASSIFICATION REVIEW OF SPACE MAJOR DE-
FENSE ACQUISITION PROGRAMS.

Chapter 135 of title 10, United States Code, is amend-
ed by inserting after section 2275a the following new sec-
tion:

“§2275b. Requirements for appropriate classification
guidance.

“(a) IN GENERAL.—Before a space major defense ac-
quision program achieves Milestone B approval, or equiv-
alent, the milestone decision authority shall determine
whether the classification guidance for the program remains
appropriate and—
“(1) if such guidance is determined to be appropriate, submit to the congressional defense committees a certification of such determination; or

“(2) if such guidance is determined to be inappropriate, initiate an update to such guidance.

“(b) DEFINITIONS.—In this section:

“(1) The term ‘Milestone B approval’ has the meaning given such term in section 4172(e)(7) of this title.

“(2) The term ‘major defense acquisition program’ has the meaning given such term in section 4201 of this title.

“(3) The term ‘space major defense acquisition program’ means a major defense acquisition program for the acquisition of a satellite, ground system, or command and control system.”.

SEC. 1602. ENHANCED AUTHORITY TO INCREASE SPACE LAUNCH CAPACITY THROUGH SPACE LAUNCH SUPPORT SERVICES.

Chapter 135 of title 10, United States Code, is amended by inserting after section 2276 the following new section:
§ 2276b. Special authority for provision of space launch support services to increase space launch capacity

“(a) In General.—The Secretary of a military department, pursuant to the authorities in this section or any other provision of law, may increase Federal and commercial space launch capacity on any domestic real property under the control of the Secretary through the provision of space launch support services.

“(b) Provision of Launch Equipment and Services to Commercial Entities.—

“(1) Agreement Authority.—The Secretary concerned may enter into contracts or other transactions with commercial entities that intend to conduct space launch activities on a military installation under the jurisdiction of the Secretary. Any such agreement may include the provision of supplies, services, equipment, and construction needed for commercial space launch.

“(2) Agreement Costs.—

“(A) Direct Costs.—An agreement entered into under paragraph (1) shall include a provision that requires the commercial entity entering into the agreement to reimburse the Department of Defense for all direct costs to the United States that are associated with the goods,
services, and equipment provided to the commercial entity under the agreement.

“(B) INDIRECT COSTS.—In addition, the contract may include a provision that requires the commercial entity to reimburse the Department of Defense for such indirect costs as the Secretary concerned considers to be appropriate. In such a case, the contract may provide for the recovery of indirect costs through establishment of a rate, fixed price, or similar mechanism the Secretary concerned finds reasonable.

“(3) RETENTION OF FUNDS COLLECTED FROM COMMERCIAL USERS.—Amounts collected from a commercial entity pursuant to paragraph (2) shall be credited to the appropriation accounts under which the costs associated with the agreement (direct and indirect) were incurred.

“(c) DEFINITIONS.—In this section:

“(1) SPACE LAUNCH.—The term ‘space launch’ includes all activities, supplies, equipment, facilities, or services supporting launch preparation, launch, re-entry, recovery, and other launch-related activities for both the payload and the space transportation vehicle.

“(2) COMMERCIAL ENTITY.—The term ‘commercial entity’ or ‘commercial’ means a non-Federal enti-
ty organized under the laws of the United States or of any jurisdiction within the United States.

“(d) Transition Limitations and Reporting Requirements.—For fiscal years 2024, 2025, and 2026, the Secretary concerned shall—

“(1) limit indirect costs reimbursed pursuant to subsection (b)(2)(B) to no more than 30 percent, not to exceed $5,000,000 annually, of total direct cost reimbursements required under any agreement authorized by subsection (b); and

“(2) not later than 90 days after each such fiscal year, submit to each of the congressional defense committees a briefing that—

“(A) identifies total direct and indirect amount reimbursed to each spaceport for the prior fiscal year;

“(B) describes support provided by reimbursed indirect costs for the prior fiscal year; and

“(C) identifies indirect rate and analysis used to determine the indirect rate for the next fiscal year.”.
SEC. 1603. MODIFICATION TO PROHIBITION ON FOREIGN COMMERCIAL SATELLITE SERVICES.

Section 2279(a) of title 10, United States Code, is amended—

(1) in paragraph (2), by striking “or” at the end;

(2) in paragraph (3), by striking the period at the end and inserting “; or”; and

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

“(4) the foreign entity plans to or is expected to receive satellite communication services and data downlinked to ground stations located within sovereign territories shared via treaty with a covered foreign country.”.

SEC. 1604. AUTHORIZATION FOR ESTABLISHMENT OF THE NATIONAL SPACE INTELLIGENCE CENTER AS A FIELD OPERATING AGENCY.

Notwithstanding any other provision of law prohibiting the establishment of a field operating agency, the Secretary of the Air Force may establish the National Space Intelligence Center as a field operating agency of the Space Force to analyze and produce scientific and technical intelligence on space-based and counterspace threats from foreign adversaries.
SEC. 1605. LIMITATION ON USE OF FUNDS FOR WGS-12 SAT- ELLITE.

(a) Prohibition on Procurement Pending Certification Regarding Commercial Providers.—The Secretary of the Air Force may not issue a contract for the procurement of a WGS-12 satellite until the Assistant Secretary of the Air Force for Space Acquisitions and Integration submits to the congressional defense committees certification that the requirements established by the Department for the primary payload for the WGS-12 satellite cannot be met by a commercial provider.

(b) Prohibition on Operation or Launch.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2024 for the Department of Defense may be obligated or expended to operate or launch WGS-12 satellite.

SEC. 1606. LIMITATION ON USE OF FUNDS PENDING SUB- MISSION OF CERTAIN REPORTS ON SPACE POLICY.

(a) Findings.—Congress makes the following findings:

(1) Congress established the office of Assistant Secretary of Defense for Space Policy in 2019 at the same time as the Space Force was established.

(2) Despite elevating the position, the office has repeatedly not responded to mandates by Congress for unclassified reports on space policy topics.
(3) The threats to and from space by China and Russia have only increased since the establishment of the Assistant Secretary of Defense for Space Policy and the Space Force.

(4) The Secretary of Defense has yet to submit to the congressional defense committees the report required by section 1609(c) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 2271 note) or the report required by section 1611(c)(1) of such Act.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) it is concerning that the office of the Assistant Secretary of Defense for Space Policy has been given responsibility for issues not directly related to space policy, leading to the inability to complete the primary duty of the office.

(2) The United States should have a well-established and thoughtful national security space policy that can be discussed and debated in unclassified settings.

(3) Such a policy should be developed in conjunction with, and taking into consideration, other relevant national strategy documents, including reviews regarding nuclear and missile defense.
(c) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2024 for the Department of Defense for travel by the Assistant Secretary of Defense for Space Policy, not more than 90 percent may be obligated or expended until the Secretary of Defense submits both of the following reports:


(2) The report on the review of the space policy of the Department of Defense required by section 1611(c)(1) of such Act.

(d) UPDATES OF SPACE POLICY REPORT.—Section 1611(c) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) is amended by striking paragraph (2) and inserting the following new paragraph (2):

“(2) UPDATES.—The Secretary shall provide for updates to the assessments, analyses, and evaluations carried out pursuant to such review in conjunction with other national strategy documents, including reviews regarding nuclear and missile defense.”.
SEC. 1607. NATIONAL SECURITY SPACE LAUNCH PROGRAM

PHASE THREE ACQUISITION.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States Space Force must continue to ensure assured access to space through phase three of the national security space launch program;

(2) the acquisition strategy covered in the briefing provided to the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives in April 2023—

(A) includes a dual-lane approach that is consistent with increasing competition for launch services needed by the future national security space architecture; and

(B) balances introducing new launch providers and systems with meeting all required missions during the planned ordering period;

(3) as the Secretary of Defense, in consultation with the Director of National Intelligence, completes the final request for proposals, it should consider including funding for launch services support for lane 1 missions that require specific national security space launch requirements, such as the Global Positioning Services III F satellites that are intended to be included in the ordering period; and
(4) the Department should ensure that objective readiness requirements are met by launch service providers before basic award in either lane.

(b) PHASE THREE ACQUISITION STRATEGY.—In competitively awarding and executing the phase three acquisition strategy, the Secretary of the Air Force, in coordination with the Under Secretary of Defense for Acquisition and Sustainment, shall—

(1) maximize competition, to the extent practicable, for both lanes 1 and 2, as described in the briefing on the acquisition strategy provided to the Committee on Armed Services of the House of Representatives in April 2023;

(2) use lane 1 task or delivery order contracts to—

(A) launch national security space payloads that require launch systems capable of lifting a minimum of 20,000 pounds mass to 100 nautical miles; and

(B) provide opportunities for new and emerging launch providers or systems to compete for national security space launch missions as such providers and systems become ready;

(3) use lane 2, firm fixed-price indefinite delivery requirements contracts to—
(A) award contracts to national security space launch providers with launch systems that are capable of meeting all national security space launch design reference orbits; and

(B) launch national security space low-risk tolerant payloads that require full mission assurance that—

(i) are performed by the national security space launch program or

(ii) have unique national security space mission requirements; and

(4) in the case of any new or emerging national security space launch-class mission that is authorized for any of fiscal years 2025 through 2029 and is not identified in the phase three final request for proposals reference manifest contract—

(A) assign such mission to the lane 1 contract referred to in paragraph (2); or

(B) assign such mission to the lane 2 contract referred to in paragraph (3), if the Secretary determines that such a mission is has unique national security space or other Government requirements that could not be met if the mission were assigned to the lane 1 contract.
(c) Notification Requirement.—If the Secretary assigns a mission to the lane 2 contract pursuant to subsection (b)(4)(B), the Secretary shall submit to the congressional defense committees, the Permanent Select Committee on Intelligence of the House of Representatives, and the Select Committee on Intelligence of the Senate notification of such assignment and the reason for such assignment.

(d) Phase Three Acquisition Strategy Defined.—In this section, the term “phase three acquisition strategy” means the process through which the Secretary of the Air Force—

(1) enters into phase three contracts during fiscal year 2025;

(2) orders launch missions during fiscal years 2025 through 2029; and

(3) carries out such launches under the national security space launch program.

SEC. 1608. APPLICATION OF TNT EQUIVALENCY TO LAUNCH VEHICLES AND COMPONENTS USING METHANE PROPELLANT.

(a) Findings.—Congress finds the following:

(1) The United States Government supports having a robust space launch services market to support national security, civil, and commercial space activities.
(2) A majority of the new launch vehicles in development, testing, and operation in the United States utilize methane and liquid oxygen as their propellants (LOX/LNG or methalox).

(3) The United States Government has access to data and scientific modeling methods that support a TNT equivalency for methalox that is less than the default 100 percent TNT equivalency that is applied when no scientific data exists to characterize the explosive yield.

(4) The United States Government is not consistently applying data that supports a TNT equivalency of 25 percent at United States Government owned or licensed facilities.

(5) The United States Government has initiated a LOX-Methane Assessment (LMA) working group; however, the working group’s methodology is not grounded in launch vehicle designs or test and launch operations. Further, the working group’s efforts are expected to take no less than 3 years to complete and cost the United States taxpayer no less than $80,000,000.

(6) United States launch operators are incurring significant cost and diminished opportunities to oper-
ate as a result of the United States Government’s in-
consistent policy on methalox.

(7) The People’s Republic of China is already
launching orbital launch vehicles that utilize liquid
oxygen and methane.

(b) INTERIM EQUIVALENCY DETERMINATION.—Effec-
tive on the date of the enactment of this Act, the interim
determination of TNT equivalency applied to launch vehi-
cles and components of such vehicles using methane as pro-
pellant shall not exceed 25 percent for purposes of the explo-
sive siting and hazardous operations for test and operations
of such launch vehicles and their components on or from
any facility owned or licensed by the Federal Government.

(c) IMPROVED PROCESS FOR YIELD DETERMINA-
tions.—Not later than one year after the date of the enact-
ment of this Act, the Secretary of Defense, the Secretary
of Transportation, and the Administrator of the National
Aeronautics and Space Administration shall establish a
process through which scientifically-valid TNT equivalency
determinations can be assessed for launch vehicles while in
flight.

(d) CERTIFICATION AND REPORT.—Not later than 90
days after the completion of the joint assessment process
conducted by the LOX-Methane Assessment working group,
the Secretary of Defense, the Secretary of Transportation,
and the Administrator of the National Aeronautics and Space Administration shall submit to the appropriate congressional committees—

(1) a certification verifying that the Secretaries and the Administrator reviewed the results of such joint assessment process and have agreed upon a new TNT equivalency determination that will be applied by the Federal Government to launch vehicles and components of such vehicles using methane as propellant; and

(2) a report describing how the implementation of that new TNT equivalency determination is expected to affect commercial space launch activities and national security.

(e) SUNSET.—Subsection (b) shall have no force or effect after the expiration of the period of 180 days following the submittal of the certification and report required under subsection (d).

(f) DEFINITIONS.—In this section:

(1) The term “appropriate congressional committees” means the following:

(A) The congressional defense committees.

(B) The Committee on Commerce, Science, and Transportation of the Senate.
(C) The Committee on Science, Space, and Technology of the House of Representatives.

(D) The Committee on Transportation and Infrastructure of the House of Representatives.

(2) The term “launch vehicle” has the meaning given that term in section 50902 of title 51, United States Code.

(3) The term “LOX-Methane Assessment working group” means the interagency working group that—

(A) is comprised of representatives from the Department of Defense, the Department of Transportation, and the National Aeronautics and Space Administration; and

(B) as of the date of the enactment of this Act, is studying the explosive characteristics of liquid oxygen and methane.

(4) The term “TNT equivalency” means a unit of energy equivalent to the energy released during detonation of trinitrotoluene (TNT).

SEC. 1609. PLAN TO IMPROVE THREAT-SHARING ARRANGEMENTS WITH COMMERCIAL SPACE OPERATORS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—
commercial space providers that contract with the Department of Defense are vulnerable to physical and cyber threats; and

(2) United States Space Command has established the commercial integration cell to aid in the integration and protection of United States satellites and to build awareness of threats.

(b) **Plan for Threat Sharing with Commercial Space Operators.**—The Assistant Secretary of the Air Force for Space Acquisitions and Integration, in consultation with the Commander of United States Space Command, shall develop a plan to expand existing threat-sharing arrangements with commercial space operators that are under contract with the Department of Defense, as of the date of the enactment of this Act.

(c) **Report.**—Not later than 180 days after the date of the enactment of this Act, the Assistant Secretary of the Air Force for Space Acquisitions, in coordination with the Commander of United States Space Command, shall submit to the congressional defense committees a report on the plan required under subsection (b).
SEC. 1610. PLAN FOR AN INTEGRATED AND RESILIENT SAT-ELLITE COMMUNICATIONS ARCHITECTURE FOR THE SPACE FORCE.

(a) In general.—The Secretary of the Air Force, in coordination with the Assistant Secretary of the Air Force for Space Acquisition and Integration and the Chief of Space Operations, shall—

(1) as part of the force design process for the Space Force, consider options for the integration resilient military tactical satellite communications capabilities;

(2) develop a plan for the integration of such capabilities into the Space Force, as required under subsection (b); and

(3) ensure that a geostationary small satellite communications constellation is evaluated for inclusion as a component of the space data transport force design of the Space Force through, at minimum, the end of fiscal year 2027.

(b) Plan for Integration.—

(1) In general.—The Secretary of the Air Force, in coordination with the Assistant Secretary of the Air Force for Space Acquisition and Integration and the Chief of Space Operations, shall develop a plan for an integrated and resilient satellite communications architecture for the Space Force.
(2) ELEMENTS.—The plan under paragraph (1) shall include, at a minimum, options for—

(A) leveraging commercially available geo-
stationary small satellite communications tech-
nology developed and produced in the United States;

(B) ensuring sufficient funding for such an integration;

(C) including the unique requirements for small satellite communications constellation throughout the acquisition and deployment pe-

riod, including support for global X-band cov-

erage and support for secure communications waveforms using on-board digital processing;

and

(D) potential integration of such geo-
stationary small satellite communications capa-

bility into the enterprise satellite communica-
tions management and control (commonly known as “ESC–MC”) implementation plan of the Department of Defense.

(3) BRIEFING.—Not later than the date specified in paragraph (4), than the Secretary of the Air Force shall provide to the congressional defense committees a briefing on the plan developed under paragraph (1).
(4) DATE SPECIFIED.—The date specified in this subsection is the earlier of—

(A) July 1, 2024; or

(B) the date on which the Secretary of the Air Force completes the space data transport force design for the Space Force.

SEC. 1611. PROCESS AND PLAN FOR SPACE FORCE SPACE SITUATIONAL AWARENESS.

(a) IN GENERAL.—The Assistant Secretary of the Air Force for Space Acquisitions and Integration, in consultation with Chief of Space Operations, shall—

(1) establish a process to regularly identify and evaluate commercial space situational awareness capabilities, including the extent to which commercial space situational awareness data could meet Space Force space situational awareness needs; and

(2) develop and implement a plan to integrate the unified data library into Space Force operational systems, including space situational awareness and Space command and control missions.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Assistant Secretary shall submit to the congressional defense committees a report containing a description of the process and plan required under subsection (a).
SEC. 1612. REPORT ON NATIONAL SECURITY SPACE VEHICLE PROCESSING CAPABILITIES.

(a) In General.—Not later than April 1, 2024, the Secretary of the Air Force shall submit to the appropriate congressional committees a report on—

(1) the projected needs for national security space vehicle processing capabilities; and

(2) the potential for public-private partnerships to enable new projected payload processing providers to add processing capabilities.

(b) Appropriate Congressional Committees Defined.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives; and

(2) the Committee on Armed Services and the Select Committee on Intelligence of the Senate.

Subtitle B—Nuclear Forces

SEC. 1631. ESTABLISHMENT OF MAJOR FORCE PROGRAM FOR NUCLEAR COMMAND, CONTROL, AND COMMUNICATIONS PROGRAMS.

Chapter 9 of title 10, United States Code, is amended by adding at the end the following new section:
§ 239e. Nuclear command, control, and communications: major force program and budget assessment

“(a) Establishment of Major Force Program.—The Secretary of Defense shall establish a unified major force program for nuclear command, control, and communications programs pursuant to section 222(b) of this title to prioritize such programs in accordance with the requirements of the Department of Defense and national security.

“(b) Budget Assessment.—(1) The Secretary shall include with the defense budget materials for each of fiscal years 2025 through 2030 a report on the budget for nuclear command, control, and communications programs of the Department of Defense.

“(2) Each report on the budget for nuclear command, control, and communications programs of the Department under paragraph (1) shall include the following:

“(A) An overview of the budget, including—

“(i) a comparison between that budget, the previous budget, the most recent and prior future-years defense program submitted to Congress under section 221 of this title (such comparison shall exclude the responsibility for research and development of the continuing improvement of such nuclear command, control, and communications program), and the amounts
appropriated for such nuclear command, control, and communications programs during the previous fiscal year; and

“(ii) the specific identification, as a budgetary line item, for the funding under such programs.

“(B) An assessment of the budget, including significant changes, priorities, challenges, and risks.

“(C) Any additional matters the Secretary determines appropriate.

“(3) Each report under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

“(c) DEFINITIONS.—In this section:

“(1) The term ‘budget’, with respect to a fiscal year, means the budget for that fiscal year that is submitted to Congress by the President under section 1105(a) of title 31.

“(2) The term ‘defense budget materials’, with respect to a fiscal year, means the materials submitted to Congress by the Secretary of Defense in support of the budget for that fiscal year.

“(3) The term ‘nuclear command, control, and communications programs’ means programs through which presidential authority and operational com-
mand and control of nuclear weapons is conducted,
including programs that facilitate senior-level deci-
sions on nuclear weapons employment.”.

SEC. 1632. REPEAL OF REQUIREMENT FOR REVIEW OF NU-
CLEAR DETERRENCE POSTURES.

Section 1753 of the National Defense Authorization
Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat.
1852) is repealed.

SEC. 1633. RETENTION OF CAPABILITY TO REDEPLOY MUL-
TIPLE INDEPENDENTLY TARGETABLE RE-
ENTRY VEHICLES.

Section 1057 of the National Defense Authorization
Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C.
495 note) is amended by inserting “and Sentinel” after
“Minuteman III” both places it appears.

SEC. 1634. PILOT PROGRAM ON DEVELOPMENT OF RE-
ENTRY VEHICLES AND RELATED SYSTEMS.

(a) In General.—The Secretary of the Air Force may
carry out a pilot program, to be known as the “Reentry
Vehicle Flight Test Bed Program”, to assess the feasibility
of providing regular flight test opportunities that support
the development of reentry vehicles to—

(1) facilitate technology upgrades tested in a re-
alistic flight environment;
(2) provide an enduring, high-cadence test bed to mature technologies for planned reentry vehicles; and

(3) transition technologies developed under other programs, prototype projects, or research and development programs related to long-range ballistic or hypersonic strike missiles.

(b) GRANTS, CONTRACTS, AND OTHER AGREEMENTS.—

(1) AUTHORITY.—In carrying out a pilot program under this section, the Secretary may make grants and enter into contracts or other agreements with appropriate entities for the conduct of relevant flight tests of reentry vehicles and systems.

(2) USE OF FUNDS.—An entity that receives a grant, or enters into a contract or other agreement, as part of a pilot program carried out under this section shall use the grant, or any amount received under the contract or other agreement, to carry out one or more of the following activities:

(A) Conducting flight tests to develop or validate—

(i) aeroshell design;

(ii) thermal protective systems;

(iii) guidance and control systems;

(iv) sensors;
(v) communications;

(vi) environmental sensors; or

(vii) other relevant technologies.

(B) Expanding flight test opportunities through low-cost, high cadence platforms.

(c) COORDINATION.—If the Secretary of the Air Force carries out a pilot program under this section, the Secretary shall ensure that the activities under the pilot program are carried out in coordination with the Secretary of Defense and the Secretary of the Navy.

(d) TERMINATION.—The authority to carry out a pilot program under this section shall terminate on December 31, 2029.

SEC. 1635. INTEGRATED MASTER SCHEDULE FOR THE SENTINEL MISSILE PROGRAM OF THE AIR FORCE.

(a) DOCUMENTATION REQUIRED.—Not later than 30 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment, acting through the Assistant Secretary of the Air Force for Acquisition, Technology, and Logistics, shall submit to the congressional defense committees an approved integrated master schedule for the Sentinel missile program of the Air Force.

(b) QUARTERLY BRIEFINGS.—Not later than 180 days after the date of the enactment of this Act, an on a quarterly
basis thereafter until January 1, 2029, the Secretary of the Air Force shall provide to the congressional defense committees a briefing on the progress of the Sentinel missile program.

(c) NOTIFICATION.—Not later than 30 days after the Secretary of the Air Force becomes aware of an event that is expected to delay, by more than one fiscal quarter, the date on which Sentinel missile achieves initial operational capability (as set forth in the integrated master schedule submitted under subsection (a)), the Secretary shall—

(1) submit notice of such delay to the congressional defense committees; and

(2) include with such notice—

(A) an explanation of the factors causing such delay; and

(B) a plan to prevent or minimize the duration of such delay.

SEC. 1636. FORM OF CONTRACTING AUTHORIZED TO MITI-GATE RISK TO SENTINEL PROGRAM SCHEDULE AND COST.

Notwithstanding section 3323(a) of title 10, United States Code, the Secretary of Defense may authorize contracts using cost-plus incentive-fee contracting for military construction projects associated with the Sentinel Intercontinental Ballistic Missile program launch facilities, con-
SEC. 1637. NOTIFICATION OF DECISION TO DELAY STRATEGIC DELIVERY SYSTEM TEST EVENT.

(a) NOTIFICATION AND REPORT.—Not later than five days after the Secretary of Defense makes a decision to delay a scheduled test event for a strategic delivery system, the Secretary shall submit to the congressional defense committees written notice of such decision together with a report on the decision.

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

(1) A description of the objectives of the test.

(2) An explanation for the decision to cancel the test.

(3) An estimate of expenditures related to the cancelled test.

(4) An assessment of the effect of the test cancellation on—

(A) confidence in the reliability of the strategic nuclear weapons delivery system involved; and

(B) any research, development, test, and evaluation activities related to the test.

(5) A plan to reschedule the test event.
SEC. 1638. PROHIBITION ON REDUCTION OF THE INTER-
CONTINENTAL BALLISTIC MISSILES OF THE
UNITED STATES.

(a) Prohibition.—Except as provided in subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2024 for the Department of Defense may be obligated or expended for the following, and the Department may not otherwise take any action to do the following:

(1) Reduce, or prepare to reduce, the responsiveness or alert level of the intercontinental ballistic missiles of the United States.

(2) Reduce, or prepare to reduce, the quantity of deployed intercontinental ballistic missiles of the United States to a number less than 400.

(b) Exception.—The prohibition in subsection (a) shall not apply to any of the following activities:

(1) The maintenance or sustainment of intercontinental ballistic missiles.

(2) Ensuring the safety, security, or reliability of intercontinental ballistic missiles.

(3) Facilitating the transition from the Minuteman III intercontinental ballistic missile to the Sentinel intercontinental ballistic missile (previously referred to as the “ground-based strategic deterrent weapon”).
SEC. 1639. LIMITATION ON AVAILABILITY OF FUNDS FOR RETIREMENT OF B83–1 NUCLEAR GRAVITY BOMBS.

(a) LIMITATION ON USE OF FUNDS.—Except as provided by subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2024 for the Department of Defense or the Department of Energy for the deactivation, dismantlement, or retirement of the B83–1 nuclear gravity bomb may be obligated or expended to deactivate, dismantle, or retire more than 25 percent of the B83–1 nuclear gravity bombs that were in the active stockpile as of September 30, 2022, until a period of 90 days has elapsed following the date on which the Secretary of Defense submits to the Committees on Armed Services of the Senate and the House of Representatives the study required under section 1674(a) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263).

(b) EXCEPTION.—The limitation on the use of funds under subsection (a) shall not apply to the deactivation, dismantling, or retirement of B83–1 nuclear gravity bombs for the purpose of supporting safety and surveillance, sustainment, life extension, or modification programs for the B83–1 or other weapons currently in, or planned to become part of, the nuclear weapons stockpile of the United States.
SEC. 1640. PROHIBITION ON AVAILABILITY OF FUNDS FOR

Naval Nuclear Fuel Systems Based on

Low-Enriched Uranium.

None of the funds authorized to be appropriated by this Act or otherwise made available for the National Nuclear Security Administration may be obligated or expended to conduct research or development relating to an advanced naval nuclear fuel system based on low-enriched uranium.

SEC. 1641. ESTABLISHMENT OF NUCLEAR SEA-LAUNCHED CRUISE MISSILE PROGRAM.

(a) Establishment.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall establish and commence implementation of a nuclear sea-launched cruise missile program (referred to in this section as the “SLCM-N Program”).

(b) Purposes.—The purposes of the SLCM-N Program shall be—

(1) to provide the United States with a needed nonstrategic nuclear capability and make that capability available to the Department of Defense;

(2) to strengthen tailored deterrence of regional adversaries; and

(3) to assure allies and partners of the United States of the Nation’s commitment to their defense.

(c) Activities.—Under the SLCM-N Program, the Secretary of Defense shall—
(1) accelerate and conclude research and development activities for nuclear sea-launched cruise missiles and transition such missiles to the procurement and fielding phases;

(2) conduct a concept of operations study to inform the fielding of nuclear sea-launched cruise missiles aboard platforms identified by the Navy, including the Virginia class submarine;

(3) designate the nuclear sea-launched cruise missile as an Acquisition Category ID (ACAT ID) program in accordance with Department of Defense Instruction 5000.85, titled “Major Capability Acquisition”, dated November 4, 2021; and

(4) ensure that the missiles developed under the program achieve initial operational capability not later than September 30, 2031.

(d) WARHEAD DEVELOPMENT.—Not later than 30 days after the date of enactment of this Act, the Administrator for Nuclear Security shall initiate phase 6.2 of the nuclear sea-launched cruise missile warhead designated W80–4 ALT.

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to supersede or otherwise alter the organizational relationships and responsibilities of departments and agencies of the Federal Government regarding oversight
and management of ongoing activities relating to the nuclear sea-launched cruise missile.

SEC. 1642. QUARTERLY REPORTS ON PROGRESS OF SEA-LAUNCHED CRUISE MISSILE–NUCLEAR PROGRAM.

(a) In General.—Not later than 15 days after the last day of each fiscal quarter until the termination date specified in subsection (c)—

(1) the Secretary of the Navy shall submit to the congressional defense committees a report on the execution of funding appropriated for the Sea-Launched Cruise Missile–Nuclear program; and

(2) the Administrator for Nuclear Security shall submit to the congressional defense committees a report on the execution of funding appropriated for the W80-4 nuclear warhead variant under development for such program.

(b) Elements.—Each report required under subsection (a) shall include, with respect to the program or variant, respectively, each of the following:

(1) A description of ongoing and completed activities.

(2) A schedule and summary of activities planned for the fiscal quarter following the fiscal quarter during which the report is submitted.
(3) A description of each contract awarded under the program, including a description of the type of contract and the status of the contract.

(4) A description of the status of funding for the program or variant, including identification of—

(A) any obligations and expenditures that have been made; and

(B) any obligations and expenditures that are planned.

(5) An assessment of the status of the program or variant with respect to technological maturity.

(c) TERMINATION DATE.—The requirement to submit reports under subsection (a) shall terminate on the date on which the Secretary of Defense provides to the congressional defense committees a certification that the nuclear-capable sea launched cruise missile system under development by the Navy has achieved full operational capability.

SEC. 1643. CONGRESSIONAL NOTIFICATION OF NUCLEAR COOPERATION BETWEEN RUSSIA AND CHINA.

If the Commander of United States Strategic Command determines, after consultation with the Director of the Defense Intelligence Agency, that militarily significant cooperation between the Russian Federation and the People’s Republic of China related to nuclear or strategic capabilities is likely to occur or has likely occurred, the Com-
mander shall submit to the congressional defense committees a notification of such determination that includes—

(1) a description of the military significant cooperation; and

(2) an assessment of the implication of such cooperation for the United States with respect to nuclear deterrence, extended deterrence, assurance, and defense.

SEC. 1644. REPORT ON ACCELERATION OF NUCLEAR MODERNIZATION PRIORITIES.

The Under Secretary of Defense for Acquisition and Sustainment shall submit to the congressional defense committees a report that includes an identification of any additional authorities and reforms necessary to allow the Department of Defense to accelerate its current nuclear modernization priorities.

Subtitle C—Missile Defense Programs

SEC. 1661. QUALIFICATIONS OF DIRECTOR OF MISSILE DEFENSE AGENCY.

Section 205(a) of title 10, United States Code, is amended by inserting “a general or flag officer” after “shall be”.
SEC. 1662. NATIONAL MISSILE DEFENSE POLICY.

Subsection (a) of section 1681 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 4205 note) is amended to read as follows:

“(a) Policy.—It is the policy of the United States—

“(1) to research, develop, test, procure, deploy, and sustain, with funding subject to the annual authorization of appropriations for National Missile Defense, systems that provide effective, layered missile defense capabilities to defeat increasingly complex missile threats in all phases of flight; and

“(2) to maintain a credible nuclear capability as the foundation of strategic deterrence.”.

SEC. 1663. PROGRAMS TO ACHIEVE INITIAL AND FULL OPERATIONAL CAPABILITIES FOR THE GLIDE PHASE INTERCEPTOR PROGRAM.

(a) Program to Achieve Initial Operational Capability.—

(1) In general.—The Secretary of Defense, acting through the Director of the Missile Defense Agency and in coordination with the officials specified in subsection (d), shall carry out a program to achieve, by not later than December 31, 2029, an initial operational capability for the Glide Phase Interceptor as described in paragraph (2).
(2) **REQUIRED CAPABILITIES.**—For purposes of paragraph (1), the Glide Phase Interceptor program shall be considered to have achieved initial operational capability if—

(A) the Glide Phase Interceptor is capable of defeating, in the glide phase, any endo-atmospheric hypersonic vehicles that are known to the Department of Defense and fielded as of the date of the enactment of this Act; and

(B) not fewer than 12 Glide Phase Interceptor missiles have been fielded.

(b) **PROGRAM TO ACHIEVE FULL OPERATIONAL CAPABILITY.**—

(1) **PROGRAM REQUIRED.**—The Secretary of Defense, acting through the Director of the Missile Defense Agency and in coordination with the officials specified in subsection (d), shall carry out a program to achieve, by not later than December 31, 2032, full operational capability for the Glide Phase Interceptor as described in paragraph (2).

(2) **REQUIRED CAPABILITIES.**—For purposes of paragraph (1), the Glide Phase Interceptor program shall be considered to have achieved full operational capability if—
(A) the Glide Phase Interceptor is capable of defeating, in the glide phase, any endo-atmospheric hypersonic vehicles—

(i) that are known to the Department of Defense and fielded as of the date of the enactment of this Act; and

(ii) that the Department of Defense expects to be fielded before the end of 2040;

(B) not fewer than 24 Glide Phase Interceptor missiles have been fielded; and

(C) the Glide Phase Interceptor has the ability to be operated collaboratively with space-based or terrestrial sensors that the Department of Defense expects to be deployed before the end of 2032.

(c) COOPERATIVE AGREEMENT AUTHORIZED.—The Director of the Missile Defense Agency is authorized to enter into a cooperative development agreement with one or more international partners of the United States for the development of the full operational capability described in subsection (b).

(d) OFFICIALS SPECIFIED.—The officials specified in this subsection are the following:

(1) The Under Secretary of Defense for Research and Engineering.
(2) The Secretary of the Navy.

(3) The Commander of the United States Indo-
Pacific Command.

(4) The Commander of the United States Euro-
pean Command.

SEC. 1664. RESEARCH AND ANALYSIS ON MULTIPOLAR DE-
TERRENCE AND ESCALATION DYNAMICS.

(a) In General.—Not later than 90 days after the
date of the enactment of this Act, the Secretary of Defense
shall seek to enter into an agreement with a university af-
filiated research center with expertise in strategic deterrence
to conduct research and analysis on multipolar deterrence
and escalation dynamics.

(b) Elements.—The research and analysis conducted
under subsection (a) shall include assessment of the fol-
lowing:

(1) Implications for strategic deterrence and al-
laid assurance given the emergence of a second near-
peer nuclear power.

(2) Potential alternative conventional, strategic,
and nuclear force structures to optimize deterrence of
two near-peer nuclear powers.

(3) The contribution made by countervailing
nonstrategic capabilities to strategic deterrence.
(4) Escalation patterns arising from Russia’s Strategic Operations to Destroy Critically Important Targets operational concept and response options for the United States.

(5) Multilateral efforts that could contribute to multipolar strategic deterrence and escalation dynamics.

(6) Capabilities and operations sufficient to assure European and Pacific allies.

(c) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than March 1, 2025, the Secretary of Defense shall submit to the congressional defense committees a report that includes the results of the research and analysis conducted under subsection (a).

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

SEC. 1665. LIMITATION ON USE OF FUNDS PENDING SUBMISSION OF REPORT ON MISSILE DEFENSE INTERCEPTOR SITE.

Of the funds authorized to be appropriated by this Act for fiscal year 2024 for the Office of the Under Secretary of Defense for Policy, for travel, not more than 80 percent may be obligated or expended until the date on which the
Secretary of Defense submits to the congressional defense committees the report on the requirement for a missile defense interceptor site in the contiguous United States required by section 1665 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263).

SEC. 1666. REPORT ON HAWAII MISSILE DEFENSE.

(a) FINDINGS.—Congress makes the following findings:

(1) The budget justification materials submitted by the Secretary of Defense support of the budget of the President for fiscal year 2023 effectively cancelled all activities for the Homeland Defense Radar—Hawaii due to ongoing reevaluation of the missile defense posture and sensor architecture in the area of responsibility of the United States Indo-Pacific Command.

(2) The budget justification materials submitted by the Secretary of Defense support of the budget of the President for fiscal year 2024 include $40,000,000 for the Hawaii Air Route Surveillance Radar Version 4 (ARSR-4), which is intended to “address Department of Defense capability gaps driven by new threats and provide dual use for Hawaii for Air Traffic Control and weather monitoring”.

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(3) Briefings provided by the Department of Defense indicated a very limited viewing area for this proposed radar, which does not support adequate warning or discrimination of threats, and the request for ARSR-4 does not include any effort associated with integrating the radar to the overall missile defense sensor architecture to support increased defensive capabilities for Hawaii.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the findings of the review conducted by the Secretary of the integrated air and missile defense sensor architecture of the United States Indo-Pacific Command, and specific programs of record which support additional sensor coverage for the state of Hawaii. Such report shall include an identification of—

(1) the investments that should be made to increase the detection of nonballistic threats and improve the discrimination of ballistic missile threats, particularly with regards to Hawaii; and

(2) investments to integrate any sensors into the missile defense system to assist with protection of the State.
SEC. 1667. REPORT ON POTENTIAL ENHANCEMENTS TO AEGIS ASHORE SITES IN POLAND AND ROMANIA.

(a) In General.—Not later than 180 days after the date of the enactment of this Act, the Director of the Missile Defense Agency shall submit to the congressional defense committees a report on potential enhancements to Aegis Ashore sites in Poland and Romania.

(b) Elements.—The report required by subsection (a) shall include—

(1) an assessment of the feasibility and advisability of—

(A) enhancing associated sensor systems to detect a broader array of missile threats;

(B) fielding a mixed fleet of defensive interceptor systems; and

(C) physical hardening of the facilities;

(2) a funding profile, by year, detailing the complete costs associated with any options assessed under paragraph (1); and

(3) such other information as the Director considers appropriate.

(c) Form of Report.—The report submitted under subsection (a) shall be in unclassified form, but may include a classified annex.
SEC. 1668. RESCISSION OF MEMORANDUM ON MISSILE DEFENSE GOVERNANCE.

Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall rescind Directive-type Memorandum 20-002 relating to “Missile Defense System Policies and Governance”.

SEC. 1669. POLICY AND REPORT ON NORTH ATLANTIC TREATY ORGANIZATION EFFECTIVE INTEGRATED AIR AND MISSILE DEFENSE CAPABILITIES IN EUROPE.

(a) Policy.—It is the policy of the United States to contribute integrated air and missile defense capabilities, such as forward deployed AN/TPY-2 radars and Aegis Ashore sites, to the North Atlantic Treaty Organization to defeat increasingly complex threats to the United States Armed Forces and the military forces of member countries of the North Atlantic Treaty Organization in Europe.

(b) Report.—

(1) NATO report.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the North Atlantic Treaty Organization Conference of National Armaments Directors for Ballistic Missile Defense a report containing options to improve the existing integrated air and missile defense architecture to detect, track, and defend against increasingly complex adversarial
missile threats to the territory of member countries of the North Atlantic Treaty Organization and deployed members of the United States Armed Forces.

(2) Congressional briefing.—Not later than 14 days after the completion of the report required under paragraph (1), the Secretary of Defense shall provide to the congressional defense committees a briefing on the options contained in the report and the steps necessary to implement any such option that is agreed to by the member countries of the North Atlantic Treaty Organization.

SEC. 1670. INDEPENDENT ANALYSIS OF SPACE-BASED MISSILE DEFENSE CAPABILITY.

(a) In general.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, acting through the Director of the Missile Defense Agency, shall seek to enter into an arrangement with an appropriate federally funded research and development center to update the study referred to in subsection (c).

(b) Elements.—The assessment conducted for purposes of updating the study shall, at a minimum, include analysis of the following matters:

(1) The extent to which space-based capabilities would address current and evolving missile threats to the United States and United States deployed forces.
(2) The maturity levels of technologies necessary for an operational space-based missile defense capability.

(3) Potential options for developing, fielding, operating, and sustaining a space-based missile defense capability, including estimations of cost and assessments of effectiveness for different architectures.

(4) The technical risks, knowledge gaps, or other challenges associated with the development and operation of space-based interceptor capabilities.

(5) Estimated costs for developing and deploying such capability.

(6) The ability of the Department of Defense to protect and defend on-orbit space-based missile defense capabilities, including any recommendations for resiliency requirements that would be needed to ensure the effectiveness of such capabilities.

(c) Study Specified.—The study referred to in this subsection is the study conducted by the federally funded research and development center known as the “Institute for Defense Analysis” examining the feasibility and advisability of developing a space-based missile defense capability.

(d) Reports.—
(1) IN GENERAL.—Not later than 270 days after entering into an arrangement under subsection (a), the Secretary of Defense shall submit to the congressional defense committees a report that includes—

(A) an unaltered copy of independent assessment completed pursuant to the arrangement; and

(B) any views of the Secretary of Defense with respect to such assessment.

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

Subtitle D—Other Matters

SEC. 1681. INCLUSION OF PERMANENT SELECT COMMITTEE ON INTELLIGENCE OF THE HOUSE OF REPRESENTATIVES AS RECIPIENT OF QUARTERLY INFORMATION OPERATIONS BRIEFS.

Section 1631(d)(1) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1742; 10 U.S.C. 397 note) is amended by inserting “and the Permanent Select Committee on Intelligence of the House of Representatives” after “congressional defense committees”.
SEC. 1682. MODIFICATION TO AUTHORITY TO USE OPERATION AND MAINTENANCE FUNDS FOR CYBER OPERATIONS-PECULIAR CAPABILITY DEVELOPMENT PROJECTS.

Section 1640 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92) is amended—

(1) in subsection (a)—

(A) by striking “and each Secretary of the military departments concerned”; 

(B) by striking “per use” and inserting “per project”; and 

(C) by striking “through 2025” and inserting “through 2028”;

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

“(b) LIMITATION.—Each fiscal year, the Commander of the United States Cyber Command may obligate and expend under subsection (a) not more than $16,000,000.”;

(3) in subsection (c)—

(A) by striking “$500,000” and inserting “$1,000,000”; and 

(B) by striking “the Secretary of Defense, or his designee, and each Secretary of the military departments concerned, or their designees,” and
inserting “the Secretary of Defense (or a designee)”;
and

(4) in subsection (d), by striking “2025” and inserting “2028”.

SEC. 1683. COOPERATIVE THREAT REDUCTION FUNDS.

(a) FUNDING ALLOCATION.—Of the $350,999,000 authorized to be appropriated to the Department of Defense for fiscal year 2024 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, $6,815,000.

(2) For chemical security and elimination, $16,400,000.

(3) For global nuclear security, $19,406,000.

(4) For biological threat reduction, $228,030,000.

(5) For proliferation prevention, $46,324,000.

(6) For activities designated as Other Assessments/Administration Costs, $34,024,000.

(b) SPECIFICATION OF COOPERATIVE THREAT REDUCTION FUNDS.—Funds appropriated pursuant to the authorization of appropriations in section 301 and made avail-
able by the funding table in division D for the Department of Defense Cooperative Threat Reduction Program shall be available for obligation for fiscal years 2024, 2025, and 2026.

SEC. 1684. QUARTERLY BRIEFINGS ON IMPLEMENTATION OF MILITARY-CODE COMPLIANT GPS RECEIVERS THROUGH MILITARY GPS USER EQUIPMENT PROGRAM.

(a) FINDINGS.—Congress makes the following findings:

(1) Section 2979b of title 10, United States Code, which was enacted as part of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81), establishes the Council on Oversight of the Department of Defense Positioning, Navigation, and Timing Enterprise to oversee all aspects of the positioning, navigation, and timing enterprise of the Department of Defense.

(2) The law requires the Council to be co-chaired by the Vice Chairman of the Joint Chiefs of Staff, the Under Secretary for Research and Engineering, and the Under Secretary of Defense for Acquisition and Sustainment, whose responsibilities are to coordinate on matters of positioning, navigation, and timing acquisitions to confirm that approved positioning, navi-
gation, and timing policies are implemented in acquisition activities.

(3) With respect to the implementation of military-code (in this section referred to as “M-Code”) compliant Global Positioning Service (in this section referred to as “GPS”) receivers through the Military GPS User Equipment program, the Comptroller General of the United States found that “Significant issues with data completeness and accuracy remain. . .. Poor data hinder the congressional defense committees’ ability to track the progress of M-code and support DOD decision-making. User equipment delays have also had ripple effects on DOD’s ability to plan for and develop M-code-capable receivers. These delays have limited the military services’ ability to fully develop plans for operationally testing the M-code capability”.

(b) QUARTERLY BRIEFINGS.—

(1) IN GENERAL.—Not later than February 1, 2024, and quarterly thereafter until the date specified in paragraph (2), the Co-Chairs of the Council on Oversight of the Department of Defense Positioning, Navigation, and Timing Enterprise, shall provide to the congressional defense committees a briefing on the status of the implementation of M-Code compliant
GPS receivers through the Military GPS User Equipment program, including the status of increments 1 and 2 of such program and details regarding expected dates of M-Code compliance for all sea-, air, and land-based terminals across the platforms of each of the Armed Forces.

(2) **Termination Date.**—No briefing shall be required under paragraph (1) after the date on which the Secretary of Defense submits to the congressional defense committees certification that the increments 1 and 2 of the Military GPS User Equipment program have reached full operational capacity.

**SEC. 1685. MOVING TARGET INDICATOR PROGRAMS OF DEPARTMENT OF DEFENSE.**

(a) **Working Group.**—

(1) **Establishment.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall establish working group, to be known as the “Moving Target Indicator Working Group”.

(2) **Responsibilities.**—Such working group shall be responsible for—

(A) addressing Department of Defense joint service requirements;
(B) monitoring cost, schedule, and performance of all efforts to replace the tactical intelligence, surveillance, and reconnaissance capability provided, as of the date of the enactment of this Act, by the Joint Surveillance Target Attack Radar System; and

(C) developing the processes and procedures for tasking, collection, processing, exploitation, and dissemination of the data collected by moving target indicator systems.

(3) Membership.—

(A) In General.—The Secretary shall select—

(i) a member of the Space Force and a member of the Joint Staff to serve as co-chairs of the working group; and

(ii) members of the Army, Navy, Marine Corps, Air Force, and Space Force who represent the Army, Navy, Marine Corps, Air Force, and Space Force and combatant commands, as the Secretary determines appropriate, to serve as members of the working group.

(B) Congressional Notification.—Not later than 90 days after the date of the enact-
ment of this Act, the Secretary shall provide to
the congressional defense committees notice of the
co-chairs and members selected to serve on the
working group pursuant to subparagraph (A).

(b) Briefing Requirements.—

(1) Initial briefing.—Not later than 120 days
after the date of the enactment of this Act, the co-
chairs of the working group shall provide to the con-
gressional defense committees a briefing on—

(A) any capabilities development documents
either approved by, or in development for, the
Joint Requirements Oversight Council; and

(B) any progress of the working group to-
wards developing tasking, collection, processing,
extploitation, and dissemination for future mov-
ing target indicator systems.

(2) Biannual briefings.—Not less frequently
than biannually, the working group shall provide to
the congressional defense committees a briefing on the
status of any moving target indicator programs being
developed.
SEC. 1686. REPORTING MECHANISM ON USE OF CONSULTANTS, INFORMANTS, AND OTHER HUMAN SOURCES TO ACQUIRE INTELLIGENCE INFORMATION.

(a) Establishment.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall establish a mechanism for documenting and reporting to the congressional defense committees regarding the use of consultants, informants, or other human sources by any element of the Department of Defense, including any military department, to acquire intelligence information.

(b) Elements.—The mechanism under subsection (a) shall include, at a minimum, a requirement that the Secretary of Defense document and, on a quarterly basis, notify the congressional defense committees of any activity (other than an activity subject to regulation under a covered directive) that—

1. is carried out during that quarter by the Secretary; and
2. involves the use of a consultant, informant, or other human source to acquire intelligence information.

(c) Definitions.—In this section:

1. The term “covered directive” means the following directives (or any such successor directives):
(A) Intelligence Community Directives 304
(relating to human intelligence).

(B) Intelligence Community Directive 310
(relating to the coordination of clandestine
human source and human-enabled foreign intelligence collection and counterintelligence activities outside the United States).

(C) Intelligence Community Directive 311
(relating to the coordination of clandestine
human source and human-enabled foreign intelligence collection and counterintelligence activities inside the United States).

(2) The term “informant” means any individual
who furnishes information to the Department of Defense in the course of a confidential relationship with the Department under which the identity of such individual is protected from public disclosure.

SEC. 1687. REPORT ON CONCEPT OF OPERATIONS FOR OFFENSIVE HYPERSONIC SYSTEMS.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Chairman of the Joint Chiefs of Staff, shall submit to the congressional defense committees a report on the status of the implementation of a concept of
operations and total munitions requirements for offensive hypersonic systems.

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

(1) A description and assessment of efforts to develop and implement concepts of operation with regard to fielding, deploying, and using offensive hypersonic systems currently in development and included in future-years defense program submitted to Congress under section 221 of title 10, United States Code, for fiscal year 2024.

(2) An assessment of how the use of hypersonic weapons will be considered with regard to strategic deterrence and stability.

(3) A description of scenarios and simulations modeling the use of offensive hypersonic systems in defined environments.

(4) Criteria to be used for validation of the use of offensive hypersonic systems.

(5) Identification of existing authorities governing the use of offensive hypersonic systems and an explanation of any additional authorities that may be required for the use of such systems.

(6) A description of how hypersonic capabilities are incorporated into force development and design.
(7) A munitions requirement (applicable through the period covered by the future-years defense program submitted to Congress under section 221 of title 10, United States Code, for fiscal year 2024) for each offensive hypersonic weapons program currently in development, including requirements provided by each military department and combatant command.

(8) Identification of any operational gaps for which additional offensive hypersonic weapon capabilities would have strategic impact on overall concepts of operation of the Department of Defense.

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

SEC. 1688. INDO-PACIFIC MISSILE STRATEGY.

(a) FINDINGS.—Congress makes the following findings:

(1) The 2022 National Defense Strategy states: “The [People’s Republic of China (PRC)] has expanded and modernized nearly every aspect of the [People’s Liberation Army (PLA)], with a focus on offsetting U.S. military advantages. The PRC is therefore the pacing challenge for the Department.”.

(2) The 2020 report of the Department of Defense entitled “Annual Report to Congress Involving the People’s Republic of China” states: “Land-based con-
ventional ballistic and cruise missiles: The PRC has more than 1,250 ground-launched ballistic missiles (GLBMs) and ground-launched cruise missiles (GLCMs) with ranges between 500 and 5,500 kilometers. The United States currently fields one type of conventional GLBM with a range of 70 to 300 kilometers and no GLCMs.”.

(3) In September 2021, the United States entered a security partnership with the United Kingdom and Australia (commonly known as “AUKUS”). In April 2022, AUKUS leaders committed to “commence new trilateral cooperation on hypersonic technologies, counter-hypersonic defense systems, and electronic warfare capabilities, as well as to deepen cooperation on defense innovation.”.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) United States ground-based theater-range conventional missile systems in the Indo-Pacific region provide operational and strategy utility in—

(A) availability of persistent, prompt, and survivable strike options;

(B) deterrence of enemy attack or escalation;
imposition of operational costs on enemy forces;

(D) responsive strikes against time-critical enemy targets; and

(E) destruction of high-value targets to enable other joint forces; and

(2) an Indo-Pacific Missile Strategy should—

(A) provide coherent direction to concept and capability development, including procurement and employment;

(B) distribute integrated capabilities at operationally relevant ranges;

(C) coordinate and differentiate strike missions among the military forces of the United States and allies; and

(D) pursue co-development and co-production of capabilities with allies and partners, including through existing institutional mechanisms.

(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 for ground-based theater-range conventional missiles in the Indo-Pacific region.
(2) ELEMENTS.—The strategy required by paragraph (1) shall include the following:

(A) An assessment of gaps in conventional theater-range precision strike capabilities in the area of responsibility of the United States Indo-Pacific Command.

(B) An identification of military requirements for ground-based theater-range conventional missile systems, including range, propulsion, payload, launch platform, weapon effects, and other operationally relevant factors.

(C) An identification of prospective basing locations for ground-based theater-range conventional missiles in the area of responsibility of the United States Indo-Pacific Command and an assessment of steps required to receive host-nation permission for forward-basing of such weapon systems.

(D) A description of operational concepts for employment of such conventional missiles, including integration with other capabilities in the Western Pacific region.

(E) An identification of prospective allies, partners, and institutional mechanisms for co-
development of new over-the-horizon range and intermediate-range conventional missiles.

(F) An assessment of the cost, schedule, and feasibility of ground-based theater-range conventional missile programs, including any potential cost-sharing structures through existing institutional mechanisms.

(3) FORM.—The strategy required by paragraph (1) may be submitted in classified form but shall include an unclassified summary.

(d) DEFINITIONS.—In this section:

(1) The term “ground-based theater-range conventional missile” means a conventional mobile ground-launched cruise or hypersonic missile system with a range between 500 and 5,500 kilometers.

(2) With respect to a missile system, the term “intermediate-range” means a missile system with a range between 3,000 and 5,500 kilometers.

TITLE XVII—SPACE FORCE PERSONNEL MANAGEMENT

SEC. 1701. SHORT TITLE.

This title may be cited as the “Space Force Personnel Management Act”.
Subtitle A—Space Force Military Personnel System Without Component

SEC. 1711. ESTABLISHMENT OF MILITARY PERSONNEL MANAGEMENT SYSTEM FOR THE SPACE FORCE.

Title 10, United States Code, is amended by adding at the end the following new subtitle:

“Subtitle F—Alternative Military Personnel Systems

“PART I—SPACE FORCE

“CHAPTER 2001—SPACE FORCE PERSONNEL SYSTEM

“§ 20001. Single military personnel management system

“Members of the Space Force shall be managed through a single military personnel management system, without component.”.

“Chap. ............................................................................................................

“2003. Status and Participation .................................................................... 20101
“2005. Officers .............................................................................................. 20201
“2007. Enlisted Members. .............................................................................. 20301
“2009. Retention and Separation Generally ................................................ 20401
“2011. Separation of Officers for Substandard Performance of Duty or for Certain Other Reasons .............................................................. 20501
“2013. Retirement ......................................................................................... 20601”.

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SEC. 1712. COMPOSITION OF THE SPACE FORCE WITHOUT COMPONENT.

(a) Composition of the Space Force.—Section 9081(b) of title 10, United States Code, is amended—

(1) by striking paragraph (1);

(2) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively; and

(3) in paragraph (1), as so redesignated, by striking “, including” and all that follows through “emergency”.

(b) Effective Date.—The amendments made by subsection (a) shall take effect on the date of the certification by the Secretary of the Air Force under section 1745.

SEC. 1713. DEFINITIONS FOR SINGLE PERSONNEL MANAGEMENT SYSTEM FOR THE SPACE FORCE.

(a) Space Force Definitions.—Section 101 of title 10, United States Code, is amended—

(1) by redesignating subsections (e), (f), and (g) as subsections (f), (g), and (h), respectively; and

(2) by inserting after subsection (d) the following new subsection (e):

“(e) Space Force.—The following definitions relating to members of the Space Force apply in this title:

“(1) The term ‘space force active status’ means the status of a member of the Space Force who is not in a space force inactive status and is not retired.
“(2) The term ‘space force inactive status’ means the status of a member of the Space Force who is designated by the Secretary of the Air Force, under regulations prescribed by the Secretary, as being in a space force inactive status.

“(3) The term ‘space force retired status’ means the status of a member of the Space Force who—

“(A) is receiving retired pay; or

“(B) but for being under the eligibility age applicable under section 12731 of this title, would be eligible for retired pay under chapter 1223 of this title.

“(4) The term ‘sustained duty’ means full-time duty by a member of the Space Force ordered to such duty by an authority designated by the Secretary of the Air Force—

“(A) in the case of an officer—

“(i) to fulfill the terms of an active-duty service commitment incurred by the officer under any provision of law; or

“(ii) with the consent of the officer; and

“(B) in the case of an enlisted member, with the consent of the enlisted member as speci-
fied in the terms of the member’s enlistment or reenlistment agreement.”.

(b) AMENDMENTS TO EXISTING DUTY STATUS DEFINITIONS.—Subsection (d) of such section is amended—

(1) in paragraph (1), by inserting “, including sustained duty in the Space Force” after “United States”; and

(2) in paragraph (7), by inserting “, or a member of the Space Force,” after “Reserves” in subparagraphs (A) and (B).

SEC. 1714. BASIC POLICIES RELATING TO SERVICE IN THE SPACE FORCE.

Chapter 2001 of title 10, United States Code, as added by section 1711, is amended by adding at the end the following new sections:

“§20002. Members: duty status

“Under regulations prescribed by the Secretary of the Air Force, each member of the Space Force shall be placed in one of the following duty statuses:

“(1) Space force active status.

“(2) Space force inactive status.

“(3) Space force retired status.
“§ 20003. Members: minimum service requirement as applied to Space Force

“(a) In applying section 651 of this title to a person who becomes a member of the Space Force, the provisions of the second sentence of subsection (a) and of subsection (b) of that section (relating to service in a reserve component) are inapplicable.

“(b) A member of the Space Force who transfers to one of the other armed forces before completing the service required by subsection (a) of section 651 of this title shall upon such transfer be subject to section 651 of this title in the same manner as if such member had initially entered the armed force to which the member transfers.”.

SEC. 1715. STATUS AND PARTICIPATION.

Subtitle F of title 10, United States Code, as added by section 1711, is amended by adding at the end the following new chapter:

“CHAPTER 2003—STATUS AND PARTICIPATION
“§ 20101. Members in Space Force active status:

amount of annual training or active duty

service required

“Except as specifically provided in regulations pres-
scribed by the Secretary of Defense, a member of the Space
Force in a space force active status who is not serving on
sustained duty shall be required to—

“(1) participate in at least 48 scheduled drills or
training periods during each year and serve on active
duty for not less than 14 days (exclusive of travel
time) during each year; or

“(2) serve on active duty for not more than 30
days during each year.

“§ 20102. Individual ready guardians: designation;
mobilization category

“(a) In General.—Under regulations prescribed by
the Secretary of Defense, the Secretary of the Air Force may
designate a member of the Space Force in a space force ac-
tive status as an Individual Ready Guardian.

“(b) Mobilization Category.—

“(1) In General.—Among members of the Space
Force designated as Individual Ready Guardians,
there is a category of members (referred to as a ‘mobi-
lization category’) who, as designated by the Sec-
retary of the Air Force, are subject to being ordered
to active duty without their consent in accordance with section 20106(a) of this title.

“(2) LIMITATIONS ON PLACEMENT IN MOBILIZATION CATEGORY.—A member designated as an Individual Ready Guardian may not be placed in the mobilization category referred to in paragraph (1) unless—

“(A) the member volunteers to be placed in that mobilization category; and

“(B) the member is selected by the Secretary of the Air Force, based upon the needs of the Space Force and the grade and military skills of that member.

“(3) LIMITATION ON TIME IN MOBILIZATION CATEGORY.—A member of the Space Force in a space force active status may not remain designated an Individual Ready Guardian in such mobilization category after the end of the 24-month period beginning on the date of the separation of the member from active service.

“(4) DESIGNATION OF GRADES AND MILITARY SKILLS OR SPECIALTIES.—The Secretary of the Air Force shall designate the grades and military skills or specialties of members to be eligible for placement in such mobilization category.
“(5) BENEFITS.—A member in such mobilization category shall be eligible for benefits (other than pay and training) on the same basis as are available to members of the Individual Ready Reserve who are in the special mobilization category under section 10144(b) of this title, as determined by the Secretary of Defense.

“§20103. Members not on sustained duty: agreements concerning conditions of service

“(a) AGREEMENTS.—The Secretary of the Air Force may enter into a written agreement with a member of the Space Force not on sustained duty—

“(1) requiring the member to serve on active duty for a definite period of time;

“(2) specifying the conditions of the member’s service on active duty; and

“(3) for a member serving in a space force inactive status, specifying the conditions for the member’s continued service as well as order to active duty with and without the consent of the member.

“(b) CONDITIONS OF SERVICE.—An agreement under subsection (a) shall specify the conditions of service. The Secretary of the Air Force shall prescribe regulations establishing—
“(1) what conditions of service may be specified in the agreement;

“(2) the obligations of the parties; and

“(3) the consequences of failure to comply with the terms of the agreement.

“(e) AUTHORITY FOR RETENTION ON ACTIVE DUTY DURING WAR OR NATIONAL EMERGENCY.—If the period of service on active duty of a member under an agreement under subsection (a) expires during a war or during a national emergency declared by Congress or the President, the member concerned may be kept on active duty, without the consent of the member, as otherwise prescribed by law.

§20104. Orders to active duty: with consent of member

“(a) AUTHORITY.—A member of the Space Force who is serving in a space force active status and is not on sustained duty, or who is serving in a space force inactive status, may, with the consent of the member, be ordered to active duty, or retained on active duty, under the following sections of chapter 1209 of this title in the same manner as applies to a member of a reserve component ordered to active duty, or retained on active duty, under that section with the consent of the member:

“(1) Section 12301(d), relating to orders to active duty at any time with the consent of the member.
“(2) Section 12301(h), relating to orders to active duty in connection with medical or health care matters.

“(3) Section 12322, relating to active duty for health care.

“(4) Section 12323, relating to active duty pending line of duty determination required for response to sexual assault.

“(b) APPLICABLE PROVISIONS OF LAW.—The following sections of chapter 1209 of this title pertaining to a member of a reserve component ordered to active duty with the consent of the member apply to a member of the Space Force who is ordered to active duty under this section in the same manner as to such a reserve component member:

“(1) Section 12308, relating to retention after becoming qualified for retired pay.

“(2) Section 12309, relating to use of Reserve officers in expansion of armed forces.

“(3) Section 12313, relating to release of reserve members from active duty.

“(4) Section 12314, relating to kinds of duty.

“(5) Section 12315, relating to duty with or without pay.

“(6) Section 12316, relating to payment of certain Reserves while on duty.
“(7) Section 12318, relating to duties and funding of reserve members on active duty.

“(8) Section 12320, relating to grade in which ordered to active duty.

“(9) Section 12321, relating to a limitation on number of reserve members assigned to Reserve Officer Training Corps units.

“§ 20105. Sustained duty

“(a) Enlisted Members.—An authority designated by the Secretary of the Air Force may order an enlisted member of the Space Force in a space force active status to sustained duty, or retain an enlisted member on sustained duty, with the consent of that member, as specified in the terms of the member’s enlistment or reenlistment agreement.

“(b) Officers.—

“(1) An authority designated by the Secretary of the Air Force may order a Space Force officer in a space force active status to sustained duty—

“(A) with the consent of the officer; or

“(B) to fulfill the terms of an active-duty service commitment incurred by the officer under any provision of law.

“(2) An officer ordered to sustained duty under paragraph (1) may not be released from sustained duty...
duty without the officer’s consent except as provided in chapter 2009 or 2011 of this title.

§20106. Orders to active duty: without consent of member

“(a) Members in a Space Force Active Status.—

“(1) A member of the Space Force in a space force active status who is not on sustained duty, may, without the consent of the member, be ordered to active duty or inactive duty in the same manner as a member of a reserve component ordered to active duty or inactive duty under the provisions of chapter 1209 of this title and any other provision of law authorizing the order to active duty of a member of a reserve component in an active status without the consent of the member.

“(2) The provisions of chapter 1209 of this title, or other applicable provisions of law, pertaining to a member of the Ready Reserve when ordered to active duty shall apply to a member of the Space Force who is in a space force active status when ordered to active duty under paragraph (1).

“(3) The provisions of section 12304 of this title pertaining to members in the Individual Ready Reserve mobilization category shall apply to a member of the Space Force who is designated an Individual
Ready Guardian when ordered to active duty who meets the provisions of section 20102(b) of this title.

“(b) MEMBERS IN A SPACE FORCE INACTIVE STATUS.—

“(1) A member of the Space Force in a space force inactive status may be ordered to active duty under—

“(A) the provisions of chapter 1209 of this title;

“(B) any other provision of law authorizing the order to active duty of a member of a reserve component in an inactive status; and

“(C) the terms of any agreement entered into by the member under section 20103 of this title.

“(2) The provisions of chapter 1209 of this title, or other applicable provisions of law, pertaining to the Standby Reserve shall apply to a member of the Space Force who is in a space force inactive service when ordered to active duty.

“(c) MEMBERS IN A SPACE FORCE RETIRED STATUS.—

“(1) Chapters 39 and 1209 of this title include provisions authorizing the order to active duty of a
member of the Space Force in a space force retired status.

“(2) The provisions of sections 688, 688a, and 12407 of this title pertaining to a retired member or a member of the Retired Reserve shall apply to a member of the Space Force in a space force retired status when ordered to active duty.

“(3) The provisions of section 689 of this title pertaining to a retired member ordered to active duty shall apply to a member of the Space Force in a space force retired status who is ordered to active duty.

“(d) OTHER APPLICABLE PROVISIONS.—The following provisions of chapter 1209 of this title pertaining shall apply to a member of the Space Force ordered to active duty in the same manner as to a Reserve or member of the Retired Reserve ordered to active duty:

“(1) Section 12305, relating to the authority of the President to suspend certain laws relating to promotion, retirement, and separation.

“(2) Section 12308, relating to retention after becoming qualified for retired pay.

“(3) Section 12313, relating to release from active duty.

“(4) Section 12314, relating to kinds of duty.
“(5) Section 12315, relating to duty with or without pay.

“(6) Section 12316, relating to payment of certain Reserves while on duty.

“(7) Section 12317, relating to theological students; limitations.

“(8) Section 12320, relating to grade in which ordered to active duty.

“§20107. Transfer to inactive status: initial service obligation not complete

“(a) GENERAL RULE.—A member of the Space Force who has not completed the required minimum service obligation referred to in section 20003 of this title shall, if terminating space force active status, be transferred to a space force inactive status and, unless otherwise designated an Individual Ready Guardian under section 20102 of this title, shall remain subject to order to active duty without the member’s consent under section 20106 of this title.

“(b) EXCEPTION.—Subsection (a) does not apply to a member who is separated from the Space Force by the Secretary of the Air Force under section 20503 of this title.
§20108. Members of Space Force: credit for service for purposes of laws providing pay and benefits for members, dependents, and survivors

“For the purposes of laws providing pay and benefits for members of the armed forces and their dependents and beneficiaries:

“(1) Military training, duty, or other service performed by a member of the Space Force in a space force active status not on sustained duty shall be considered military training, duty, or other service, as the case may be, as a member of a reserve component.

“(2) Sustained duty performed by a member of the Space Force under section 20105 of this title shall be considered active duty as a member of a regular component.

“(3) Active duty performed by a member of the Space Force in a space force active status not on sustained duty shall be considered active duty as a member of a reserve component.

“(4) Inactive-duty training performed by a member of the Space Force shall be considered inactive-duty training as a member of a reserve component.
§ 20109. Policy for order to active duty based upon determination by Congress

“Whenever Congress determines that more units and organizations capable of conducting space operations are needed for the national security than are available among those units comprised of members of the Space Force serving on active duty, members of the Space Force not serving on active duty shall be ordered to active duty and retained as long as so needed.”.

SEC. 1716. OFFICERS.

(a) ORIGINAL APPOINTMENTS.—Subtitle F of title 10, United States Code, as amended by section 1715, is further amended by adding at the end the following new chapter:

“CHAPTER 2005—OFFICERS

“SUBCHAPTER I—ORIGINAL APPOINTMENTS

“Sec.


“SUBCHAPTER II—SELECTION BOARDS

“20211. Convening of selection boards.

“20212. Composition of selection boards.


“20215. Reports of selection boards.

“20216. Action on reports of selection boards for promotion to brigadier general or major general.

“SUBCHAPTER III—PROMOTIONS

“20231. Eligibility for consideration for promotion: time-in-grade and other requirements.

“20232. Eligibility for consideration for promotion: senior commander nominations.

“20233. Eligibility for consideration for promotion: designation as joint qualified officer required before promotion to brigadier general; exceptions.

“20234. Opportunities for consideration for promotion.

“20235. Space Force officer list.
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“§ 20201. Original appointments: how made

“(a) Appointments Made by Secretary of Defense.—Original appointments of commissioned officers in the Space Force in grades below the grade of brigadier general shall be made by the Secretary of Defense.

“(b) Application of Constructive Credit.—The grade of a person receiving an appointment under this section who at the time of appointment is credited with service under section 20203 of this title shall be determined under regulations prescribed by the Secretary of the Defense based upon the amount of service credited.

“§ 20202. Original appointments: qualifications

“(a) In General.—An original appointment as a commissioned officer in the Space Force may be given only to a person who—

“(1) is a citizen of the United States;

“(2) is at least 18 years of age; and
“(3) has such other physical, mental, moral, professional, and age qualifications as the Secretary of the Air Force may prescribe by regulation.

“(b) EXCEPTION.—A person who is otherwise qualified, but who has a physical condition that the Secretary of the Air Force determines will not interfere with the performance of the duties to which that person may be assigned, may be appointed as an officer in the Space Force.

“(a) CREDIT FOR PRIOR SERVICE.—

“(1) PRIOR COMMISSIONED SERVICE.—For the purpose of determining the grade and rank within grade of a person receiving an original appointment in a commissioned grade in the Space Force, such person shall be credited at the time of such appointment with any active commissioned service (other than service as a commissioned warrant officer) that the person performed in any uniformed service before such appointment.

“(2) PRIOR CIVILIAN SERVICE.—For the purpose of determining the grade and rank within grade of a person receiving an original appointment in a commissioned grade in the Space Force, such person may be credited at the time of such appointment with service as a civilian employee of a Federal agency in an occupation code or career field related to the skills
and experience required for officers of the Space Force. The Secretary of the Air Force shall prescribe regulations establishing which civilian employee occupation codes and career fields may be considered as related to the skills and experience required for officers of the Space Force.

“(3) LIMITATION ON AMOUNT OF PRIOR COMMISSIONED SERVICE THAT MAY BE CREDITED.—The regulations prescribed by the Secretary of Defense under section 533 of this title shall apply to the Space Force to authorize the Secretary of the Air Force to limit the amount of prior active commissioned service with which a person receiving an original appointment may be credited under paragraph (1).

“(b) CREDIT FOR EDUCATION, TRAINING, AND EXPERIENCE.—

“(1) Under regulations prescribed by the Secretary of the Air Force, the Secretary shall credit a person who is receiving an original appointment in a commissioned grade in the Space Force and who has advanced education, training, or special experience with constructive service for such education, training, or experience in a particular officer career field as designated by the Secretary of the Air Force,
if such education, training, or experience is directly related to the operational needs of the Space Force.

“(2) The Secretary may credit a person with constructive credit under this subsection for each instance of relevant advanced education or training or special experience regardless of whether two or more such instances are concurrent.

“(3) The amount of constructive service credited an officer under this subsection may not exceed the amount required in order for the officer to be eligible for an original appointment in the grade of colonel.

“(4) Constructive service credited an officer under this subsection is in addition to any service credited that officer under subsection (a) and shall be credited at the time of the original appointment of the officer.

“(c) AUTHORIZED USE OF CONSTRUCTIVE CREDIT.—

Constructive service credited an officer under subsection (b) shall be used only for determining the officer’s—

“(1) initial grade;

“(2) rank in grade; and

“(3) service in grade for promotion eligibility.

“(d) EXCLUSION FOR GRADUATES OF THE SERVICE ACADEMIES.—A graduate of the United States Military Academy, the United States Naval Academy, or the United
States Air Force Academy is not entitled to service credit under this section for service performed, or education, training, or experience obtained, before graduation from such Academy.”.

(b) Conforming Amendments Relating to Original Appointments.—

(1) Definitions.—Section 101 of title 10, United States Code, is amended in subsection (b)(10) by inserting before the period at the end the following: “and, with respect to the appointment of a member of the armed forces in the Space Force, refers to that member’s most recent appointment in the Space Force that is neither a promotion nor a demotion”.

(2) Original Appointments of Commissioned Officers.—Section 531 of such title is amended—

(A) in subsection (a)—

(i) in paragraphs (1) and (2)—

(I) by inserting “and” after “Regular Marine Corps”; and

(II) by striking “, and in the equivalent grades in the Regular Space Force”; and

(ii) by inserting after paragraph (2) the following new paragraph:
“(3) Original appointments in the grades of second lieutenant through colonel in the Space Force are provided for under section 20301 of this title.”; and

(B) in subsection (c), by striking “Regular Marine Corps, or Regular Space Force” and inserting “or Regular Marine Corps”.

(3) QUALIFICATIONS FOR ORIGINAL APPOINTMENT AS A COMMISSIONED OFFICER.—Section 532(a) of such title is amended by striking “Regular Marine Corps, or Regular Space Force” and inserting “or Regular Marine Corps”.

(4) SERVICE CREDIT UPON ORIGINAL APPOINTMENT AS A COMMISSIONED OFFICER.—Section 533 of such title is amended—

(A) in subsection (a)(2), by striking “Marine Corps, and Space Force” and inserting “and Marine Corps”; and

(B) in subsections (a)(1), (b)(1), and (f), by striking “Regular Marine Corps, or Regular Space Force” and inserting “or Regular Marine Corps”.

(c) SELECTION BOARDS AND PROMOTIONS.—Chapter 205 of title 10, United States Code, as added by subsection (a), is amended by adding at the end the following new subchapters:
§ 20211. Convening of selection boards

(a) IN GENERAL.—Whenever the needs of the service require, the Secretary of the Air Force shall convene selection boards to recommend for promotion to the next higher permanent grade officers of the Space Force in each permanent grade from first lieutenant through brigadier general.

(b) EXCEPTION FOR OFFICERS IN GRADE OF FIRST LIEUTENANT.—Subsection (a) does not require the convening of a selection board in the case of Space Force officers in the permanent grade of first lieutenant when the Secretary of the Air Force recommends for promotion to the grade of captain under section 20238(a)(4)(A) of this title all such officers whom the Secretary finds to be fully qualified for promotion.

(c) SELECTION BOARDS FOR EARLY RETIREMENT OR DISCHARGE.—The Secretary of the Air Force may convene selection boards to recommend officers for early retirement under section 20404(a) of this title or for discharge under section 20404(b) of this title.

(d) REGULATIONS.—The convening of selection boards under subsection (a) shall be under regulations prescribed by the Secretary of the Defense.

§ 20212. Composition of selection boards

(a) APPOINTMENT AND COMPOSITION OF BOARDS.—
“(1) Members of a selection board shall be appointed by the Secretary of Air Force in accordance with this section. A selection board shall consist of five or more officers of the Space Force. Each member of a selection board must be serving in a grade higher than the grade of the officers under consideration by the board, except that no member of a board may be serving in a grade below major. The members of a selection board shall include at least one member serving on sustained duty and at least one member in a space force active status who is not serving on sustained duty. The ratio of the members of a selection board serving on sustained duty to members serving in a space force active status not on sustained duty shall, to the extent practicable, reflect the ratio of officers serving in each of those statuses who are being considered for promotion by the board. The members of a selection board shall represent the diverse population of the Space Force to the extent practicable.

“(2) Representation from competitive categories.—

“(A) Except as provided in subparagraph (B), a selection board shall include at least one officer from each competitive category of officers to be considered by the board.
“(B) A selection board need not include an officer from a competitive category when there are no officers of that competitive category on the space force officer list in a grade higher than the grade of the officers to be considered by the board and eligible to serve on the board.

“(3) RETIRED OFFICERS.—If qualified officers on the space force officer list are not available in sufficient number to comprise a selection board, the Secretary of the Air Force shall complete the membership of the board by appointing as members of the board—

“(A) Space Force officers who hold a grade higher than the grade of the officers under consideration by the board and who are retired officers; and

“(B) if sufficient Space Force officers are not available pursuant to subparagraph (A), Air Force officers who hold a grade higher than the grade of the officers under consideration by the board and who are retired officers, but only if the Air Force officer to be appointed to the board has served in a space-related career field of the Air Force for sufficient time such that the Secretary of the Air Force determines that the retired Air Force officer has adequate knowledge
concerning the standards of performance and
conduct required of an officer of the Space Force.

“(4) Exclusion of Retired General Officers on Active Duty to Serve on a Board from Numeric General Officer Active-duty Limitations.—A retired general officer who is on active duty for the purpose of serving on a selection board shall not, while so serving, be counted against any limitation on the number of general and flag officers who may be on active duty.

“(b) Limitation on Membership on Consecutive Boards.—

“(1) General Rule.—Except as provided in paragraph (2), no officer may be a member of two successive selection boards convened under section 20211 of this title for the consideration of officers of the same grade.

“(2) Exception for General Officer Boards.—Paragraph (1) does not apply with respect to selection boards convened under section 20211 of this title for the consideration of officers in the grade of colonel or brigadier general.

“(c) Joint Qualified Officers.—

“(1) Each selection board convened under section 20211 of this title that will consider an officer de-
scribed in paragraph (2) shall include at least one officer designated by the Chairman of the Joint Chiefs of Staff who is a joint qualified officer.

“(2) Paragraph (1) applies with respect to an officer who—

“(A) is serving on, or has served on, the Joint Staff; or

“(B) is a joint qualified officer.

“(3) The Secretary of Defense may waive the requirement in paragraph (1) for any selection board of the Space Force.

§20213. Notice of convening of selection boards

“(a) At least 30 days before a selection board is convened under section 20211 of this title to recommend officers in a grade for promotion to the next higher grade, the Secretary of the Air Force shall provide to the officers who are eligible for consideration by the board and have not been excluded from consideration under section 20216(d) of this title notification in writing of the date on which the board is to convene. In the notification, the Secretary shall inform an eligible officer of how many times, if any, the officer has previously been considered by a selection board convened under section 20211 for promotion to the grade to which the board described in the notification will recommend officers for promotion.
“(b) An officer eligible for consideration by a selection board convened under section 20211 of this title (other than an officer who has been excluded under 20231(d) of this title from consideration by the board) may send a written communication to the board, to arrive not later than 10 calendar days before the date on which the board convenes, calling attention to any matter concerning the officer that the officer considers important to the officer’s case. The selection board shall give consideration to any timely communication under this subsection.

“(c) An officer on the space force officer list in the grade of colonel or brigadier general who receives a notice under subsection (a) shall inform the Secretary of the officer’s preference to serve either on or off active duty if promoted to the grade of brigadier general or major general, respectively.

“§ 20214. Recommendations for promotion by selection boards

“(a) Board to Recommend Officers Best Qualified for Promotion.—A selection board convened under section 20211 of this title shall recommend for promotion to the next higher grade those officers considered by the board whom the board, giving due consideration to the needs of the Space Force for officers with particular skills (as noted in the guidelines or information furnished the
board under section 615(b) of this title), considers best qualified for promotion within each competitive category considered by the board.

“(b) NUMBER TO BE RECOMMENDED.—The Secretary of the Air Force shall establish the number of officers such a selection board may recommend for promotion from among officers being considered.

“(c) BOARD PROCEDURES FOR RECOMMENDATIONS; LIMITATIONS.—A selection board convened under section 20211 of this title may not recommend an officer for promotion unless—

“(1) the officer receives the recommendation of a majority of the members of the board;

“(2) a majority of the members of the board finds that the officer is fully qualified for promotion; and

“(3) a majority of the members of the board, after consideration by all members of the board of any adverse information about the officer that is provided to the board under section 615 of this title, finds that the officer is among the officers best qualified for promotion to meet the needs of the Space Force consistent with the requirement of exemplary conduct set forth in section 9233 of this title.
“(d) Limitation on Promotions Under Other Authority.—Except as otherwise provided by law, a Space Force officer may not be promoted to a higher grade under this chapter unless the officer is considered and recommended for promotion to that grade by a selection board convened under this chapter or, in the case of an officer transferring into the Space Force from another armed force, chapter 36 or chapter 1403 of this title.

“(e) Disclosure of Board Recommendations.—The recommendations of a selection board may be disclosed only in accordance with regulations prescribed by the Secretary of Defense. Those recommendations may not be disclosed to a person not a member of the board (or a member of the administrative staff designated by the Secretary of the Air Force to assist the board) until the written report of the recommendations of the board, required by section 617 of this title, is signed by each member of the board.

“(f) Prohibition on Attempting to Influence Members of a Board.—The Secretary of the Air Force, and an officer or other official exercising authority over any member of a selection board, may not—

“(1) censure, reprimand, or admonish the selection board or any member of the board with respect to the recommendations of the board or the exercise of
any lawful function within the authorized discretion
of the board; or

“(2) attempt to coerce or, by any unauthorized
means, influence any action of a selection board or
any member of a selection board in the formulation
of the board’s recommendations.

“(g) Higher Placement on Promotion List of
Officer of Particular Merit.—

“(1) In selecting the officers to be recommended
for promotion, a selection board shall, when author-
ized by the Secretary of the Air Force, recommend of-
fers of particular merit, pursuant to guidelines and
procedures prescribed by the Secretary, from among
those officers selected for promotion, to be placed high-
er on the promotion list established by the Secretary
under section 624(a)(1) of this title.

“(2) An officer may be recommended to be placed
higher on a promotion list under paragraph (1) only
if the officer receives the recommendation of at least
a majority of the members of the board, unless the
Secretary of the Air Force establishes an alternative
requirement. Any such alternative requirement shall
be furnished to the board as part of the guidelines fur-
nished to the board under section 615 of this title.
“(3) For the officers recommended to be placed higher on a promotion list under paragraph (1), the board shall recommend, pursuant to guidelines and procedures prescribed by the Secretary, the order in which those officers should be placed on the list.

§ 20215. Reports of selection boards

“(a) In General.—Each selection board convened under section 20211 of this title shall submit to the Secretary of the Air Force a written report, signed by each member of the board, containing a list of the names of the officers it recommends for promotion and certifying—

“(1) that the board has carefully considered the record of each officer whose name was furnished to it under section 615 of this title; and

“(2) that, in the opinion of a majority of the members of the board, the officers recommended for promotion by the board are best qualified for promotion to meet the needs of the Space Force (as noted in the guidelines or information furnished the board under section 615(b) of this title) among those officers whose names were furnished to the selection board.

“(b) Officers Who Should Be Required to Show Cause for Retention.—A selection board convened under section 20211 of this title shall include in its report the name of any officer before it for consideration for promotion
whose record, in the opinion of a majority of the members of the board, indicates that the officer should be required under section 20503 of this title to show cause for the officer’s retention in a space force active status.

“(c) Officers Recommended to Be Placed Higher on the Promotion List.—A selection board convened under section 20211 of this title shall, when authorized under section 20214(g) of this title, include in its report the names of those officers recommended by the board to be placed higher on the promotion list and the order in which the board recommends that those officers should be placed on the list.

§ 20216. Action on reports of selection boards for promotion to brigadier general or major general

“After reviewing a report received under section 20215 of this title recommending officers on the space force officer list for promotion to the grade of brigadier general or major general, but before submitting the report to the Secretary of Defense, the Secretary of the Air Force may, under regulations prescribed by the Secretary of the Air Force, adjust the placement of officers on the promotion list recommended in the report in order to further Space Force mission accomplishment.
§ 20231. Eligibility for consideration for promotion: 
    time-in-grade and other requirements 

  (a) Time-in-grade Requirements.—

  (1) An officer who is in a space force active status on the space force officer list and holds a permanent appointment in the grade of second lieutenant or first lieutenant may not be promoted to the next higher permanent grade until the officer has completed the following period of service in the grade in which the officer holds a permanent appointment:

    (A) Eighteen months, in the case of an officer holding a permanent appointment in the grade of second lieutenant.

    (B) Two years, in the case of an officer holding a permanent appointment in the grade of first lieutenant.

  (2) Except as authorized by section 20233 of this title, an officer who is in a space force active status on the space force officer list and holds a permanent appointment in a grade above first lieutenant may not be considered for selection for promotion to the next higher permanent grade until the officer has completed the following period of service in the grade in which the officer holds a permanent appointment:
“(A) Three years, in the case of an officer holding a permanent appointment in the grade of captain, major, or lieutenant colonel.

“(B) One year, in the case of an officer holding a permanent appointment in the grade of colonel or brigadier general.

“(3) When the needs of the service require, the Secretary of the Air Force may prescribe a longer period of service in grade for eligibility for promotion, in the case of officers to whom paragraph (1) applies, or for eligibility for consideration for promotion, in the case of officers to whom paragraph (2) applies.

“(4) In computing service in grade for purposes of this section, service in a grade held as a result of assignment to a position is counted as service in the grade in which the officer would have served except for such assignment or appointment.

“(b) AUTHORITY TO PRECLUDE FROM CONSIDERATION CERTAIN OFFICERS BASED ON TIME OF ENTRY ON OR DEPARTURE FROM SUSTAINED DUTY.—The Secretary of the Air Force—

“(1) may, by regulation, prescribe a period of time, not to exceed one year, from the time an officer on the space force officer list transfers on or off of sus-
tained duty during which the officer shall be ineligi-
ble for consideration for promotion; and

“(2) may, by regulation, preclude from consider-
ation by a selection board by which the officer would
otherwise be eligible to be considered, an officer who
has an established separation date that is within 90
days after the date on which the board is to be con-
vened.

“(c) Certain Officers Not to Be Considered.—
A selection board convened under section 20211 of this title
may not consider for promotion to the next higher grade
any of the following officers:

“(1) An officer whose name is on a promotion
list for that grade as a result of the officer’s selection
for promotion to that grade by an earlier selection
board convened under that section.

“(2) An officer who is recommended for pro-
motion to that grade in the report of an earlier selec-
tion board convened under that section, in the case of
such a report that has not yet been approved by the
President.

“(3) An officer in the grade of first lieutenant
who is on an approved all-fully-qualified-officers list
under section 20419 of this title.

“(4) An officer excluded under subsection (d).
“(d) Authority to Allow Officers to Opt Out of Selection Board Consideration.—

“(1) The Secretary of the Air Force may provide that an officer on the space force officer list may, upon the officer’s request and with the approval of the Secretary, be excluded from consideration by a selection board convened under section 20211 of this title to consider officers for promotion to the next higher grade.

“(2) The Secretary of the Air Force may only approve a request under paragraph (1) if the Secretary determines the exclusion from consideration is in the best interest of the Space Force.

§ 20232. Eligibility for consideration for promotion: senior commander nominations

“(a) In General.—Under regulations prescribed by the Secretary of the Air Force and subject to subsection (b), a board convened under section 20211 of this title may consider for promotion to the next higher grade an officer in a space force active status on the space force officer list in the grade of captain, major, or lieutenant colonel who—

“(1) does not meet the requirements of section 20412 of this title with respect to time-in-grade; or

“(2) has already been considered for promotion by a selection board convened under section 20211 of

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this title the maximum number of times as determined by the Secretary under section 20415 of this title and has failed of selection for promotion each time.

“(b) Nomination Required.—The regulations prescribed under subsection (a) shall require that, in order for an officer described in that subsection to be considered for promotion by a board convened under section 20211 of this title, the officer must be nominated by the commanding general of the Space Force Field Command to which the officer is assigned or, in the case of an officer on the space force officer list not assigned to a unit subordinate to a Space Force Field Command, the first lieutenant general, or civilian equivalent, in the officer’s chain of command or supervision. For an officer on the space force officer list assigned to a joint position, or a position within a Federal department or agency outside of the Department of the Air Force, the nomination may be made by a lieutenant general in the Army, Air Force, or Marine Corps or a vice admiral in the Navy, or the civilian equivalent.

“(c) Nomination.—

“(1) The regulations prescribed under subsection (a) shall establish clear, competency-based criteria for use by the nominating officer or official in deter-
mining whether an officer described in subsection (a) should be nominated for consideration for promotion.

“(2) An officer on the space force officer list may only be nominated under this section if (A) the officer is not eligible for consideration for promotion by a selection board convened under section 20211 of this title, and (B) the officer has not twice previously been promoted to a higher grade on the space force officer list under this section.

“(3) A nomination under this section shall be submitted to the Chief Human Capital Officer of the Space Force and shall provide sufficient information and justification for the opinion of the nominating officer that the nominated officer meets the requisite competency-based requirements for service in a higher grade and is exceptionally well qualified for promotion despite not meeting the eligibility requirements for consideration for promotion under section 20412 of this title.

§ 20233. Eligibility for consideration for promotion: designation as joint qualified officer required before promotion to brigadier general; exceptions

“(a) GENERAL RULE.—An officer on the space force officer list may not be appointed to the grade of brigadier
general unless the officer has been designated as a joint qualified officer in accordance with section 661 of this title.

“(b) EXCEPTIONS.—Subject to subsection (c), the Secretary of Defense may waive subsection (a) in the following circumstances:

“(1) When necessary for the good of the service.

“(2) In the case of an officer whose proposed selection for promotion is based primarily upon scientific and technical qualifications for which joint requirements do not exist.

“(3) In the case of an officer selected by a promotion board for appointment to the grade of brigadier general while serving in a joint duty assignment if—

“(A) the officer’s total consecutive service in joint duty assignments is not less than two years; and

“(B) the officer has successfully completed a program of education described in subsections (b) and (c) of section 2155 of this title.

“(4) In the case of an officer who—

“(A) is selected by a promotion board for appointment to the grade of brigadier general;

“(B) is not exempted under subsection (g); and
“(C) has successfully completed the education requirements prescribed in subparagraph (A) of section 661(c)(1) of this title but has not been afforded the opportunity to complete the experience requirements described in subparagraph (B) of that section.

“(c) Waiver to Be Individual.—A waiver may be granted under subsection (b) only on a case-by-case basis in the case of an individual officer.

“(d) Special Rule for Good-of-the-Service Waiver.—In the case of a waiver under subsection (b)(1), the Secretary of Defense shall provide that the first duty assignment as a general or flag officer of the officer for whom the waiver is granted shall be in a joint duty assignment.

“(e) Limitation on Delegation of Waiver Authority.—The authority of the Secretary of Defense to grant a waiver under subsection (b)(4) may be delegated to the Secretary of the Air Force and may not be further delegated.

“(f) Regulations.—The Secretary of Defense shall prescribe regulations to carry out this section. The regulations shall specifically identify for purposes of subsection (b)(2) those categories of officers for which selection for promotion to brigadier general is based primarily upon sci-
entific and technical qualifications for which joint require-
ments do not exist.

“(g) EXEMPTION.—Subsection (a) shall not apply to
an officer who transfers to the Space Force from a reserve
component before the first day of the sixth fiscal year begin-
ning after the date of the enactment of this section, and
who, as of the date of the transfer, is serving in the grade
of major, lieutenant colonel, or colonel or, in the case of
the Navy or Coast Guard, lieutenant commander, com-
mander, or captain.

“§20234. Opportunities for consideration for pro-
motion

“(a) SPECIFICATION OF NUMBER OF OPPORTUNITIES
FOR CONSIDERATION FOR PROMOTION.—Under regulations
prescribed by the Secretary of Defense, the Secretary of the
Air Force shall specify the number of opportunities for con-
sideration for promotion to be afforded to Space Force offi-
cers for promotion to each grade above the grade of captain.

“(b) LIMITATION ON NUMBER OF OPPORTUNITIES
THAT MAY BE SPECIFIED.—The number of opportunities
for consideration for promotion to be afforded officers of the
Space Force for promotion to a particular grade may not
be fewer than two and may not exceed five.

“(c) LIMITED AUTHORITY OF SECRETARY OF THE AIR
FORCE TO MODIFY NUMBER OF OPPORTUNITIES.—The Sec-
retary of the Air Force may change the number of opportuni-
ties for consideration for promotion to a particular grade
not more frequently than once every five years.

“(d) Authority of Secretary of Defense to
Modify Number of Opportunities.—The Secretary of
Defense may modify the number of opportunities for consid-
eration for promotion to be afforded officers of the Space
Force for promotion to a particular grade.

“§ 20235. Space Force officer list

“(a) Single List.—The Secretary of the Air Force
shall maintain a single list of all Space Force officers serv-
ing in a space force active status. The list shall be known
as the space force officer list.

“(b) Order of Officers on List.—Officers shall be
carried on the space force officer list in the order of senior-
ity of the grade in which they are serving. Officers serving
in the same grade shall be carried in the order of their rank
in that grade.

“(c) Effect of Service in a Temporary Appoint-
ment.—An officer whose position on the space force officer
list results from service under a temporary appointment or
in a grade held by reason of assignment to a position has,
when that appointment or assignment ends, the grade and
position on the space force officer list that the officer would
have held if the officer had not received that appointment
or assignment.

§ 20236. Competitive categories

(a) Requirement to Establish Competitive Categories for Promotion.—Under regulations prescribed
by the Secretary of Defense, the Secretary of the Air Force
shall establish at least one competitive category for pro-
motion for officers on the space force officer list. Each officer
whose name appears on the space force officer list shall be
carried in a competitive category of officers. Officers in the
same competitive category shall compete among themselves
for promotion.

(b) Single Competitive Category for Promotion to General Officer Grades.—The Secretary of
the Air Force shall establish a single competitive category
for all officers on the space force officer list who will be
considered by a selection board convened under section
20211 of this title for promotion to the grade of brigadier
general or major general.

§ 20237. Numbers to be recommended for promotion

(a) Promotion to Grades Below Brigadier General.—

(1) Before convening a selection board under
section 20211 of this title to consider officers for rec-
ommendation for promotion to a grade below briga-
dier general and in any competitive category, the Secretary of the Air Force shall determine—

“(A) the number of positions needed to accomplish mission objectives which require officers of that competitive category in the grade to which the board will recommend officers for promotion;

“(B) the estimated number of officers needed to fill vacancies in those positions during the period in which it is anticipated that officers selected for promotion will be promoted; and

“(C) the number of officers in a space force active status authorized by the Secretary of the Air Force to serve both on sustained duty and not on sustained duty in the grade and competitive category under consideration.

“(2) Based on the determinations under paragraph (1), the Secretary of the Air Force shall determine the maximum number of officers in that competitive category which the selection board may recommend for promotion.

“(b) PROMOTION TO BRIGADIER GENERAL AND MAJOR GENERAL.—

“(1) Before convening a selection board under section 20211 of this title to consider officers for rec-
ommendation for promotion to the grade of brigadier general or major general, the Secretary of the Air Force shall determine—

“(A) the number of positions needed to accomplish mission objectives which require officers serving in a space force active status on sustained duty, and in a space force active status not on sustained duty, in the grade to which the board will recommend officers for promotion; and

“(B) the estimated number of officers on sustained duty and not on sustained duty needed to fill vacancies in those positions over the 24-month period beginning on the date on which the selection board convenes.

“(2) Based on the determinations under paragraph (1), the Secretary of the Air Force shall determine the maximum number of officers serving in a space force active status on sustained duty, and the maximum number of officers serving in a space force active status not on sustained duty, which the selection board may recommend for promotion.
§ 20238. Promotions: how made; authorized delay of promotions

“(a) Procedure for Promotion of Officers on an Approved Promotion List.—

“(1) Placement of names on promotion list.—When the report of a selection board convened under section 20211 of this title is approved by the President, the Secretary of the Air Force shall place the names of all officers approved for promotion within a competitive category on a single list for that competitive category, to be known as a promotion list, in the order of the seniority of such officers on the list or based on particular merit, as determined by the promotion board, or as modified by the Secretary of the Air Force under section 20216 of this title. A promotion list is considered to be established under this section as of the date of the approval of the report of the selection board under the preceding sentence.

“(2) Order and timing of promotions.—Except as provided in subsection (d), officers on a promotion list for a competitive category shall be promoted to the next higher grade when additional officers in that grade and competitive category are needed. Promotions shall be made in the order in which the names of officers appear on the promotion list and after officers previously selected for promotion in
that competitive category have been promoted. Officers
to be promoted to the grade of first lieutenant shall
be promoted in accordance with regulations pre-
scribed by the Secretary of the Air Force.

“(3) LIMITATION ON PROMOTIONS TO GENERAL
OFFICER GRADES TO COMPLY WITH STRENGTH LIMI-
TATIONS.—Under regulations prescribed by the Sec-
retary of Defense, the promotion of an officer on the
space force officer list to the grade of brigadier general
or major general shall be delayed if that promotion
would cause any strength limitation of section 526 of
this title to be exceeded. The delay shall expire when
the Secretary of the Air Force determines that the
delay is no longer required to ensure compliance with
the strength limitation.

“(4) PROMOTION OF FIRST LIEUTENANTS ON AN
ALL-FULLY-QUALIFIED OFFICERS LIST.—

“(A) Except as provided in subsection (d),
officers on the space force officer list in the grade
of first lieutenant who are on an approved all-
fully-qualified-officers list shall be promoted to
the grade of captain in accordance with regula-
tions prescribed by the Secretary of the Air
Force.
“(B) An all-fully-qualified-officers list shall be considered to be approved for purposes of sub-
paragraph (A) when the list is approved by the President. When so approved, such a list shall be
treated in the same manner as a promotion list under this chapter.

“(C) The Secretary of the Air Force may make a recommendation to the President for ap-
proval of an all-fully-qualified-officers list only when the Secretary determines that all officers
on the list are needed in the next higher grade to accomplish mission objectives.

“(D) For purposes of this paragraph, an all-fully-qualified-officers list is a list of all offi-
cers on the space force officers list in a grade who the Secretary of the Air Force determines—
“(i) are fully qualified for promotion to the next higher grade; and
“(ii) would be eligible for consideration for promotion to the next higher grade by a
selection board convened under section 20211 of this title upon the convening of
such a board.

“(E) If the Secretary of the Air Force deter-
mines that one or more officers or former officers
were not placed on an all-fully-qualified-list under this paragraph because of administrative error, the Secretary may prepare a supplemental all-fully-qualified-officers list containing the names of any such officers for approval in accordance with this paragraph.

“(b) DATE OF RANK.—The date of rank of an officer appointed to a higher grade under this section is determined under section 741(d) of this title.

“(c) APPOINTMENT AUTHORITY.—Appointments under this section shall be made by the President, by and with the advice and consent of the Senate, except that appointments under this section in the grade of first lieutenant or captain shall be made by the President alone.

“(d) AUTHORITY TO DELAY APPOINTMENTS FOR SPECIFIED REASONS.—The provisions of subsection (d) of section 624 of this title shall apply to the appointment of an officer under this section in the same manner as they apply to an appointment of an officer under that section, and any reference in that subsection to an active-duty list shall be treated for purposes of applicability to an officer of the Space Force as referring to the space force officer list.
“SUBCHAPTER IV—PERSONS NOT CONSIDERED FOR PROMOTION AND OTHER PROMOTION-RELATED PROVISIONS

§20251. Special selection boards

“(a) PERSONS NOT CONSIDERED BY PROMOTION BOARD DUE TO ADMINISTRATIVE ERROR.—

“(1) If the Secretary of the Air Force determines that because of administrative error a person who should have been considered for selection for promotion by a selection board convened under section 20211 of this title was not so considered, the Secretary shall convene a special selection board under this subsection to determine whether that person should be recommended for promotion.

“(2) A special selection board convened under paragraph (1) shall consider the record of the person whose name was referred to it for consideration as that record would have appeared to the board that should have considered the person. That record shall be compared with a sampling of the records of those officers of the same competitive category who were recommended for promotion, and those officers who were not recommended for promotion, by the board that should have considered the person.
“(3) If a special selection board convened under paragraph (1) does not recommend for promotion a person whose name was referred to it for consideration for selection for appointment to a grade other than a general officer grade, the person shall be considered to have failed of selection for promotion.

“(b) Persons Considered by Promotion Board in Unfair Manner.—

“(1) If the Secretary of the Air Force determines, in the case of a person who was considered for selection for promotion by a board convened under section 20211 of this title but was not selected, that there was material unfairness with respect to that person, the Secretary may convene a special selection board under this subsection to determine whether that person should be recommended for promotion. In order to determine that there was material unfairness, the Secretary must determine that—

“(A) the action of the selection board that considered the person was contrary to law in a matter material to the decision of the board or involved material error of fact or material administrative error; or

“(B) the board did not have before it for its consideration material information.
“(2) A special selection board convened under paragraph (1) shall consider the record of the person whose name was referred to it for consideration as that record, if corrected, would have appeared to the board that considered the person. That record shall be compared with the records of a sampling of those officers of the same competitive category who were recommended for promotion, and those officers who were not recommended for promotion, by the board that considered the person.

“(3) If a special selection board convened under paragraph (1) does not recommend for promotion a person whose name was referred to it for consideration, the person incurs no additional failure of selection for promotion.

“(c) REPORTS OF BOARDS.—

“(1) Each special selection board convened under this section shall submit to the Secretary of the Air Force a written report, signed by each member of the board, containing the name of each person it recommends for promotion and certifying that the board has carefully considered the record of each person whose name was referred to it.

“(2) The provisions of sections 20215 and 20216 of this title apply to the report and proceedings of a
special selection board convened under this section in
the same manner as they apply to the report and pro-
ceedings of a selection board convened under section
20211 of this title.

“(d) Appointment of Persons Selected by
Boards.—

“(1) If the report of a special selection board
convened under this section, as approved by the Presi-
dent, recommends for promotion to the next higher
grade a person whose name was referred to it for con-
sideration, that person shall, as soon as practicable,
be appointed to that grade in accordance with sub-
sections (b), (c), and (d) of section 20238 of this title.

“(2) A person who is appointed to the next high-
er grade as the result of the recommendation of a spe-
cial selection board convened under this section shall,
upon that appointment, have the same date of rank,
the same effective date for the pay and allowances of
that grade, and the same position on the space force
officer list as the person would have had if the person
had been recommended for promotion to that grade by
the board which should have considered, or which did
consider, the person.

“(e) Deceased Persons.—If a person whose name
is being considered for referral to a special selection board
under this section dies before the completion of proceedings
under this section with respect to that person, this section
shall be applied to that person posthumously.

“(f) CONVENING OF BOARDS.—A board convened
under this section—

“(1) shall be convened under regulations pre-
scribed by the Secretary of Defense;

“(2) shall be composed in accordance with sec-
tion 20212 of this title and regulations prescribed by
the Secretary of the Air Force; and

“(3) shall be subject to the provisions of section
613 of this title.

“(g) JUDICIAL REVIEW.—The provisions of subsection
(g) of section 628 of this title (relating to judicial review)
apply to the following actions with respect of any person
in the same manner as those provisions apply to cor-
responding actions under such section 628 with respect to
an officer or former officer of the Air Force:

“(1) A determination by the Secretary of the Air
Force under subsection (a)(1) or (b)(1) not to convene
a special selection board.

“(2) The action of a special selection board con-
vened under this section.

“(3) An action of the Secretary of the Air Force
on the report of such a board.
“(h) LIMITATIONS OF OTHER JURISDICTION.—No official or court of the United States may, with respect to a claim based to any extent on the failure of a person to be selected for promotion by a promotion board—

“(1) consider the claim unless the person has first been referred by the Secretary of the Air Force to a special selection board convened under this section and acted upon by that board and the report of the board has been approved by the President; or

“(2) except as provided in subsection (g), grant any relief on the claim unless the person has been selected for promotion by a special selection board convened under this section to consider the person for recommendation for promotion and the report of the board has been approved by the President.

“(i) EXISTING JURISDICTION.—Nothing in this section limits—

“(1) the jurisdiction of any court of the United States under any provision of law to determine the validity of any law, regulation, or policy relating to selection boards; or

“(2) the authority of the Secretary of the Air Force to correct a military record under section 1552 of this title.

“(j) REGULATIONS.—
“(1) IN GENERAL.—The Secretary of the Air Force shall prescribe regulations to carry out this section.

“(2) EXCLUSION.—Regulations under this subsection may not apply to subsection (g) of section 628 of this title (as incorporated by subsection (g) of this section), other than to paragraph (3)(C) of that subsection.

“(3) PRESCRIBING OF CIRCUMSTANCES FOR CONSIDERATION BY A BOARD UNDER THIS SECTION.—The Secretary may prescribe in the regulations under this subsection the circumstances under which consideration by a special selection board may be provided for under this section, including the following:

“(A) The circumstances under which consideration of a person’s case by a special selection board is contingent upon application by or for that person.

“(B) Any time limits applicable to the filing of an application for such consideration.

“(4) REGULATIONS SUBJECT TO SECRETARY OF DEFENSE APPROVAL.—Regulations prescribed by the Secretary of the Air Force under this subsection may not take effect until approved by the Secretary of Defense.
§ 20252. Other promotion matters

(a) Special Selection Board Matters.—The reference in section 628(a)(1) of this title to a person above the promotion zone does not apply in the promotion of officers on the space force officer list.

(b) With respect to the promotion of officers on the space force officer list, the provisions of part II of subtitle A that refer to the effect of twice failing of selection for promotion do not apply.

§ 20261. Applicability of certain DOPMA officer personnel policy provisions

Except as otherwise modified or provided for in this chapter, the following provisions of chapter 36 of this title (relating to promotion, separation, and involuntary retirement of officers on the active-duty list) shall apply to Space Force officers and officer promotions:

(1) Subchapter I (relating to selection boards).

(2) Subchapter II (relating to promotions).

(3) Subchapter III (relating to failure of selection for promotion and retirement for years of service), other than sections 627, 631, and 632.

(4) Subchapter IV (relating to continuation on active duty and selective early retirement), other than sections 637, 637a, and 638.
“(5) Subchapter V (additional provisions relating to promotion, separation, and retirement).

“(6) Subchapter VI (relating to alternative promotion authority for officers in designated competitive categories).”.

(d) Temporary (“brevet”) Promotions for Officers With Critical Skills.—Section 605 of title 10, United States Code, is amended as follows:

(1) Coverage of Space Force Officers.—Subsections (a), (b)(2)(A), (f)(1), and (f)(2) are amended by striking “or Marine Corps,” each place it appears and inserting “Marine Corps, or Space Force,”.

(2) Disaggregation of Air Force Maximum Numbers.—Subsection (g) is amended—

(A) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(B) by striking paragraph (2) and inserting the following new paragraphs (2) and (3):

“(2) In the case of the Air Force—

“(A) as captain 95;

“(B) as major, 305;

“(C) as lieutenant colonel, 165; and

“(D) as colonel, 75.

“(3) In the case of the Space Force—
“(A) as captain, 5;
“(B) as major, 20;
“(C) as lieutenant colonel, 10; and
“(D) as colonel, 5.”.

SEC. 1717. ENLISTED MEMBERS.

(a) IN GENERAL.—Subtitle F of title 10, United States Code, as amended by section 1716, is further amended by adding at the end the following new chapter:

“CHAPTER 2007—ENLISTED MEMBERS

“20301. Original enlistments: qualifications; grade

“(a) ORIGINAL ENLISTMENTS.—

“(1) AUTHORITY TO ACCEPT.—The Secretary of the Air Force may accept original enlistments in the Space Force of qualified, effective, and able-bodied persons.

“(2) AGE.—A person accepted for original enlistment shall be not less than seventeen years of age. However, no person under eighteen years of age may be originally enlisted without the written consent of the person’s parent or guardian, if the person has a parent or guardian entitled to the person’s custody and control.
“(b) GRADE.—A person is enlisted in the Space Force in the grade prescribed by the Secretary of the Air Force.

§ 20302. Enlisted members: term of enlistment

“(a) TERM OF ORIGINAL ENLISTMENTS.—The Secretary of the Air Force may accept original enlistments of persons for the duration of their minority or for a period of at least two but not more than eight years in the Space Force.

“(b) TERM OF REENLISTMENTS.—The Secretary of the Air Force may accept a reenlistment in the Space Force for a period determined in accordance with paragraphs (2), (3), and (4) of section 505(d) of this title.

§ 20303. Reference to chapter 31

“For other provisions of this title applicable to enlistments in the Space Force, see chapter 31 of this title.”.

(b) AMENDMENTS TO TITLE 10 CHAPTER RELATING TO ENLISTMENTS.—Chapter 31 of such title is amended as follows:

(1) RECRUITING CAMPAIGNS.—Section 503(a) is amended by inserting “and the Space Force” after “Regular Coast Guard”.

(2) QUALIFICATIONS, TERM, GRADE.—Section 505 is amended—

(A) by striking “Regular Space Force,” each place it appears; and
(B) by adding at the end the following new subsection:

“(e) ENLISTMENTS IN THE SPACE FORCE.—For enlistments in the Space Force, see sections 20301 and 20302 of this title.”.

(3) EXTENSION OF ENLISTMENTS DURING WAR.—Section 506 is amended by striking “Regular” before “Space Force”.

(4) REENLISTMENT.—Section 508 is amended striking “Regular” before “Space Force” in subsections (b) and (c).

(5) ENLISTMENT INCENTIVES FOR PURSUIT OF SKILLS TO FACILITATE NATIONAL SERVICE.—Section 510(c) is amended—

(A) in paragraph (2), by inserting “or the Space Force” after “Selected Reserve”; and

(B) in paragraph (3)—

(i) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively;

(ii) by inserting after subparagraph (C) the following new subparagraph (D):

“(D) in the Space Force;”; and

(iii) in subparagraph (F), as so redesignated, by striking “subparagraphs (A)
through (D)” and inserting “subparagraphs (A) through (E)”.

(6) COLLEGE FIRST PROGRAM.—Section 511(b)(1)(A), is amended by inserting “or as a member of the Space Force,” after “reserve component,”.

(7) DELAYED ENTRY PROGRAM.—Section 513(a) is amended—

(A) by inserting, “, or who is qualified under section 20301 of this title and applicable regulations for enlistment in the Space Force,” after “armed force”; and

(B) by inserting “, or be enlisted as a member of the Space Force,” after “Coast Guard Reserve”.

(8) EFFECT UPON ENLISTED STATUS OF ACCEPTANCE OF APPOINTMENT AS CADET OR MIDSHIPMAN.— Section 516(b) is amended by inserting “or in the Space Force,” after “armed force”.

SEC. 1718. RETENTION AND SEPARATION GENERALLY.

(a) IN GENERAL.—Subtitle F of title 10, United States Code, as amended by section 1717, is further amended by adding at the end the following new chapter:

“CHAPTER 2009—RETENTION AND SEPARATION GENERALLY

“Sec. 20401. Applicability of certain provisions of law related to separation.

“Sec. 20402. Enlisted members: standards and qualifications for retention.
“§ 20401. Applicability of certain provisions of law related to separation

“(a) Officer separation.—Except as specified in this section or otherwise modified in this chapter, the provisions of chapter 59 of this title applicable to officers of a regular component shall apply to officers of the Space Force.

“(b) Except as specified in this section or otherwise modified in this chapter, the provisions of sections 1169, 1170, 1171, 1173, 1174(b) 1176(a) of chapter 59 of this title applicable to enlisted members of a regular component shall apply to enlisted members of the Space Force.

“(c) The provisions of section 1172 of this title pertaining to a person enlisted under section 518 of this title shall apply to an enlisted member of the Space Force.

“(d) The provisions of section 1174 of this title—

“(1) pertaining to a regular officer shall apply to a Space Force officer serving on sustained duty;

“(2) pertaining to a regular enlisted member shall apply to an enlisted member of the Space Force serving on sustained duty; and

“(3) pertaining to other members shall apply to members of the Space Force not serving on sustained duty.
“(e) The provisions of section 1175 of this title pertaining to a voluntary appointment, enlistment, or transfer to a reserve component shall apply to the voluntary release from active duty of a member of the Space Force on sustained duty.

“(f) The provisions of section 1176 of this title—

“(1) pertaining to a regular enlisted member shall apply to an enlisted member of the Space Force serving on sustained duty; and

“(2) pertaining to a reserve enlisted member serving in an active status shall apply to an enlisted member of the Space Force serving in a space force active status or on sustained duty.

§ 20402. Enlisted members: standards and qualifications for retention

“(a) Standards and qualifications for retention.—The Secretary of the Air Force shall, by regulation, prescribe—

“(1) standards and qualifications for the retention of enlisted members of the Space Force; and

“(2) equitable procedures for the periodic determination of the compliance of each such member with those standards and qualifications.

“(b) Effect of failure to comply with standards and qualifications.—If an enlisted member serving
in Space Force active status fails to comply with the standards and qualifications prescribed under subsection (a), the member shall—

“(1) if qualified, be transferred to Space Force inactive status;

“(2) if qualified, be retired in accordance with section 20603 of this title; or

“(3) have the member’s enlistment terminated.

“§20403. Officers: standards and qualifications for retention

“(a) Standards and Qualifications.—To be retained in an active status, a Space Force officer must—

“(1) in any applicable yearly period, attain the number of points under section 12732(a)(2) of this title that are prescribed by the Secretary of the Air Force; and

“(2) conform to such other standards and qualifications as the Secretary may prescribe for officers of the Space Force.

“(b) Limitation on Minimum Number of Points.—The Secretary may not prescribe a minimum of more than 50 points under subsection (a).

“(c) Result of Failure to Comply.—A Space Force officer who fails to attain the number of points prescribed under subsection (a)(1), or to conform to the stand-
ards and qualifications prescribed under subsection (a)(2),
may be referred to a board convened under section 20501(a)
of this title.

§ 20404. Selection of officers for early retirement or
discharge

“(a) Consideration for Early Retirement.—The
Secretary of the Air Force may convene selection boards
under section 20211(b) of this title to consider for early re-
tirement officers on the space force officer list as follows:

“(1) Officers in the grade of lieutenant colonel
who have failed of selection for promotion at least one
time and whose names are not on a list of officers rec-
ommended for promotion.

“(2) Officers in the grade of colonel who have
served in that grade for at least two years and whose
names are not on a list of officers recommended for
promotion.

“(3) Officers, other than those described in para-
graphs (1) and (2), holding a grade below the grade
of colonel—

“(A) who are eligible for retirement under
section 20601 of this title or who after two addi-
tional years or less of active service would be eli-
gible for retirement under that section; and
“(B) whose names are not on a list of officers recommended for promotion.

“(b) CONSIDERATION FOR DISCHARGE.—

“(1) The Secretary of the Air Force may convene selection boards under section 20211 of this title to consider for discharge officers on the space force officer list—

“(A) who have served at least one year of active status in the grade currently held;

“(B) whose names are not on a list of officers recommended for promotion; and

“(C) who are not eligible to be retired under any provision of law (other than by reason of eligibility pursuant to section 4403 of the National Defense Authorization Act for Fiscal Year 1993) and are not within two years of becoming so eligible.

“(2) An officer who is recommended for discharge by a selection board convened pursuant to the authority of paragraph (1) and whose discharge is approved by the Secretary of the Air Force shall be discharged on a date specified by the Secretary.

“(3) Selection of officers for discharge under paragraph (1) shall be based on the needs of the service.
“(c) Discharges and retirements considered to be involuntary.—The discharge or retirement of an officer pursuant to this section shall be considered to be involuntary for purposes of any other provision of law.

§ 20405. Force shaping authority

“(a) Authority.—The Secretary of the Air Force may, solely for the purpose of restructuring the Space Force—

“(1) discharge an officer described in subsection (b); or

“(2) involuntarily release such an officer from sustained duty.

“(b) Covered officers.—

“(1) The authority under this section may be exercised in the case of an officer of the Space Force serving on sustained duty who—

“(A) has completed not more than six years of service as a commissioned officer in the armed forces; or

“(B) has completed more than six years of service as a commissioned officer in the armed forces, but has not completed the minimum service obligation applicable to that officer.

“(2) In this subsection, the term ‘minimum service obligation’, with respect to a member of the Space
Force, means the initial period of required active
duty service applicable to the member, together with
any additional period of required active duty service
incurred by that member during the member’s initial
period of required active duty service.

“(c) REGULATIONS.—The Secretary of the Air Force
shall prescribe regulations for the exercise of the Secretary’s
authority under this section.”.

(b) CONFORMING AMENDMENTS.—Section 647 of title
10, United States Code, is amended—

(1) in subsection (b), by inserting “(other than
an officer of the Space Force)” after “in the case of
an officer”; 

(2) in subsection (c), by striking “Regular Ma-
rine Corps, of Regular Space Force” and inserting
“or Regular Marine Corps”; and

(3) by adding at the end the following new sub-
section:

“(e) SPACE FORCE.—For a similar provision with re-
spect to officers of the Space Force, see section 20405 of this
title.”.
SEC. 1719. SEPARATION OF OFFICERS FOR SUBSTANDARD PERFORMANCE OF DUTY OR FOR CERTAIN OTHER REASONS.

Subtitle F of title 10, United States Code, as amended by section 1718, is further amended by adding at the end the following new chapter:

“CHAPTER 2011—SEPARATION OF OFFICERS FOR SUBSTANDARD PERFORMANCE OF DUTY OR FOR CERTAIN OTHER REASONS

§ 20501. Authority to establish procedures to consider the separation of officers for substandard performance of duty and for certain other reasons

“(a) PROCEDURES FOR REVIEW OF RECORD OF OFFICERS RELATING TO STANDARDS OF PERFORMANCE OF DUTY.—

“(1) The Secretary of the Air Force shall prescribe, by regulation, procedures for the review at any time of the record of any commissioned officer (other than a retired officer) of the Space Force in a space
force active status to determine whether the officer shall be required, because of a reason stated in paragraph (2), to show cause for the officer’s retention in a space force active status.

“(2) The reasons referred to in paragraph (1) are the following:

“(A) The officer’s performance of duty has fallen below standards prescribed by the Secretary of Defense.

“(B) The officer has failed to satisfy the standards and qualifications established under section 20403 of this title by the Secretary of the Air Force.

“(b) PROCEDURES FOR REVIEW OF RECORD OF OFFICERS RELATING TO CERTAIN OTHER REASONS.—

“(1) The Secretary of the Air Force shall prescribe, by regulation, procedures for the review at any time of the record of any commissioned officer (other than a retired officer) of the Space Force in a space force active status to determine whether the officer should be required, because of a reason stated in paragraph (2), to show cause for the officer’s retention in a space force active status.

“(2) The reasons referred to in paragraph (1) are the following:
“(A) Misconduct.

“(B) Moral or professional dereliction.

“(C) The officer’s retention is not clearly consistent with the interests of national security.

“(c) SECRETARY OF DEFENSE LIMITATIONS.—Regulations prescribed by the Secretary of the Air Force under this section are subject to such limitations as the Secretary of Defense may prescribe.

“§20502. Retention boards

“(a) CONVENING OF BOARDS TO CONSIDER OFFICERS REQUIRED TO SHOW CAUSE.—The Secretary of the Air Force shall convene retention boards at such times and places as the Secretary may prescribe to receive evidence and make findings and recommendations as to whether an officer who is required under section 20501 of this title to show cause for retention in a space force active status should be retained in a space force active status. Each retention board shall be composed of not less than three officers having the qualifications prescribed by section 20506 of this title.

“(b) FAIR AND IMPARTIAL HEARING.—A retention board shall give a fair and impartial hearing to each officer required under section 20501 of this title to show cause for retention in a space force active status.
“(c) Effect of Board Determination Than an Officer Has Failed to Establish That the Officer Should Be Retained.—

“(1) If a retention board determines that the officer has failed to establish that the officer should be retained in a space force active status, the board shall recommend to the Secretary of the Air Force one of the following:

“(A) That the officer be transferred to an inactive status.

“(B) That the officer, if qualified under any provision of law, be retired.

“(C) That the officer be discharged from the Space Force.

“(2) Under regulations prescribed by the Secretary of the Air Force, an officer as to whom a retention board makes a recommendation under paragraph (1) that the officer not be retained in a space force active status may be required to take leave pending the completion of the officer’s case under this chapter. The officer may be required to begin such leave at any time following the officer’s receipt of the report of the retention board, including the board’s recommendation for removal from a space force active status, and the expiration of any period allowed for submission
by the officer of a rebuttal to that report. The leave may be continued until the date on which action by the Secretary of the Air Force on the officer’s case is completed or may be terminated at any earlier time.

“(d) Effect of Board Determination Than an Officer Has Established That the Officer Should Be Retained.—

“(1) If a retention board determines that the officer has established that the officer should be retained in a space force active status, the officer’s case is closed.

“(2) An officer who is required to show cause for retention in a space force active status under subsection (a) of section 20501 of this title and who is determined under paragraph (1) to have established that the officer should be retained in a space force active status may not again be required to show cause for retention in a space force active status under such subsection within the one-year period beginning on the date of that determination.

“(3)(A) Subject to subparagraph (B), an officer who is required to show cause for retention in a space force active status under subsection (b) of section 20501 of this title and who is determined under paragraph (1) to have established that the officer should
be retained in a space force active status may again be required to show cause for retention at any time.

“(B) An officer who has been required to show cause for retention in a space force active status under subsection (b) of section 20501 of this title and who is thereafter retained in an active status may not again be required to show cause for retention in a space force active status under such subsection solely because of conduct which was the subject of the previous proceedings, unless the findings or recommendations of the retention board that considered the officer’s previous case are determined to have been obtained by fraud or collusion.

“(4) In the case of an officer described in paragraph (2) or paragraph (3)(A), the retention board may recommend that the officer be required to complete additional training, professional education, or such other developmental programs as may be available to correct any identified deficiencies and improve the officer’s performance within the Space Force.

“§20503. Removal of officer: action by Secretary upon recommendation of retention board

“The Secretary of the Air Force may remove an officer from space force active status if the removal of such officer
from space force active status is recommended by a retention board convened under section 20502 of this title.

§ 20504. Rights and procedures

(a) In general.—Under regulations prescribed by the Secretary of the Air Force, each officer required under section 20501 of this title to show cause for retention in a space force active status—

(1) shall be notified in writing, at least 30 days before the hearing of the officer’s case by a retention board, of the reasons for which the officer is being required to show cause for retention in a space force active status;

(2) shall be allowed a reasonable time, as determined by the board, to prepare the officer’s showing of cause for retention in a space force active status;

(3) shall be allowed to appear either in person or through electronic means and to be represented by counsel at proceedings before the board; and

(4) shall be allowed full access to, and shall be furnished copies of, records relevant to the officer’s case, except that the board shall withhold any record that the Secretary determines should be withheld in the interest of national security.

(b) Summary of records withheld in interest of national security.—When a record is withheld under

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subsection (a)(4), the officer whose case is under consider-
1ation shall, to the extent that the interest of national secu-
2rity permits, be furnished a summary of the record so with-
3held.

“§ 20505. Officer considered for removal: voluntary re-
4tirement or discharge

“(a) IN GENERAL.—At any time during proceedings
5under this chapter with respect to the removal of an officer
6from a space force active status, the Secretary of the Air
7Force may grant a request by the officer—
8“(1) for voluntary retirement, if the officer is
9qualified for retirement; or
10“(2) for discharge in accordance with subsection
11(b)(2).

“(b) RETIREMENT OR DISCHARGE.—An officer re-
13moved from a space force active status under section 20503
14of this title shall—
15“(1) if eligible for voluntary retirement under
16any provision of law on the date of such removal, be
17retired in the grade and with the retired pay for
18which the officer would be eligible if retired under
19such provision; and
20“(2) if ineligible for voluntary retirement under
21any provision of law on the date of such removal—
“(A) be honorably discharged in the grade then held, in the case of an officer whose case was brought under subsection (a) of section 20501 of this title; or

“(B) be discharged in the grade then held, in the case of an officer whose case was brought under subsection (b) of section 20501 of this title.

“(c) Separation Pay for Discharged Officer.—
An officer who is discharged under subsection (b)(2) is entitled, if eligible therefor, to separation pay under section 1174(a)(2) of this title.

§ 20506. Officers eligible to serve on retention boards

“(a) In General.—The provisions of section 1187 of this title apply to the membership of boards convened under this chapter in the same manner as to the membership of boards convened under chapter 60 of this title.

“(b) Retired Air Force Officers.—

“(1) Authority.—In applying subsection (b) of section 1187 of this title to a board convened under this chapter, the Secretary of the Air Force may appoint retired officers of the Air Force, in addition to retired officers of the Space Force, to complete the membership of the board.

“(2) Limitation.—A retired officer of the Air Force may be appointed to a board under paragraph
(1) only if the officer served in a space-related career field of the Air Force for sufficient time such that the Secretary of the Air Force determines that the retired Air Force officer has adequate knowledge concerning the standards of performance and conduct required of an officer of the Space Force.”.

SEC. 1720. RETIREMENT.

(a) IN GENERAL.—Subtitle F of title 10, United States Code, as amended by section 1719, is further amended by adding at the end the following new chapter:

“CHAPTER 2013—VOLUNTARY RETIREMENT FOR LENGTH OF SERVICE

“Sec.
“20601. Officers: voluntary retirement for length of service.
“20602. Officers: computation of years of service for voluntary retirement.
“20603. Enlisted members: voluntary retirement for length of service.
“20604. Enlisted members: computation of years of service for voluntary retirement.
“20605. Applicability of other provisions of law relating to retirement.

“§20601. Officers: voluntary retirement for length of service

“(a) TWENTY YEARS OR MORE.—The Secretary of the Air Force may, upon the officer’s request, retire a commissioned officer of the Space Force who has at least 20 years of service computed under section 20602 of this title, at least 10 years of which have been active service as a commissioned officer.

“(b) THIRTY YEARS OR MORE.—A commissioned officer of the Space Force who has at least 30 years of service
computed under section 20602 of this title may be retired upon the officer’s request, in the discretion of the President.

“(c) Forty Years or More.—Except as provided in section 20503 of this title, a commissioned officer of the Space Force who has at least 40 years of service computed under section 20602 of this title shall be retired upon the officer’s request.

“§20602. Officers: computation of years of service for voluntary retirement

“(a) Years of Active Service.—For the purpose of determining whether an officer of the Space Force may be retired under section 20601 of this title, the officer’s years of service are computed by adding all active service in the armed forces.

“(b) Reference to Section Excluding Service During Certain Periods.—Section 972(b) of this title excludes from computation of an officer’s years of service for purposes of this section any time identified with respect to that officer under that section.

“§20603. Enlisted members: voluntary retirement for length of service

“(a) Twenty to Thirty Years.—Under regulations to be prescribed by the Secretary of the Air Force, an enlisted member of the Space Force who has at least 20, but
less than 30, years of service computed under section 20604 of this title may, upon the member’s request, be retired.

“(b) THIRTY YEARS OR MORE.—An enlisted member of the Space Force who has at least 30 years of service computed under section 20604 of this title shall be retired upon the member’s request.

§20604. Enlisted members: computation of years of service for voluntary retirement

“(a) YEARS OF ACTIVE SERVICE.—For the purpose of determining whether an enlisted member of the Space Force may be retired under section 20603 of this title, the member’s years of service are computed by adding all active service in the armed forces.

“(b) REFERENCE TO SECTION EXCLUDING COUNTING OF CERTAIN SERVICE REQUIRED TO BE MADE UP.—Time required to be made up under section 972(a) of this title may not be counted in computing years of service under subsection (a).

§20605. Applicability of other provisions of law relating to retirement

“(a) APPLICABILITY TO MEMBERS OF THE SPACE FORCE.—Except as specifically provided for by this chapter, the provisions of this title specified in subsection (b) apply to members of the Space Force as follows:

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“(1) Provisions pertaining to an officer of the Air Force shall apply to an officer of the Space Force.

“(2) Provisions pertaining to an enlisted member of the Air Force shall apply to an enlisted member of the Space Force.

“(3) Provisions pertaining to a regular officer shall apply to an officer who is on sustained duty in the Space Force.

“(4) Provisions pertaining to a regular enlisted member shall apply to an enlisted member who is on sustained duty in the Space Force.

“(5) Provisions pertaining to a reserve officer shall apply to an officer who is in a space force active status but not on sustained duty.

“(6) Provisions pertaining to a reserve enlisted member shall apply to an enlisted member who is in a space force active status but not on sustained duty.

“(7) Provisions pertaining to service in a regular component shall apply to service on sustained duty.

“(8) Provisions pertaining to service in a reserve component shall apply to service in a space force active status not on sustained duty.

“(9) Provisions pertaining to a member of the Ready Reserve shall apply to a member of the Space
Force who is in a space force active status prior to being ordered to active duty.

“(10) Provisions pertaining to a member of the Retired Reserve shall apply to a member of the Space Force who has retired under chapter 1223 of this title.

“(b) PROVISIONS OF LAW.—The provisions of this title referred to in subsection (a) are the following:

“(1) Chapter 61, relating to retirement or separation for physical disability.

“(2) Chapter 63, relating to retirement for age.

“(3) Chapter 69, relating to retired grade.

“(4) Chapter 71, relating to computation of retired pay.

“(5) Chapter 941, relating to retirement from the Air Force for length of service.

“(6) Chapter 945, relating to computation of retired pay.

“(7) Chapter 1223, relating to retired pay for non-regular service.

“(8) Chapter 1225, relating to retired grade.”.

(b) CONFORMING AMENDMENTS.—Title 10, United States Code, is amended as follows:

(1) RETIRED MEMBERS ORDERED TO ACTIVE DUTY.—Section 688(b) is amended—
(A) in paragraph (1), by striking “Regular Marine Corps, or Regular Space Force” and inserting “or Regular Marine Corps”; and

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

“(4) A retired member of the Space Force.”.

(2) RETIRED GRADE.—Section 9341 is amended—

(A) by striking “or the Space Force” both places it appears in subsection (a);

(B) by striking “or a Regular or Reserve of the Space Force” in subsection (b); and

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

“(c) SPACE FORCE.—(1) The retired grade of a commissioned officer of the Space Force who retires other than for physical disability is determined under section 1370 or 1370a of this title, as applicable to the officer.

“(2) Unless entitled to a higher retired grade under some other provision of law, a member of the Space Force not covered by paragraph (1) who retires other than for physical disability retires in the grade that the member holds on the date of the member’s retirement.”.
(3) **Retired grade of enlisted members after 30 years of service.**—Section 9344(b)(2) is amended by striking “Regular” before “Space Force”.

(4) **Retired lists.**—Section 9346 is amended—

(A) in subsection (a), by striking “or the Regular Space Force” and inserting “and a separate retired list containing the name of each retired commissioned officer of the Space Force (other than an officer whose name is on the list maintained under subsection (b)(2))”;

(B) in subsection (b)—

(i) by inserting “(1)” after “(b)”;

(ii) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(iii) in subparagraph (A), as so redesignated, by striking “, or for commissioned officers of the Space Force other than of the Regular Space Force”;

(iv) in subparagraph (B), as so redesignated, by striking “or the Space Force”;

and

(v) by adding at the end the following new paragraph:
“(2) The Secretary shall maintain a retired list containing the name of—

“(A) each person entitled to retired pay who as a member of the Space Force qualified for re-
tirement under section 20601 of this title; and

“(B) each retired warrant officer or enlisted member of the Space Force who is advanced to a commissioned grade.”;

(C) in subsection (c), by striking “or the Space Force” and inserting “and a separate re-
tired list containing the name of each retired warrant officer of the Space Force”; and

(D) in subsection (d), by striking “or the Regular Space Force” and inserting “and a sep-
arate retired list containing the name of each re-
tired enlisted member of the Space Force”.

Subtitle B—Conforming Amendments Related to Space Force Military Personnel System

SEC. 1731. AMENDMENTS TO DEPARTMENT OF THE AIR FORCE PROVISIONS OF TITLE 10, UNITED STATES CODE.

(a) Provisions relating to personnel.—Part II of subtitle D of title 10, United States Code, is amended as follows:
(1) **Gender-free basis for acceptance of original enlistments.**—

   (A) Section 9132 by striking “Regular” before “Space Force”.

   (B) The heading of such section is amended by striking the fifth word.

(2) **Reenlistment after service as an officer.**—

   (A) Section 9138(a) is amended by striking “Regular” before “Space Force” both places it appears.

   (B) The heading of section 9138 is amended by striking the fifth word.

(3) **Warrant officers: original appointment; qualifications.**—Section 9160 is amended by striking “Regular” before “Space Force”.

(4) **Service as an officer to be counted as enlisted service.**—Section 9252 is amended by striking “Regular” before “Space Force”.

(5) **Chapter heading.**—

   (A) The heading of chapter 915 is amended to read as follows:
“CHAPTER 915—APPOINTMENTS IN THE
REGULAR AIR FORCE AND IN THE
SPACE FORCE”.

(B) The tables of chapters at the beginning
of subtitle D, and at the beginning of part II of
subtitle D of such title, are each amended by
striking the item relating to chapter 915 and in-
serting the following new item:

“915. Appointments in the Regular Air Force and in the Space Force 9151”.

(b) PROVISIONS RELATING TO TRAINING GEN-
ERALLY.—Section 9401 of such title is amended—

(1) in subsection (b)—

(A) by striking “or the Regular Space
Force” after “Regular Air Force”; and

(B) by inserting “or one of the Space Force
in a space force active status not on sustained
duty,” after “on the active-duty list,”;

(2) in subsection (c)—

(A) by striking “or Reserve of the Space
Force” and inserting “or member of the Space
Force in a space force active status not on sus-
tained duty”; and

(B) by striking “the Reserve’s consent” and
inserting “the member’s consent”; and

(3) in subsection (f)—
(A) by striking “the Regular Space Force” and inserting “of Space Force members on sustained duty”; and

(B) by striking “the Space Force Reserve” and inserting “of Space Force members in an active status not on sustained duty”.

(c) **Provisions Relating to the Air Force Academy.**—Chapter 953 of such title is amended as follows:

(1) **Permanent Professors; Director of Admissions.**—Section 9436 is amended—

(A) in subsection (a)—

(i) by striking “the equivalent grade in” both places it appears;

(ii) by inserting “or the Space Force” after “Regular Air Force” the first place it appears;

(iii) by striking “and a permanent” and all that follows through “in the Regular Air Force”; and

(B) in subsection (b)—

(i) by striking “the equivalent grade in” both places it appears and inserting “the grade of lieutenant colonel in”; and

(ii) by striking “Regular Space Force has the grade equivalent to the grade of
colonel in the Regular Air Force” and inserting “Space Force has the grade of colonel in the Space Force”.

(2) APPOINTMENT OF CADETS.—Section 9442(b) is amended—

(A) in paragraph (1)(C), by inserting “, or the Space Force,” after “members of reserve components”; and

(B) in paragraph (2), by striking “Regular” before “Space Force”.

(3) AGREEMENT OF CADETS TO SERVE AS OFFICERS.—Section 9448(a) is amended—

(A) in paragraph (2)(A), by striking “Regular” before “Space Force”; and

(B) in paragraph (3)—

(i) in the matter preceding subparagraph (A), by inserting “, or to terminate the officer’s order to sustained duty in the Space Force” after “resign as a regular officer”;

(ii) in subparagraph (A), by striking “or as a Reserve in the Space Force for service in the Space Force Reserve” and inserting “or will accept further assignment in a space force active status”; and
(iii) in subparagraph (B), by inserting

‘‘, or the Space Force,’’ after ‘‘that reserve
component’’.

(4) HAZING.—Section 9452(c) is amended by
striking ‘‘Marine Corps, or Space Force,’’ and insert-
ing, ‘‘or Marine Corps, or in the Space Force,’’.

(5) COMMISSION UPON GRADUATION.—Section
9453(b) is amended—

(A) by striking ‘‘or in the equivalent grade
in the Regular Space Force’’; and

(B) by inserting before the period the fol-
lowing: ‘‘or a second lieutenant in the Space
Force under section 531 or 20201 of this title’’.

(d) PROVISIONS RELATING TO SCHOOLS AND
CAMPS.—Chapter 957 of such title is amended as follows:

(1) PURPOSE.—Section 9481 is amended—

(A) by striking ‘‘to qualify them for ap-
pointment’’ and inserting ‘‘to qualify them for—
‘‘(1) appointment’’;

(B) by striking ‘‘or the Space Force Re-
serve.’’ and inserting ‘‘; or’’; and

(C) by adding at the end the following new
paragraph:
“(2) appointment as officers, or enlistment as noncommissioned officers, for service in the Space Force in a space force active status.”.

(2) OPERATION.—Section 9482(4) is amended by striking “or the Regular Space Force” and inserting “or members of the Space Force in an active status”.

SEC. 1732. AMENDMENTS TO SUBTITLE A OF TITLE 10, UNITED STATES CODE.

(a) Provisions Relating to Organization and General Military Powers.—Part I of subtitle A of title 10, United States Code, is amended as follows:

(1) Annual defense manpower report.—Section 115a(d)(3)(F) is amended by inserting before the period the following: “or, in the case of the Space Force, officers ordered to active duty other than under section 20105(b) of this title”.

(2) Suspension of end-strength and other strength limitations in time of war or national emergency.—Section 123a(a)(2) is amended by inserting “or the Space Force” after “a reserve component”.

(3) Deputy commander of USNORTHCOM.—Section 164(e)(4) is amended—

(A) by inserting “(A)” after “(4)”;

...
(B) by striking “shall be a” and all that follows and inserting “shall be—

“(i) a qualified officer of a reserve component who is eligible for promotion to the grade of lieutenant general or, in the case of the Navy, vice admiral; or

“(ii) a qualified officer of the Space Force whose prior service includes service in a space force active status other than sustained duty and who is eligible for promotion to the grade of lieutenant general.”;

and

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

“(B) The requirement in subparagraph (A) does not apply when the officer serving as commander of the combatant command described in that subparagraph is (i) a reserve component officer, or (ii) an officer of the Space Force whose prior service includes service in a space force active status other than sustained duty.”.

(4) Readiness Reports.—Section 482(a) is amended by inserting “and the Space Force” after “active and reserve components” in paragraphs (1) and (2).
(b) **DOPMA Officer Personnel Provisions.**—

Chapter 36 of such title is amended as follows:

1. **NonDisclosure of Board Proceedings.**—
   
   Section 613a is amended by striking “573, 611, or 628” and inserting “573, 611, 628, or 20211” in subsections (a) and (c).

2. **Information Furnished to Selection Boards.**—Section 615(a) is amended—
   
   (A) in paragraph (1), by inserting “or 20211” after “section 611(a)”; and

   (B) in paragraph (3)—

   (i) in subparagraph (B), by striking “regular officer” and all that follows and inserting “regular officer or an officer in the Space Force, a grade above captain or, in the case of the Navy, lieutenant.”; and

   (ii) in subparagraph (D)—

   (I) by striking “major general,” and inserting “major general or”; and

   (II) by striking “or, in the case of the Space Force, the equivalent grade,”.

3. **Eligibility for Consideration for Promotion: Time-In-Grade and Other Requirements.**—Section 619(a) is amended by striking “Ma-
rine Corps, or Space Force” each place it appears
and inserting “or Marine Corps”.

(4) AUTHORITY TO VACATE PROMOTIONS TO
GRADES OF BRIGADIER GENERAL AND REAR ADMIRAL
(LOWER HALF).—Section 625(b) is amended—

(A) by striking “Marine Corps, or Space
Force” and inserting “or Marine Corps”; and

(B) adding at the end the following new
sentence: “An officer of the Space Force whose
promotion is vacated under this section holds the
grade of colonel.”.

(5) ACCEPTANCE OF PROMOTIONS; OATH OF OF-
FICE.—Subsections (a) and (b) of section 626 are
amended by striking “section 624” and inserting
“section 624 or 20251”.

(6) SPECIAL SELECTION REVIEW BOARD.—Sec-
tion 628a is amended—

(A) in subsection (a)(1)(A)—

(i) by striking “major general,” and
inserting “major general or”; and

(ii) by striking “, or an equivalent
grade in the Space Force”;

(B) in subsection (e)(2), by adding at the
end the following new sentence: “However, in the
case of an officer on the space force officer list,
the provisions of sections 618, 20215, and 20216 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 report and proceedings of a promotion board convened under section 20211 of this title.”, and

(C) in subsection (f)(1), by adding at the end the following new sentence: “However, if the report of a special selection review board convened under this section recommends the sustainment of the recommendation for promotion to the next higher grade of an officer on the space force officer list who was referred to it for review under this section, and the President approves the report, the officer shall, as soon as practicable, be appointed to the grade in accordance with subsections (b) and (c) of section 20251 of this title.”.

(7) Removal from list of officers recommended for promotion.—Section 629 is amended—

(A) in subsection (b), by inserting “or 20251(c)” after “section 624(c)”;

(B) in subsections (c)(1) and (c)(4)—
(i) by inserting “or 20251(a)” after “section 624(a)”; and

(ii) by inserting “or 20251(c)” after “section 624(c)”.

(8) RETIREMENT FOR YEARS OF SERVICE.—

(A) LIEUTENANT COLONELS.—Section 633(a) is amended—

(i) by inserting “(1)” before “Except as”;

(ii) by striking “Regular Marine Corps, or Regular Space Force” and inserting “or Regular Marine Corps”; and

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

“(2) Except as provided under section 637(b) or 637a of this title, each officer of the Space Force who holds the grade of lieutenant colonel who is not on a list of officers recommended for promotion to the grade of colonel shall, if not earlier retired, be retired on the first day of the month after the month in which the officer completes 28 years of active commissioned service.”.

(B) COLONELS.—Section 634(a) is amended—
(i) by inserting “(1)” before “Except as”;

(ii) by striking “Regular Marine Corps, or Regular Space Force” and inserting “or Regular Marine Corps”; and

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

“(2) Except as provided under section 637(b) or 637a of this title, each officer of the Space Force who holds the grade of colonel who is not on a list of officers recommended for promotion to the grade of brigadier general shall, if not earlier retired, be retired on the first day of the month after the month in which the officer completes 30 years of active commissioned service.”.

(C) BRIGADIER GENERALS.—Section 635 is amended—

(i) by inserting “(a) ARMY, NAVY, AIR FORCE, AND MARINE CORPS.—” before “Except as”;

(ii) by striking “Regular Marine Corps, or Regular Space Force” and inserting “or Regular Marine Corps”; and

(iii) by adding at the end the following new subsection:
“(b) SPACE FORCE.—Except as provided under section 637(b) or 637a of this title, each officer of the Space Force who holds the grade of brigadier general who is not on a list of officers recommended for promotion to the grade of major general shall, if not earlier retired, be retired as specified in subsection (a).”.

(D) OFFICERS IN GRADES ABOVE BRIGADIER GENERAL.—Section 636(a) is amended—

(i) by inserting “(1)” before “Except as”;";

(ii) by striking “Regular Marine Corps, or Regular Space Force” and inserting “or Regular Marine Corps”; and

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

“(2) Except as provided in subsection (b) or (c) and under section 637(b) or 637a of this title, each officer of the Space Force who holds the grade of major general shall, if not earlier retired, be retired as specified in paragraph (1).”.

(E) SECTION HEADINGS.—

(i) The heading of section 633 is amended by striking “lieutenant colonels and” and inserting “and Space
Force lieutenant colonels; regular Navy”.

(ii) The heading of section 634 is amended by striking “colonels and” and inserting “and Space Force colonels; regular”.

(iii) The heading of section 635 is amended by striking “brigadier generals and” and inserting “and Space Force brigadier generals; regular Navy”.

(iv) The heading of section 636 is amended by striking “officers in grades above brigadier general and” and inserting “and Space Force officers in grades above brigadier general; regular Navy officers in grades above”.

(c) MANAGEMENT POLICIES FOR JOINT QUALIFIED OFFICERS.—Section 661(a) of such title is amended—

(1) by striking “Marine Corps, and Space Force” and inserting “and Marine Corps”; and

(2) by inserting “, and officers of the Space Force on the space force officer list,” after “active-duty list”.

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(d) LEAVE.—Chapter 40 of such title is amended as follows:

(1) ENTITLEMENT AND ACCUMULATION.—Section 701 is amended—

(A) in subsection (h)—

(i) by inserting at the end of paragraph (2) the following new subparagraph:

“(D) A member of the Space Force in a space force active status, not on sustained duty.”; and

(ii) in paragraphs (5)(B) and (6), by inserting “, or of the Space Force,” after “member of a reserve component”; and

(B) in subsection (i), by inserting “, or of the Space Force,” after “member of a reserve component”.

(2) PAYMENT UPON DISAPPROVAL OF CERTAIN BOARD OF INQUIRY RECOMMENDATIONS FOR EXCESS LEAVE REQUIRED TO BE TAKEN.—Section 707a(a)(1) is amended by inserting “or 20503” after “section 1182(c)(2)”.

(3) CAREER FLEXIBILITY TO ENHANCE RETENTION OF MEMBERS.—Section 710 is amended—

(A) in subsection (a), by inserting “or of the Space Force” after “regular components”;
(B) in subsection (b)(2), by inserting “, or a Space Force officer in a space force active status not on active duty under section 20105(b) of this title,” after “officer”;

(C) in subsection (c)(1), by inserting before the period at the end the following: “or, in the case of a member of the Space Force on sustained duty, to accept release from sustained duty orders and to serve in a space force active status”; and

(D) in subsection (g)(1)(A), by striking “chapter 36 or 1405” and inserting “chapter 36, 1405, or 2005”.

(e) LIMITATION ON NUMBER OF OFFICES WHO MAY BE FROCKED TO A HIGHER GRADE.—Section 777(d)(2) of such title is amended by inserting “, or for the Space Force, the space force officer list,” after “active-duty list”.

(f) UNIFORM CODE OF MILITARY JUSTICE.—Chapter 47 of such title (the Uniform Code of Military Justice), is amended as follows:

(1) PERSONS SUBJECT TO UCMJ.—Section 802 (article 2) is amended—

(A) in subsection (a)—

(i) in paragraph (1), by inserting “and members of the Space Force on active
duty under section 20105 of this title,” after “regular component of the armed forces,;”

(ii) in paragraph (3)(A)(i), by inserting “or the Space Force” after “reserve component”;

(iii) in paragraph (5), by inserting “, or retired members of the Space Force who qualified for a non-regular retirement and are receiving retired pay,” after “a reserve component”; and

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

“(14) Retired members of the Space Force who qualified for a regular retirement under section 20603 of this title and are receiving retired pay.”; and

(B) in subsection (d)—

(i) in paragraph (1), by inserting “or the Space Force” after “reserve component”; 

(ii) in paragraph (2), by inserting “or the Space Force” after “a reserve component”; and 

(iii) in paragraph (4), by inserting “or the Space Force” after “in a regular component of the armed forces”. 
(2) Jurisdiction to try certain personnel.—Subsection (d) of section 803 (article 3) is amended by inserting, “or the Space Force” after “reserve component”.

(3) Articles to be explained.—Section 937 (article 137) is amended—

(A) in subsection (a)(1)—

(i) by striking “or” at the end of subparagraph (A);

(ii) by striking the period at the end of subparagraph (B) and inserting “; or”; and

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

“(C) the member’s initial entrance on active duty or into a space force active status.”;

(B) in subsection (a)(2)—

(i) by striking “and” at the end of subparagraph (A);

(ii) by redesignating subparagraph (B) as subparagraph (C); and

(iii) by inserting after subparagraph (A) the following new subparagraph:

“(B) after a member of Space Force has completed six months of sustained duty or in the case of a member not on sustained duty, after the
member has completed basic or recruit training;
and’’;

(C) in subsection (b)(1)(B), by inserting “or
the Space Force” after “in a reserve component”; and

(D) in subsection (d), by striking “or to a
member of a reserve component,” and inserting
“, to a member of a reserve component, or to a
member of the Space Force,.”.

(f) Restriction on Performance of Civil Func-
tions by Officers on Active Duty.—Section 973(b)(1)
of such title 10 is amended—

(1) by striking “and” at the end of subpara-
graph (B);

(2) by striking the period at the end of subpara-
graph (C) and inserting “; and”; and

(3) by adding at the end the following new sub-
paragraph:

“(D) to an officer on the space force officer
list serving on active duty under section
20105(b) of this title or under a call or order to
active duty for a period in excess of 270 days.”.

(h) Use of Commissary Stores and MWR Retail
Facilities.—Section 1063 of such title is amended—

(1) in subsection (c)—
(A) in the heading, by inserting “AND SPACE FORCE” after “RESERVE”; and

(B) by inserting “or the Space Force” after “reserve component”;

(2) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively;

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

“(d) MEMBERS OF THE SPACE FORCE.—A member of the Space Force in a space force active status who is not on sustained duty shall be permitted to use commissary stores and MWR retail facilities under the same conditions as specified in subsection (a) for a member of the Selected Reserve.”; and

(4) in subsection (e), as redesignated by paragraph (2), by striking “subsection (a) or (b)” in paragraph (1) and inserting “subsection (a), (b), or (d)”.

(i) MEMBERS INVOLUNTARY SEPARATED.—

(1) ELIGIBILITY FOR CERTAIN BENEFITS AND SERVICES.—Section 1141 of such title is amended—

(A) by striking “and” at the end of paragraph (3);

(B) by striking the period at the end of paragraph (4) and inserting a semicolon; and
(C) by adding at the end the following new paragraphs:

“(5) in the case of an officer of the Space Force (other than a retired officer), the officer is involuntarily discharged or released from active duty under other than adverse conditions, as characterized by the Secretary of the Air Force; and

“(6) in the case of an enlisted member of the Space Force, the member is—

“(A) denied reenlistment; or

“(B) involuntarily discharged or released from active duty under other than adverse conditions, as characterized by the Secretary of the Air Force.”.

(2) SEPARATION PAY.—Section 1174(a)(2) of such title is amended by striking “, Marine Corps, or Space Force” both places it appears and inserting “or Marine Corps”.

(j) BOARDS FOR THE CORRECTION OF MILITARY RECORDS.—Chapter 79 of such title is amended as follows:

(1) REVIEW OF ACTIONS OF SELECTION BOARDS AND CORRECTION OF MILITARY RECORDS.—Section 1558 is amended—

(A) inserting “, or the Space Force,” after “reserve component” each place it appears; and
(B) in subsection (b)—

(i) in paragraph (1)(C), by striking “section 628 or 14502” and inserting “section 628, 14502, or 20252”;

(ii) in paragraph (2)(A), by striking “or 14705” and inserting “14507, or 20403”; and

(iii) in paragraph (2)(B)(i), by striking “or 14101(a)” and inserting “14101(a), or 20211”.

(2) TITLE OF AIR FORCE SERVICE REVIEW AGENCY.—

(A) Sections 1555(c)(3) and 1557(f)(3) are amended by inserting “the Department of” after “Air Force,”.

(B) Section 1556(a) is amended by inserting “the Department of” after “the Army Review Boards Agency,”.

(C) Section 1559(c)(3) is amended by inserting “the Department of the” after “Air Force,”.

(k) MILITARY FAMILY PROGRAMS.—Chapter 88 of such title is amended as follows:
1 (1) Members of Department of Defense Military Readiness Council.—Section 1781a(b)(1)(B)(iii) is amended—
2 (A) by striking “member and” and inserting “member,”; and
3 (B) by inserting “, and one of whom shall be the spouse or parent of a member of the Space Force” after “parent of a reserve component member”.
4 (2) Department of Defense Policy and Plans for Military Family Readiness.—Section 1781b is amended—
5 (A) in subsection (b)(3), by striking “military families of members of the regular components and military families of members of the reserve components” and inserting “military families of members of the regular components, the reserve components, and the Space Force”; and
6 (B) in subsection (c)(2)—
7 (i) by striking “both”; and
8 (ii) by striking “military families of members of the regular components and military families of members of the reserve components” and inserting “military families of members of the regular components,
members of the reserve components, and
members of the Space Force”.

(l) Training and Education Programs.—

(1) Payment of Tuition for Off-duty Training or Education.—Section 2007 of such title is amended by adding at the end the following new subsection:

“(g) The provisions of this section pertaining to members of the Ready Reserve, the Selected Reserve, or the Individual Ready Reserve also apply to members of the Space Force in a space force active status who are not on active duty.”.

(2) ROTC Financial Assistant Program for Specially Selected Members.—Section 2107 of such title is amended—

(A) in subsection (a)—

(i) by striking “Navy,” and inserting “Navy or”; and

(ii) by striking “or as an officer in the equivalent grade in the Space Force”; and

(B) by adding at the end the following a new subsection:

“(k) Applicability to Space Force.—(1) Provisions of this section referring to a regular commission, regular officer, or a commission in a regular component shall
be treated as also referring to the commission of an officer, or an officer, who is a commissioned officer in the Space Force serving on active duty pursuant to section 20105(b) of this title.

“(2) Provisions of this section referring to a reserve commission, reserve officer, or a commission in a reserve component shall be treated as also referring to the commission of an officer, or an officer, who is a commissioned officer in the Space Force not serving on active duty pursuant to section 20105(b) of this title.”.

(3) DUTY AS ROTC ADMINISTRATORS AND INSTRUCTORS.—Section 2111 of such title is amended by adding at the end the following new sentence: “The Secretary of the Air Force may detail members of the Space Force in the same manner as regular and reserve members of the Air Force.”.

SEC. 1733. TITLE 38, UNITED STATES CODE (VETERANS’ BENEFITS).

(a) DEFINITIONS.—

(1) GENERAL DEFINITIONS.—Section 101 of title 38, United States Code, is amended—

(A) in paragraph (23), by inserting “, or for members of the Space Force in a space force active status (as defined in section 101(e)(1) of title 10),” in subparagraphs (A) and (B) after
“(including commissioned officers of the Reserve Corps of the Public Health Service); and

(B) in paragraph (27)—

(i) by striking subparagraph (E); and

(ii) by redesignating subparagraphs (F), (G), and (H) as subparagraphs (E), (F), and (G), respectively.

(2) Definitions for purposes of SGLI.—Section 1965 of such title is amended—

(A) in paragraph (2)(A), by inserting “, or by members of the Space Force in a space force active status (as defined in section 101(e)(1) of title 10) but not on sustained duty under section 20105 of title 10,” after “for Reserves”; and

(B) in paragraph (3)(A), by inserting “, or for members of the Space Force in a space force active status (as defined in section 101(e)(1) of title 10),” after “(including commissioned officers of the Reserve Corps of the Public Health Service)”.

(b) Persons Eligible for Interment in National Cemeteries.—Section 2402(a) of such title is amended in paragraph (2), by inserting “any member of the Space Force,” after “a Reserve component of the Armed Forces,”.

(c) Educational Assistance.—
(1) MONTGOMERY GI BILL.—Section 3011(a)(3)(D) of such title is amended by inserting "or for further service in the Space Force in a space force active status not on sustained duty under section 20105 of title 10” after “of the Armed Forces,”.

(2) POST 9-11 GI BILL.—Section 3311(c)(3) of such title is amended by inserting “, or for further service in the Space Force in a space force active status not on sustained duty under section 20105 of title 10,” after “of the Armed Forces” the second place it appears.

Subtitle C—Transition Provisions

SEC. 1741. TRANSITION PERIOD.

In this subtitle, the term “transition period” means the period beginning on the date of the enactment of this Act and ending on the last day of the fourth fiscal year beginning after the date of the enactment of this Act.

SEC. 1742. CHANGE OF DUTY STATUS OF MEMBERS OF THE SPACE FORCE.

(a) Change of Duty Status.—

(1) Conversion of status and order to sustained duty.—During the transition period, the Secretary of the Air Force shall change the duty status of each member of the Regular Space Force to space force active status and shall, at the same time,
order the member to sustained duty under section 20105 of title 10, United States Code, as added by section 1715. Any such order may be made without regard to any otherwise applicable requirement that such an order be made only with the consent of the member or as specified in an enlistment agreement or active-duty service commitment.

(2) Definitions.—For purposes of this section, the terms “space force active status” and “sustained duty” have the meanings given those terms by subsection (e) of section 101 of title 10, United States Code, as added by section 1713(a).

(b) Effective Date of Change of Duty Status.—The change of a member’s duty status and order to sustained duty in accordance with subsection (a) shall be effective on the date specified by the Secretary of the Air Force, but not later than the last day of the transition period.

SEC. 1743. TRANSFER TO THE SPACE FORCE OF MEMBERS OF THE AIR FORCE RESERVE.

(a) Transfer of Members of the Air Force Reserve.—

(1) Officers.—During the transition period, the Secretary of Defense may, with the officer’s consent, transfer a covered officer of the Air Force Reserve to, and appoint the officer in, the Space Force.
(2) ENLISTED MEMBERS.—During the transition period, the Secretary of the Air Force may transfer each covered enlisted member of the Air Force Reserve to the Space Force, other than those members who do not consent to the transfer.

(3) EFFECTIVE DATE OF TRANSFERS.—Each transfer under this subsection shall be effective on the date specified by the Secretary of Defense, in the case of an officer, or the Secretary of the Air Force, in the case of an enlisted member, but not later than the last day of the transition period.

(b) REGULATIONS.—Transfers under subsection (a) shall be carried out under regulations prescribed by the Secretary of Defense. In the case of an officer, applicable regulations shall include those prescribed pursuant to section 716 of title 10, United States Code.

(c) TERM OF INITIAL ENLISTMENT IN SPACE FORCE.—In the case of a covered enlisted member who is transferred to the Space Force in accordance with subsection (a), the Secretary of the Air Force may accept the initial enlistment of the member in the Space Force for a period of less than 2 years, but only if the period of enlistment in the Space Force is not less than the period remaining, as of the date of the transfer, in the member’s term of enlistment in the Air Force Reserve.
(d) **End Strength Adjustments Upon Transfers From Air Force Reserve to Space Force.**—During the transition period, upon the transfer of a mission of the Air Force Reserve to the Space Force—

(1) the end strength authorized for the Space Force pursuant to section 115(a)(1)(A) of title 10, United States Code, for the fiscal year during which the transfer occurs shall be increased by the number of billets associated with that mission; and

(2) the end strength authorized for the Air Force Reserve pursuant to section 115(a)(2) of such title for such fiscal year shall be decreased by the same number.

(e) **Administrative Provisions.**—For purposes of the transfer of covered members of the Air Force Reserve in accordance with subsection (a)—

(1) the Air Force Reserve and the Space Force shall be considered to be components of the same Armed Force; and

(2) the space force officer list shall be considered to be an active-duty list of an Armed Force.

(f) **Retraining and Reassignment for Members Not Transferring.**—If a covered member of the Air Force Reserve does not consent to transfer to the Space Force in accordance with subsection (a), the Secretary of the Air...
Force may, as determined appropriate by the Secretary in the case of the individual member, provide the member retraining and reassignment within the Air Force Reserve.

(g) COVERED MEMBERS.—For purposes of this section, the term “covered”, with respect to a member of the Air Force Reserve, means—

(1) a member who as of the date of the enactment of this Act holds an Air Force specialty code for a specialty held by members of the Space Force; and

(2) any other member designated by the Secretary of the Air Force for the purposes of this section.
SEC. 1744. PLACEMENT OF OFFICERS ON THE SPACE FORCE

OFFICER LIST.

(a) Placement on List.—Officers of the Space Force whose duty status is changed in accordance with section 1742, and officers of the Air Force Reserve who transfer to the Space Force in accordance with section 1743, shall be placed on the Space Force officer list in an order determined by their respective grades and dates of rank.

(b) Officers of Same Grade and Date of Rank.—Among officers of the same grade and date of rank, placement on the Space Force officer list shall be in the order of their rank as determined in accordance with section 741(c) of title 10, United States Code.

SEC. 1745. DISESTABLISHMENT OF REGULAR SPACE FORCE.

(a) Disestablishment.—The Secretary of the Air Force shall disestablish the Regular Space Force not later than the end of the transition period, once there are no longer any members remaining in the Regular Space Force. The Regular Space Force shall be disestablished upon the completion of the change of duty status of all members of the Space Force pursuant to section 1742 and certification by the Secretary of the Air Force to the congressional defense committees that there are no longer any members of the Regular Space Force.

(b) Publication of Notice in Federal Register.—The Secretary shall publish in the Federal Register...
notice of the disestablishment of the Regular Space Force, including the date thereof, together with any certification submitted pursuant to subsection (a).

(c) Conforming Repeal.—

(1) Repeal.—Section 9085 of title 10, United States Code, relating to the composition of the Regular Space Force, is repealed.

(2) Effective Date.—The amendment made by this subsection shall take effect on the date on which the certification is submitted under subsection (a).

SEC. 1746. END STRENGTH FLEXIBILITY.

(a) Additional Authority to Vary End Strengths.—

(1) Authority.—Notwithstanding section 115(g) of title 10, United States Code, upon determination by the Secretary of the Air Force that such action would enhance manning and readiness in essential units or in critical specialties, the Secretary may vary the end strength authorized by Congress for a fiscal year as follows:

(A) Increase the end strength authorized pursuant to section 115(a)(1)(A) of such title for a fiscal year for the Space Force by a number equal to not more than 5 percent of such authorized end strength.
(B) Decrease the end strength authorized pursuant to section 115(a)(1)(A) of such title for a fiscal year for the Space Force by a number equal to not more than 10 percent of such authorized end strength.

(2) TERMINATION.—The authority provided under paragraph (1) shall terminate on the last day of the transition period.

(b) TEMPORARY EXEMPTION FOR THE SPACE FORCE FROM END STRENGTH GRADE RESTRICTIONS.—Sections 517 and 523 of title 10, United States Code, shall not apply to the Space Force during the transition period.

SEC. 1747. PROMOTION AUTHORITY FLEXIBILITY.

(a) PROMOTION AUTHORITY FLEXIBILITY.—During the transition period, the Secretary of the Air Force may convene selection boards to consider officers on the space force officer list for promotion, and may promote Space Force officers selected by such boards, in accordance with any of the following provisions of title 10, United States Code:

(1) Chapter 36.

(2) Part III of subtitle E.

(3) Chapter 2005, as added by section 1716.

(b) COORDINATION OF PROVISIONS.—
(1) For a selection board convened pursuant to subsection (a) to consider members of the Space Force for promotion in accordance with chapter 36 of such title—

(A) provisions that apply to an officer of a regular component of the Armed Forces shall apply to an officer of the Space Force; and

(B) the space force officer list shall be considered to be an active-duty list.

(2) For a selection board convened pursuant to pursuant to subsection (a) to consider members of the Space Force for promotion in accordance with part III of subtitle E of such title—

(A) provisions that apply to an officer of a reserve component of the Armed Forces shall apply to an officer of the Space Force; and

(B) the space force officer list shall be considered to be a reserve active-status list.

(3) For a selection board convened pursuant to subsection (a) to consider members of the Space Force for promotion in accordance with either chapter 36 or part III of subtitle E of such title—

(A) section 20213 of such title shall apply to the composition of the selection board;
(B) the provisions of chapter 2005 of such title regarding officers on the space force officer list eligible to be considered for promotion to the grade of brigadier general or major general shall apply;

(C) section 20216 of such title shall apply;

and

(D) the provisions of chapter 36 or part III of subtitle E of such title, as the case may be, regarding failure of selection for promotion shall apply.

(c) EFFECT OF USING NEW CHAPTER 2005 AUTHORITIES.—If the Secretary of the Air Force convenes a selection board under chapter 2005 of title 10, United States Code, as added by section 1716, to consider officers on the space force officer list in a particular grade and competitive category for selection for promotion to the next higher grade, the Secretary may not convene a future selection board pursuant to subsection (a) to consider officers of the same grade and competitive category under chapter 36 or part III of subtitle E of such title.
Subtitle D—Other Amendments
Related to the Space Force

SEC. 1751. TITLE 10, UNITED STATES CODE.

(a) Amendments Relating to the Designation of Grades for Officers of the Space Force.—Title 10, United States Code, is amended as follows:

(1) Commissioned Officer Grades.—Section 9151 is amended by inserting “and in the Space Force” after “in the Regular Air Force”.

(2) Rank.—Section 741(a) is amended in the table by striking “and Marine Corps” and inserting “Marine Corps, and Space Force”.

(3) Definition of General Officer.—Section 101(b)(4) is amended by striking “or Marine Corps” and inserting “Marine Corps, or Space Force”.

(4) Temporary Appointments to Positions Designated to Carry the Grade of General or Lieutenant General.—Section 601(e) is amended—

(A) by striking “or Marine Corps,” and inserting “Marine Corps, or Space Force or”; and

(B) by striking “or the commensurate grades in the Space Force,”.

(5) Retired Grade of Officers.—Section 1370 is amended as follows:
(A) Subsection (a)(2) is amended by striking “major general” and all that follows in subparagraphs (A) and (B) and inserting “major general or rear admiral.”.

(B) Subsection (b) is amended—

(i) in paragraph (1)—

(I) by striking “or Marine Corps” and all that follows through “the Space Force,” and inserting “Marine Corps, or, Space Force or lieutenant in the Navy,”; and

(II) in subparagraph (B), by striking “major general” and all that follow through “Space Force” and inserting “major general or rear admiral”;

(ii) in paragraph (4), by striking “or Marine Corps” and all that follows through “Space Force,” and inserting “Marine Corps, or Space Force or captain in the Navy,”;

(iii) in paragraph (5)—

(I) in subparagraph (A), by striking “or Marine Corps” and all that follows through “Space Force,” and in-
serting “Marine Corps, or Space Force or lieutenant commander in the Navy,”;

(II) in subparagraph (B), by striking “or Marine Corps” and all that follows through “Space Force,” and inserting “Marine Corps, or Space Force or commander or captain in the Navy,”; and

(III) in subparagraph (C), by striking “or Marine Corps” and all that follows through “Space Force,” and inserting “Marine Corps, or Space Force or rear admiral (lower half) or rear admiral in the Navy,”; and

(iv) in paragraph (6), by striking “; or an equivalent grade in the Space Force,”.

(C) Subsection (c)(1) is amended by “or Marine Corps” and all that follows through “Space Force” and inserting “Marine Corps, or Space Force or vice admiral or admiral in the Navy”.

(D) Subsection (d) is amended—

(i) in paragraph (1), by striking “or Marine Corps” and all that follows through
“Space Force” and inserting “Marine Corps, or Space Force or rear admiral in the Navy”; and

(ii) in paragraph (3), by striking “or Marine Corps” and all that follows through “Space Force,” and inserting “Marine Corps, or Space Force or captain in the Navy,”.

(E) Subsection (e)(2) is amended by striking “or Marine Corps” and all that follows through “Space Force,” and inserting “Marine Corps, or Space Force or vice admiral or admiral in the Navy,”.

(F) Subsection (f) is amended—

(i) in paragraph (3)—

(I) in subparagraph (A), by striking “or Marine Corps” and all that follows through “Space Force,” and inserting “Marine Corps, or Space Force or rear admiral in the Navy”; and

(II) in subparagraph (B), by striking “‘or Marine Corps’ and all that follows through ‘Space Force’ and inserting “Marine Corps, or Space Force or vice admiral in the Navy.”
Force or vice admiral or admiral in
the Navy”; and

(ii) in paragraph (6)—

(I) in subparagraph (A), by strik-
ing “or Marine Corps” and all that
follows through “Space Force,” and in-
serting “Marine Corps, or Space Force
or rear admiral in the Navy”; and

(II) in subparagraph (B), by
striking “or Marine Corps” and all
that follows through “Space Force,”
and inserting “Marine Corps, or Space
Force or vice admiral or admiral in
the Navy”.

(6) HONORARY PROMOTIONS.—Sections
1563(c)(1) and 1563a(a)(1) are each amended—

(A) by striking “general,” and inserting
“general or”; and

(B) by striking “, or an equivalent grade in
the Space Force”.

(7) AIR FORCE INSPECTOR GENERAL.—Section
9020(a) is amended by striking “the general, flag, or
equivalent officers of”.

(b) OTHER TITLE 10 AMENDMENTS.—Such title is fur-
ther amended as follows:
(1) **Limitation on number of retired members ordered to active duty.**—Section 690(a) is amended by striking “or Marine Corps,” and inserting “Marine Corps, or Space Force.”

(2) **The uniform.**—Section 772(i) is amended—

(A) by striking “an Air Force School” and inserting “an Air Force or Space Force school”; and

(B) by striking “aviation badges of the Air Force” and inserting “aviation or space badges of the Air Force or Space Force”.

(3) **Membership in military unions, organizing of military unions, and recognition of military unions prohibited.**—Section 976(a) is amended by inserting “or the Space Force” in paragraph (1)(C) after “member of a Reserve component”.

(4) **Limitation on enlisted aides.**—Section 981 is amended—

(A) in subsection (a), by striking “Marine Corps, Air Force,” and inserting “Air Force, Marine Corps, Space Force,”; and

(B) in subsection (b), by striking “and Marine Corps” and inserting “Marine Corps, and Space Force”; and
(C) in subsection (c)(1), by inserting “Space Force,” after “Marine Corps.”.

(5) DEFINITION OF VETERAN FOR PURPOSES OF FUNERAL HONORS.—Section 1491(h)(1) is amended by striking “or air service” and inserting “air, or space service”.

(6) HOUSING FOR RECRUITS.—Section 9419(d) is amended by inserting “or the Space Force” after “training program of the Air Force”.

(7) CHARTER OF CHIEF OF SPACE OPERATIONS.—Section 9082 is amended as follows:

(A) CROSS-REFERENCE CORRECTION.—Subsection (d)(5) is amended by striking “sections” and all that follows through “of law” and inserting “sections 171 and 3104 of this title and other provisions of law”.

(B) ECLAPSED-TIME PROVISION.—Subsection (e)(1) is amended by striking “Commencing” and all that follows through “the Chief” and inserting “The Chief”.

SEC. 1752. OTHER PROVISIONS OF LAW.

(a) TRADE ACT OF 1974.—Section 233(i)(1) of the Trade Act of 1974 (19 U.S.C. 2293(i)(1)) is amended by inserting “, or a member of the Space Force,” after “a member of a reserve component of the Armed Forces”.
(b) Title 28, United States Code (Judiciary and Judicial Procedure).—Section 631(c) of title 28, United States Code is amended by inserting “members of the Space Force” after “Coast Guard” the second place it appears.

(c) Servicemembers Civil Relief Act.—The Servicemembers Civil Relief Act (50 U.S.C. 3901 et seq.) is amended as follows:


(2) Same rights and protections as reserves ordered to report for military service.—Section 106 (50 U.S.C. 3911) is amended by adding at the end the following new subsection:

“(c) The provisions of subsection (a) apply to a member of the Space Force who is ordered to report for military service in the same manner as to a member of a reserve component who is ordered to report for military service.”.

(3) Exercise of rights under SCRA.—Section 108(5) (50 U.S.C. 3919(5)) is amended by inserting before the period at the end the following: “or as a member of the Space Force”.

•HR 2670 RH1S
TITLE XVIII—OTHER DEFENSE MATTERS
Subtitle A—Miscellaneous Authorities and Limitations

SEC. 1801. EXTENSION OF AUTHORITY TO ENGAGE IN CERTAIN COMMERCIAL ACTIVITIES.

Section 431(a) of title 10, United States Code, is amended by striking “December 31, 2023” and inserting “December 31, 2024”.

SEC. 1802. MODIFICATION OF DEFENSE SENSITIVE SUPPORT NOTIFICATION REQUIREMENT.

Section 1055(b)(3) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 113 note) is amended—

(1) in the paragraph heading, by inserting “AND EXTRAORDINARY SECURITY PROTECTIONS” after “SUPPORT”;

(2) in the matter preceding subparagraph (A), by inserting “or requires extraordinary security protections” after “time-sensitive”; and

(3) in subparagraph (B), by inserting “or after the activity supported concludes” after “support” both places it appears.
SEC. 1803. MODIFICATION TO REQUIREMENTS RELATING TO COMBATING MILITARY RELIANCE ON RUSSIAN ENERGY.

Section 1086 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) is amended—

(1) by striking “main operating base” each place it appears and inserting “operating base”;

(2) in subsection (a)(2), by striking “main operating bases” and inserting “operating bases”; and

(3) by striking subsection (c) and inserting the following new subsection (c):

“(c) INSTALLATION ENERGY PLANS.—

“(1) IDENTIFICATION OF INSTALLATIONS.—The Secretary of Defense shall submit to the congressional defense committees a list of main operating bases within the area of responsibility of the United States European Command ranked according to mission criticality and vulnerability to energy disruption as follows:

“(A) In the case of a main operating base, by not later than June 1, 2023.

“(B) In the case of any operating base other than a main operating base, by not later than June 1, 2024.

“(2) SUBMITTAL OF PLANS.—
“(A) Main Operating Bases.—Not later than 12 months after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees—

“(i) an installation energy plan for each main operating base on the list submitted under paragraph (1)(A); and

“(ii) an assessment of the feasibility of reaching the goal for the elimination of the use of Russian energy pursuant to subsection (b) on that base, including—

“(I) a description of the steps that would be required to meet such goal; and

“(II) an analysis of the effects such steps would have on the national security of the United States.

“(B) Other Operating Bases.—Not later than 24 months after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees—

“(i) an installation energy plan for each operating base on the list submitted under paragraph (1)(B); and
“(ii) an assessment of the feasibility of reaching the goal for the elimination of the use of Russian energy pursuant to sub-section (b) on that base, including—

“(I) a description of the steps that would be required to meet such goal; and

“(II) an analysis of the effects such steps would have on the national security of the United States.”.

SEC. 1804. SUPPORT FOR EXECUTION OF BILATERAL AGREEMENTS CONCERNING ILLICIT TRANSNATIONAL MARITIME ACTIVITY IN AFRICA.

(a) IN GENERAL.—The Secretary of Defense, in coordination with the Commandant of the Coast Guard, and in consultation with the Secretary of State, may provide assistance to the Coast Guard for the execution of existing maritime law enforcement agreements between the United States and friendly African countries that were established to combat transnational organized illegal maritime activity, including illegal, unreported, and unregulated fishing.

(b) EFFECT ON MILITARY TRAINING AND READINESS.—The Secretary shall ensure that the provision of assistance under this section will not negatively affect mili-
tary training, operations, readiness, or other military re-
quirements.

(c) FUNDS.—Amounts made available in a fiscal year
to the Secretary for operations and maintenance shall be
used to carry out this section.

(d) ASSISTANCE DEFINED.—In this section, the term
“assistance” means the use of surface and air assets as bases
of operations and information collection platforms, commu-
ication infrastructure, information sharing, and the pro-
vision of logistic support, supplies, and services (as defined
in section 2350 of title 10, United States Code).

SEC. 1805. CLARIFICATION OF WAIVER AUTHORITY FOR OR-
GANIZATIONAL AND CONSULTANT CON-
FLICTS OF INTEREST UNDER THE FEDERAL
ACQUISITION REGULATION.

Section 9.503 of the Federal Acquisition Regulation
shall be revised to require that—

(1) a request for a waiver under such section in-
clude a written justification for such waiver; and

(2) the head of a Federal agency may not dele-
gate such waiver authority below the level of the dep-
uty head of such agency.
SEC. 1806. GENEALOGY COLLECTION OF FAMILY MEMBERS OF SERVICEMEMBERS KILLED AT PEARL HARBOR ON DECEMBER 7, 1941.

(a) Contract for Genealogy.—

(1) In general.—The Secretary of Defense, acting through the Defense POW/MIA Accounting Agency, may enter into a contract with an entity to conduct genealogy of the deceased servicemembers from the U.S.S. Arizona, identify family members of such servicemembers, and solicit genetic samples from such family members and servicemembers.

(2) Market research.—Before soliciting bids for such contract, the Secretary of Defense shall conduct market research to identify available technology and resources to carry out such contract.

(3) Requirements.—The Secretary may allow for genome sequencing for purposes of conducting a comprehensive genealogy under such a contract if the terms of such contract include the following:

(A) A requirement that a genealogist conducts the genome sequencing.

(B) A requirement that the contractor follows protocols established by the Defense POW/MIA Accounting Agency relating to genome sequencing, including requirements relating to standards, swabs, and storage.
(b) Reports Required.—

(1) Initial Report.—Not later than January 31, 2024, the Secretary of Defense, in coordination with the Secretary of the Navy and the Director of the Defense POW/MIA Accounting Agency, shall submit to the Committees on Armed Services of the Senate and House of Representatives an initial report regarding the use of a contract described in subsection (a). Such report shall include—

(A) a description of the market research conducted pursuant to subsection (a)(2);

(B) expected timelines for contract performance;

(C) the process by which the Secretary selected a contractor; and

(D) detailed strategy of implementation and for the expenditure of funds.

(2) Final Report.—Not later than November 31, 2024, the Secretary of Defense, in coordination with the Secretary of the Navy and the Director of the Defense POW/MIA Accounting Agency, shall submit to the Committees on Armed Services of the Senate and House of Representatives a final report regarding the use of a contract described in subsection (a). Such report shall include—
(A) details of the contract award;

(B) an update on expected timelines for contract performance; and

(C) an update on the strategy of implementation and for the expenditure of funds.

Subtitle B—Studies and Reports

SEC. 1821. REPORT ON INCREASING NATIONAL CEMETERY CAPACITY.

Not later than one year after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to Congress a report that contains a proposal to increase national cemetery capacity through the expansion or modification of a national cemetery that has, or will have, the capacity to provide full military honors.

SEC. 1822. LIMITATION ON FUNDS RELATING TO FEDERAL CONTRACTOR DISCLOSURE OF GREENHOUSE GAS EMISSIONS AND CLIMATE-RELATED FINANCIAL RISK.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act for the Department of Defense may be obligated or expended to recommend or require any entity submitting an offer for a Federal contract to disclose, as a condition of submitting the offer, any of the following
information, or the existence of any of the following information:


(2) A greenhouse gas inventory or any other report on greenhouse gas emissions, including Scope 1 emissions, Scope 2 emissions, and Scope 3 emissions.

(3) Greenhouse gas emissions reduction targets for validation by any non-governmental organization, including the Science-Based Targets initiative.

(b) DEFINITIONS.—In this section:

(1) GREENHOUSE GAS.—The term “greenhouse gas” means—

(A) carbon dioxide;

(B) methane;

(C) nitrous oxide;

(D) nitrogen trifluoride;

(E) hydrofluorocarbons;

(F) perfluorocarbons; or

(G) sulfur hexafluoride.
(2) **GREENHOUSE GAS INVENTORY.**—The term “greenhouse gas inventory” means a quantified list of an entity’s annual greenhouse gas emissions.

(3) **SCOPE 1 EMissions.**—The term “Scope 1 emissions” means, with respect to an entity, direct greenhouse gas emissions that are emitted from sources that are owned or controlled by the entity.

(4) **SCOPE 2 EMissions.**—The term “Scope 2 emissions” means, with respect to an entity, indirect greenhouse gas emissions that are—

   (A) associated with the generation of electricity, heating and cooling, or steam, when such electricity, heating and cooling, or steam is purchased or acquired for the entity’s own consumption; and

   (B) emitted from sources other than sources that are owned or controlled by the entity.

(5) **SCOPE 3 EMissions.**—The term “Scope 3 emissions” means, with respect to an entity, indirect greenhouse gas emissions, other than Scope 2 emissions, that are—

   (A) a consequence of the operations of the entity; and

   (B) emitted from sources other than sources that are owned or controlled by the entity.
SEC. 1823. STUDY AND REPORT ON DAMAGE TO INFRASTRUCTURE IN GUAM RESULTING FROM TYphoon Mawar.

(a) Study.—The Secretary of Defense shall conduct a study on damage to infrastructure in Guam resulting from Typhoon Mawar.

(b) Report.—Not later than 180 days after the date of the enactment of this Act, such Secretary shall submit to the congressional defense committees a report that includes—

(1) the findings of such study;

(2) a list of each component of civilian infrastructure in Guam damaged by Typhoon Mawar, and the extent to which such damage impairs military readiness in Guam;

(3) an analysis of existing authorities such Secretary could use to support recovery from such damage in Guam; and

(4) a description of efforts, if any, of such Secretary to coordinate with municipal governments in Guam to support such recovery.

Subtitle C—Other Matters

SEC. 1851. TECHNICAL AND CONFORMING AMENDMENTS.

(a) Title 10, United States Code.—Title 10, United States Code, is amended as follows:

(1) In the subtitle analysis for subtitle A—
(A) by striking the item relating to chapter 113 and inserting the following new item:

“113. Defense Civilian Training Corps ........................................2200g”;

(B) by striking the item relating to chapter 207 and inserting the following new item:

“207. Budgeting and Appropriations ............................................ 3131”;

(C) by striking the item relating to chapter 225 and inserting the following new item:

“225. [Reserved] .............................................................................. 3271”;

(D) by striking the item relating to chapter 272 and inserting the following new item:

“272. [Reserved] .............................................................................. 3721”;

(E) by striking the item relating to chapter 287 and inserting the following new item:

“287. Other Contracting Programs ................................................. 3901”;

(F) by striking the item relating to chapter 305 and inserting the following new item:

“305. Universities ............................................................................. 4141”;

(G) by inserting after the item relating to chapter 307 the following new items:

“SUBPART F—MAJOR SYSTEMS, MAJOR DEFENSE ACQUISITION PROGRAMS, AND WEAPON SYSTEMS DEVELOPMENT

“321. General Matters ............................................................. 4201
“322. Major Systems and Major Defense Acquisition Programs Generally ......................................................... 4211
“323. Life-Cycle and Sustainment ............................................. 4321
“324. Selected Acquisition Reports ........................................... 4350
“325. Cost Growth-Unit Cost Reports (Nunn-McCurdy) .......... 4371
“326. Weapon Systems Development And Related Matters .. 4401”, and

(H) by striking the item relating to chapter 383 and inserting the following new item:
(2) Section 172(c) is amended—

   (A) in paragraph (5), by striking “performs” and inserting “perform”;

   (B) in paragraph (11), by striking “establishes” and inserting “establish”; and

   (C) in paragraph (13), by striking “conducts” and inserting “conduct”.

(3) Section 231 is amended—

   (A) in the section heading, by striking “plan and certification” and inserting “plans and certifications”; and

   (B) in subsection (f)(1), by striking “such plan and certification” and inserting “such plans and certifications”.

(4) Section 386(b) is amended—

   (A) in paragraph (2)(E), by striking “bilateral” and inserting “bilateral”; and

   (B) in paragraph (4)—

      (i) in subparagraph (E)(iii), by inserting “and” after the semicolon; and

      (ii) in subparagraph (H), by striking “sections” and inserting “section”.

(5) Section 392a is amended—
(A) in subsection (b)(2)(B) by striking “designed” and inserting “designated”; and

(B) in subsection (c)(4)(A), by striking “clause (ii)” and inserting “subparagraph (B)”.

(6) The second section 398 (relating to pilot program for sharing cyber capabilities and related information with foreign operational partners) is redesignated as section 398a.

(7) Section 398a, as so redesignated, is amended—

(A) in subsection (b)—

(i) in paragraph (1)(A) by striking “paragraph (a)” inserting “subsection (a)”;

(ii) in paragraph (2), by striking “paragraph (a)” and inserting “paragraph (1)”;

and

(iii) in paragraph (3), by striking “clause (1)” and inserting “paragraph (1)”;

and

(B) in subsection (e), by striking “paragraph (a)” and inserting “subsection (a)”.

(8) Section 491(c) is amended by striking “the a” and inserting “a”.

(9) Section 526a is amended by redesignating the second subsection (i) as subsection (j).
(10) Section 701(l)(1)(B) is amended by redesignating clauses (A) through (B) as clauses (i) through (iii).

(11) Section 1074h(c)(1) is amended by striking “section 491 of title 14” and inserting “section 2732 of title 14”.

(12) Section 1076a(d)(1)(E)(i) is amended by inserting “)” after “subsection (e)(3)”.

(13) The section heading for section 1090a is amended by striking the period after “disorders”.

(14) Section 1090b(e)(1)(B)(ii) is amended by striking “ensure” and inserting “ensuring”.

(15) Section 1134a(b) is amended by striking “section 491 of title 14” and inserting “section 2732 of title 14”.

(16) Section 1370 is amended—

(A) in subsection (e), by inserting “to” before “‘active duty’”; and

(B) in subsection (f)—

(i) by striking “1370(e)” and inserting “1370(e)”; and

(ii) by striking “reference to ‘chapter 71’ of this title” and inserting “reference to ‘chapter 71 of this title’”. 
(17) Section 1789(c)(3) is amended by striking “subparagraph (A) or (B)” and inserting “paragraph (1) or (2)”.  

(18) Section 2200g(a) is amended by inserting “IN GENERAL.—” before “The Secretary”.  

(19) Section 2228(c)(2) is amended by striking “;” and inserting “;”.  

(20) The table of sections at the beginning of chapter 134 is amended by striking the item relating to section 2249.  

(21) Section 2275(g)(3) is amended by striking “sections” and inserting “section”.  

(22) Section 2700(2) is amended by striking “The term” and inserting “The terms”.  

(23) Section 2864(f) is amended by redesignating paragraph (6) as paragraph (4).  

(24) Section 2878(f)(2)(D)(iii) is amended by striking “An report” and inserting “A report”.  

(25) The item relating to section 3106 in the table of sections at the beginning of chapter 205 is amended by inserting a period at the end.  

(26) Section 3304(g) is amended by inserting “under” before “this section”.  

(27) Section 3323(b)(2) is amended by striking the period after “notwithstanding”.

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(28) Section 3601(b)(4) is amended by inserting “note” before “prec.”.

(29) Section 3702 is amended—

(A) in subsection (a)(4) is amended by striking “subparagraph (C)” and inserting “paragraph (3)”; and

(B) in subsection (f), by striking “subparagraphs (B) and (C) of such paragraph” and inserting “paragraphs (1) and (2) of such subsection”.

(30) Section 4014(b) is amended by striking “section 4142(b) of this title” and inserting “section 4125(b) of this title”.

(31) Section 4024 is amended by striking “section 2303(a) of this title” each place it appears and inserting “section 3063 of this title”.

(32) By striking the second section 4094.

(33) Section 4092(c)(2) is amended by striking “the the” and inserting “the”.

(34) Section 4273(b)(5)(A) is amended by striking “4736” and inserting “4376”.

(35) Section 4351(c)(1)(B)(iv) is amended by striking “section 4355(4) of this title” and inserting “subsection (e)(4)”.

(36) Section 4820(b) is amended—
(A) by striking “subchapters” and inserting “chapters”; and

(B) by striking “subchapter” and inserting “chapter”.

(37) Section 4902(k)(5) is amended by inserting “the” before “mentor”.

(38) Section 8062 is amended by redesignating the second subsection (g) as subsection (h).

(39) Chapter 863 is amended by redesignating the second section 8696 (relating to battle force ship employment, maintenance, and manning baseline plans) as section 8697.

(b) COORDINATION WITH OTHER AMENDMENTS MADE BY THIS ACT.—For purposes of applying amendments made by provisions of this Act other than this section, the amendments made by this section shall be treated as having been enacted immediately before any such amendments by other provisions of this Act.

SEC. 1852. REFERRAL TO MUSEUM LOCATED AT BLYTHEVILLE/EAKER AIR FORCE BASE AS THE NATIONAL COLD WAR CENTER.

(a) FINDINGS.—Congress makes the following findings:

(1) The BAFB Cold War Museum, Inc., a non-profit corporation under section 501(c)(3) of the Internal Revenue Code of 1986, is responsible for the fi-
nances and management of the National Cold War Museum at Blytheville/Eaker Air Force Base in Blytheville, Arkansas.

(2) The National Cold War Center, located on the Blytheville/Eaker Air Force Base, will be recognized as a major tourist attraction in Arkansas that will provide an immersive and authoritative experience in informing, interpreting, and honoring the legacy of the Cold War.

(3) The Blytheville/Eaker Air Force Base has the only intact, publicly accessible Alert Facility and Weapons Storage Facility in the United States.

(4) There is an urgent need to preserve the stories, artifacts, and heroic achievements of the Cold War.

(5) The United States has a need to preserve forever the knowledge and history of the United States’ achievements in the Cold War century and to portray that history to citizens, visitors, and school children for centuries to come.

(6) The National Cold War Center seeks to educate a diverse group of audiences through its collection of artifacts, photographs, and firsthand personal accounts of the participants in the war on the home front.
(b) PURPOSES.—The purposes of this section are—

(1) to authorize references to the museum located at Blytheville/Eaker Air Force Base in Blytheville, Arkansas, including its future and expanded exhibits, collections, and educational programs, as the “National Cold War Center”;

(2) to ensure the continuing preservation, maintenance, and interpretation of the artifacts, documents, images, and history collected by the Center;

(3) to enhance the knowledge of the people of the United States of the experience of the United States during the Cold War years;

(4) to provide and support a facility for the public display of the artifacts, photographs, and personal histories of the Cold War years; and

(5) to ensure that all future generations understand the sacrifices made to preserve freedom and democracy, and the benefits of peace for all future generations in the 21st century and beyond.

(c) REFERENCE TO AMERICA’S COLD WAR CENTER.—The museum located at Blytheville/Eaker Air Force Base in Blytheville, Arkansas, is hereby authorized to be referred to as the “National Cold War Center”.
SEC. 1853. EXEMPTION UNDER MARINE MAMMAL PROTECTION ACT OF 1972 FOR CERTAIN ACTIVITIES THAT MAY RESULT IN INCIDENTAL TAKE OF RICE’S WHALE.

(a) Exemption Process Required.—The Secretary of Commerce, the Secretary of the Interior, and the Secretary of Defense, as appropriate, shall begin the process under section 101(f)(1) of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1371(f)(1)) to exempt from the requirements of that Act, as applicable, training and testing activities, including those that involve the use of live or inert impact weapons or aerial gunnery, conducted by the Secretary of the Air Force on the Eglin Gulf Test and Training Range, located at Eglin Air Force Base, that may result in incidental take of the Rice’s whale (Balaenoptera ricei).

(b) Notification Requirement Satisfied.—If the Secretary of Defense issues an exemption pursuant to subsection (a) the notification requirement under section 101(f)(4) of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1371(f)(4)) shall be deemed to be satisfied upon issuance of the exemption.
SEC. 1854. REVISION OF REQUIREMENT FOR TRANSFER OF CERTAIN AIRCRAFT TO STATE OF CALIFORNIA FOR WILDFIRE SUPPRESSION PURPOSES.

(a) Transfer of Excess Coast Guard HC-130H Aircraft.—

(1) Transfer to state of California.—The Secretary of Homeland Security shall transfer to the State of California without reimbursement—

(A) the 7 HC–130H aircraft specified in paragraph (2); and

(B) initial spares and necessary ground support equipment for such aircraft.

(2) Aircraft specified.—The aircraft specified in this paragraph are the HC–130H Coast Guard aircraft with serial numbers 1706, 1708, 1709, 1713, 1714, 1719, and 1721.

(3) Timing; aircraft modifications.—The transfers under paragraph (1)—

(A) shall be made as soon as practicable after the date of the enactment of this Act; and

(B) may be carried out without further modifications to the aircraft by the United States.

(b) Conditions of Transfer.—Aircraft transferred to the State of California under this section—
(1) may be used only for wildfire suppression purposes, including search and rescue or emergency operations pertaining to wildfires;

(2) may not be flown outside of, or otherwise removed from, the United States unless dispatched by the National Interagency Fire Center in support of an international agreement to assist in wildfire suppression efforts or for other disaster-related response purposes approved by the Governor of California in writing in advance; and

(3) may not be sold by the Governor of California after transfer.

(c) Calculation of Initial Spares.—For purposes of subsection (a)(1)(B), initial spares shall be calculated based on shelf stock support for 7 HC–130H aircraft each flying 400 hours each year.

(d) Transfer of Residual Kits and Parts Held by Air Force.—The Secretary of the Air Force may transfer to the State of California, without reimbursement, any residual kits and parts held by the Secretary of the Air Force that were procured in anticipation of the transfer of the aircraft specified in subsection (a)(2).

(e) Repeal of Prior Provisions of Law Relating to Transfer.—The following provisions of law are repealed:
(1) Subsections (a), (c), (d), and (f) of section 1098 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 881), as amended by subsections (a), (b), (c), and (d) of section 1083 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1989).


SEC. 1855. RESTRICTIVE HOUSING REFORM.

(a) FINDINGS.—Congress finds the following:

(1) Restrictive housing takes many forms, and the experience in segregation can vary considerably depending on certain external factors, such as the length of stay, conditions of confinement, and degree of social isolation, as well as factors specific to each confined person, such as age and psychological resiliency.

(2) Confined individuals located in restrictive housing broadly express severe psychological disturbances with lasting detrimental consequences as a result of their experience in security housing units. The Stanford Lab’s interviews revealed a range of com-
mon impairments and adverse consequences associated with long-term, indefinite incarceration.

(3) The majority of confined members endorsed feeling mood symptoms consistent with the Diagnostic and Statistical Manual of Mental Disorders (DSM 5) diagnosis of Major Depressive Disorder, including depressed mood, hopelessness, anger, irritability, anhedonia, anger, fatigue, feelings of guilt, loss of appetite, and insomnia.

(4) Nearly all members also endorsed a sense of anxiety symptoms characteristic of DSM 5 diagnoses of panic disorder, traumatic stress disorders, or obsessive-compulsive disorders, such as nervousness, worry, increased heart rate and respiration, sweating, muscle tension, hyperarousal, paranoia, nightmares, intrusive thoughts, and fear of losing control.

(5) Psychiatric symptoms and diminished capacity for socialization continue to cause psychological suffering and problems with social function for most of the men now in general population.

(6) Confined members cited emotional numbing and desensitization as some of the most common responses to living in SHU.

(7) This sense of emotional suppression and dysregulation continues to be problematic for inmates
following the transition to the general population. Class members also reported significant alterations in cognition and perception.

(8) Problems with attention, concentration, and memory were common, and described as persistent and worsening.

(9) Some of the most pronounced and enduring effects of long-term isolation appeared to have resulted from relational estrangement and social isolation; inmates frequently reported losing, over time, the motivation to seek social connection.

(b) LIMITATIONS ON CONFINEMENT.—

(1) IN GENERAL.—Inmates shall be housed in the least restrictive setting necessary to ensure their own safety, as well as the safety of staff, other inmates, and the public.

(2) REASONING.—The head of a military correctional facility shall clearly articulate each specific reason for an inmate’s placement and retention in restrictive housing. Each such reason shall be supported by objective evidence that such placement and retention is necessary—

(A) for prison safety or order;

(B) to prevent gang influence;

(C) for inmate or staff protection; and
(D) such other penological purpose as the head of such facility may determine is appropriate.

(3) Penological Purpose.—Restrictive housing may only be used to eliminate or mitigate a specific facility threat such as a fight between inmates or the threat of imminent danger to inmates or staff.

(4) Limitation.—

(A) In general.—Inmates shall remain in restrictive housing for no longer than necessary to address each specific reason for such placement.

(B) Punishment.—Inmates may not be placed in restrictive housing—

(i) as a form of punishment or deterrence;

(ii) for low-level offenses that do not involve physical violence to staff or inmates; or

(iii) for more than 5 days as a part of a routine investigation or more than 15 days as part of a non-routine investigation, as determined by the Secretary of Defense, absent documented extenuating circumstances.
(c) Review of Placement.—

(1) In general.—An institutional review panel of a military correctional facility shall review the placement of an inmate in restrictive housing not later than 15 days after such placement and not less than every 15 days thereafter until such time as the inmate is removed from restrictive housing.

(2) Removal plan.—The head of each military correctional facility shall make a plan for the return of the inmate to less restrictive conditions and shall share such plan with the inmate, unless sharing such plan would put the health and safety of the inmate, staff, other inmates, or the public at risk.

(d) Employee Training.—

(1) In general.—The Secretary of Defense shall ensure that the staff of each military correctional facility is trained on use of force and restrictive housing policies not less than quarterly.

(2) Housing policy training.—The Secretary of Defense shall ensure that the staff of each military correctional facility complies with restrictive housing policies and that such policies are reflected in employee evaluation systems.

(3) Standing committees.—
(A) IN GENERAL.—The Secretary of Defense shall establish in each military correctional facility a standing committee, consisting of high-level correctional officials, active or retired, to regularly evaluate existing restrictive housing policies.

(B) DUTIES.—Each standing committee shall—

(i) review use of force and abuse allegations to include body camera or other digital recording footage and closed-circuit video footage of any use of force or abuse allegation;

(ii) submit redacted written recommendations on preventing unlawful use of force or abuse to—

(I) the Secretary of Defense; and

(II) the Committees on Armed Services of the House of Representatives and the Senate; and

(iii) assist military correctional facilities in developing safe and effective alternatives to restrictive housing and share with other military correctional facilities
best practices for use of force to ensure safety for staff and confined individuals.

(e) Gradual Return to General Population.—

(1) In general.—Absent a compelling reason as determined by the Secretary of Defense, the head of a military correctional facility may not release inmates directly from restrictive housing to the general inmate population.

(2) Graduated System.—The head of a military correctional facility shall consult with mental health professionals to ensure that shock of removal from isolation will not cause harm to the confined individual or the general inmate population.

(f) Enrichment Opportunities.—

(1) Establishment of Policies.—Not later than 180 days after the date of the enactment of this Act, each Secretary of Defense shall establish policies to:

(A) Increase the minimum amount of time inmates in restrictive housing spend outside their cells to 3 hours per day, including weekends and holidays, and to offer enhanced in-cell opportunities.

(B) Afford to individuals in restrictive housing educational opportunities, using the
minimum amount of protective restraint necessary to ensure safety of staff, population, and educational professionals.

(C) Make available to the inmates opportunities for recreation, education, clinically appropriate treatment therapies, skill-building, and social interaction with staff and other inmates.

(D) Ensure that lower-risk individuals may conduct recreation time in such group size as the facility determines appropriate.

(E) Increase the ability of military correctional facilities to divert inmates with serious mental illness to mental health treatment programs or facilities when needed to serve the interest of the facility and the inmate.

(F) Prohibit the placement of inmates in restrictive housing during the final 180 days of the term of imprisonment of such inmate.

(G) Provide targeted re-entry programming for inmates who require restrictive housing during the such final 180-day period.

(2) POSTING POLICIES.—The Secretary of Defense shall post the policies established under paragraph (1) in an area of the facility that is frequented by inmates and staff.
(g) STATISTICS.—The Secretary of Defense shall publish system-wide restrictive housing statistics, on a monthly basis, on the website of the Department of Defense and on websites for effected military correctional facilities. The statistics shall include the total number of inmates in restrictive housing, disaggregated by—

(1) the number of inmates who—

(A) remained in such housing for more than 90 days;

(B) remained in such housing for more than 180 days; and

(C) remained in such housing for more than 364 days; and

(2) the number of inmates in disciplinary segregation, administrative detention, other restrictive housing.

(h) CONFINEMENT REQUIREMENTS.—

(1) IN GENERAL.—The Secretary of Defense and the head of a military correctional facility shall—

(A) submit data on restrictive housing to the Committees on Armed Services and on the Judiciary of the Senate and the House of Representatives on a quarterly basis;
(B) finalize upgrades in data collection software to improve tracking of restrictive housing inmates; and

(C) require a body camera or other digital recording instrument to be worn by correctional staff interacting with confined population in restrictive housing for any forced movement or physical interaction.

(2) PRESUMPTION.—In determining whether placement in restrictive housing is appropriate, it shall be presumed that an inmate shall be housed in the least restrictive setting necessary to ensure safety, and that inmates in restrictive housing shall be returned to general population as soon as it is safe to do so.

(i) VIOLATIONS.—

(1) IN GENERAL.—In the case of a military correctional facility that violates the policy established by the Secretary of Defense under subsection (f), the Secretary may—

(A) reduce the funding provided to the violating facility by such amount as the Secretary determines appropriate and increase the amount provided to facilities in compliance by an
amount that is equal to the amount of such re-
duction;

(B) suspend staff found to be involved in a
violation of such policy with or without pay; or

(C) terminate staff found to be involved in
a violation of such policy if such violation is
considered substantially detrimental to the goals
of such policy.

(2) ADJUDICATION.—Any military correctional
facility or an employee of such facility accused of a
violation of the policy established by the Secretary of
Defense under subsection (f) shall, after notice and an
opportunity to be heard by the standing committee of
such facility and subject to approval by the Secretary
of Defense be subject to the relevant penalties de-
scribed under paragraph (1).

(3) CONFLICT OF INTEREST.—Any conflicted
parties, as determined by the Secretary of Defense,
shall recuse themselves from the proceeding before the
standing committee and a new impartial member
shall be appointed to the committee to serve in this
capacity for the duration of the proceeding. Any con-
flict of interest shall be disclosed in writing and pre-
served within the recommendation notes.
(j) Revision of Department of Defense Policies and Guidance.—As soon as practicable after the date of the enactment of this Act, the Secretary of Defense shall revise Department of Defense Instruction 1325.07 (Administration of Military Correctional Facilities and Clemency and Parole Authority), and any related policies and guidance of the Department, to conform to the requirements of this Act.

(k) Definitions.—In this section:

(1) The term “military correctional facility” means a correctional facility established under chapter 48 of title 10, United States Code.

(2) The term “inmate” means a prisoner or another individual serving a term of imprisonment in a military correctional facility.

(3) The term “institutional review panel” means a panel composed of—

(A) the leadership of a military correctional facility; and

(B) medical professionals and mental health professionals who are employed by and work outside of such facility.

(4) The term “non-routine investigation” means any investigation that addresses a grave risk of safety
and security of the facility, such as a riot, killing, or terror attack.

(5) The term “restrictive housing” means any housing in which an inmate is removed from general population housing to housing with little to no contact with others for a disciplinary purpose.

SEC. 1856. SENSE OF CONGRESS REGARDING UNMANNED AERIAL, SURFACE, AND UNDERWATER VEHICLES.

It is the sense of Congress that—

(1) unmanned aerial, surface, and underwater vessels play a critical role in modern warfare;

(2) continued investment in the research, development, and fielding of such systems will help advance the military of the United States;

(3) such capabilities are particularly important to bolstering deterrence and maintaining peace and security in the Indo-Pacific region; and

(4) the United States should encourage its allies and partners, particularly those located in the Indo-Pacific region, to invest in unmanned aerial, surface, and underwater vessels to reinforce deterrence.
SEC. 1857. SENSE OF CONGRESS REGARDING NAMING OF VESSEL FOR BATTLE OF DAI DO.

It is the sense of Congress that the Secretary of the Navy should name an amphibious or expeditionary class vessel for the Battle of Dai Do.

SEC. 1858. RISK FRAMEWORK FOR FOREIGN PHONE APPLICATIONS OF CONCERN.

(a) IN GENERAL.—The Secretary of Defense shall—

(1) create categorical definitions of foreign phone applications of concern with respect to personnel or operations of the Department of Defense, distinguishing among categories such as applications for shopping, social media, entertainment, or health; and

(2) create a risk framework with respect to Department personnel or operations that assesses each foreign phone application (or, if appropriate, grouping of similar such applications) that is from a country of concern for any potential impact on Departmental personnel and Departmental operations, incorporating considerations of—

(A) the manner and extent of data collection by the application;

(B) the ability of the application to influence users;
(C) the manner and extent of foreign ownership or control of the application or data collected by the application;

(D) any foreign government interests associated with the applications;

(E) known or assessed malicious software embedded in the application, including in prior versions of the application or in other applications created by the owners of such application; and

(F) any known impact from prior use of the application to Department personnel or operations.

(b) CONSIDERATIONS.—In developing the categorical definitions and risk framework described in subsection (a), the Secretary of Defense—

(1) shall include in the risk framework foreign phone applications of concern—

(A) from countries that the Secretary determines to be engaged in consistent, unauthorized conduct that is detrimental to the national security or foreign policy of the United States;

(B) that are accessible to be downloaded from major mobile device application marketplaces by Department personnel; and
(C) originating from, authored in, owned by, or otherwise associated with countries or entities that are designated on the list maintained and set forth in Supplement No. 4 to part 744 of the Export Administration Regulations;

(2) may include additional countries or individual foreign phone applications from other countries to the extent the Secretary determines appropriate; and

(3) shall consider distinguishing within the risk framework the particular interests of a country described in paragraph (1) or (2) in the use of a foreign phone application of concern of such country (regardless of device or owner) by—

(A) users located at facilities of the Department of Defense of varying levels of sensitivity;

(B) users conducting authorized operations or movements of Department of Defense materiel; or

(C) specific civilian employees of the Department or contractors whom the Secretary determines likely to be a target of a foreign actor.

(c) GUIDANCE AND UPDATES.—The Secretary of Defense shall—
issue guidance to all Department personnel incorporating the categories of foreign phone applications of concern and advising how to mitigate the risks identified by the risk framework with respect to such applications;

(2) routinely update the categorical definitions and risk framework promulgated pursuant to subsection (a), at least on an annual basis; and

(3) prescribe regulations that prohibit applications on phones provided by the Department of Defense or on any device used during an activity described in subsection (b)(3)(B).

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

SEC. 2001. SHORT TITLE.

This division and title XLVI of division D may be cited as the “Military Construction Authorization Act for Fiscal Year 2024”.

SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO BE SPECIFIED BY LAW.

(a) Expiration of Authorizations After Three Years.—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVII for military
construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor) shall expire on the later of—

(1) October 1, 2026; or

(2) the date of the enactment of an Act authorizing funds for fiscal year 2027.

(b) EXCEPTION.—Subsection (a) shall not apply to authorizations for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor), for which appropriated funds have been obligated before the later of—

(1) October 1, 2026; or

(2) the date of the enactment of an Act authorizing funds for fiscal year 2027.
SEC. 2003. EFFECTIVE DATE.

Titles XXI through XXVII shall take effect on the later of—

(1) October 1, 2023; or

(2) the date of the enactment of this Act.

TITLE XXI—ARMY MILITARY CONSTRUCTION

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>Redstone Arsenal</td>
<td>$50,000,000</td>
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<tr>
<td>Florida</td>
<td>Camp Bull Simons</td>
<td>$47,000,000</td>
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<td>Georgia</td>
<td>Fort Gordon</td>
<td>$163,000,000</td>
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<tr>
<td>Louisiana</td>
<td>Fort Polk</td>
<td>$43,400,000</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>Soldier Systems Center Natick</td>
<td>$18,500,000</td>
</tr>
<tr>
<td>Michigan</td>
<td>Detroit Arsenal</td>
<td>$72,000,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Fort Bragg</td>
<td>$251,500,000</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>Letterkenyen Army Depot</td>
<td>$89,000,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Fort Bliss</td>
<td>$74,000,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Joint Base Lewis-McChord</td>
<td>$100,000,000</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>Country</th>
<th>Installation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td>Grafenwoehr</td>
<td>$10,400,000</td>
</tr>
<tr>
<td></td>
<td>Hohenfels</td>
<td>$56,000,000</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>Territory</th>
<th>Installation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kwajalein</td>
<td>Kwajalein Atoll</td>
<td>$98,600,000</td>
</tr>
<tr>
<td>Germany</td>
<td>Baumholder</td>
<td>$78,746,000</td>
</tr>
</tbody>
</table>
(b) Improvements to Military Family Housing

Units.—Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may improve existing military family housing units in an amount not to exceed $100,000,000.

(c) 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 $27,549,000.

Sec. 2103. Authorization of Appropriations, Army.

(a) Authorization of Appropriations.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2023, 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 author-
ized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2101 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

SEC. 2104. EXTENSION OF AUTHORITY TO USE CASH PAYMENTS IN SPECIAL ACCOUNT FROM LAND CONVEYANCE, NATICK SOLDIER SYSTEMS CENTER, MASSACHUSETTS.

Section 2844(c)(2)(C) of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1865) is amended—

(1) in the heading, by striking “OCTOBER 1, 2025” and inserting “OCTOBER 1, 2027”; and

(2) by striking “October 1, 2025” and inserting “October 1, 2027”.

SEC. 2105. EXTENSION OF AUTHORITY TO CARRY OUT FISCAL YEAR 2018 PROJECT AT KUNSAN AIR BASE, KOREA.

(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 2101(b) of such Act (131 Stat. 1819)
and extended by section 2106(a) of the Military Construction Act for Fiscal Year 2023 (division B of Public Law 117–263; 136 Stat. 2973), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(b) Table.—The table referred to in subsection (a) is as follows:

**Army: Extension of 2018 Project Authorization**

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Original Authorized Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Korea</td>
<td>Kunsan Air Base</td>
<td>Unmanned Aerial Vehicle Hangar</td>
<td>$53,000,000</td>
</tr>
</tbody>
</table>

SEC. 2106. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2019 ARMY MILITARY CONSTRUCTION PROJECTS.

(a) Army Military Construction.—

(1) Extension.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2240), the authorizations set forth in the table in paragraph (2), as provided in section 2101 of that Act (132 Stat. 2241), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.
(2) **Table.**—The table referred to in paragraph (1) is as follows:

**Army: Extension of 2019 Project Authorizations**

<table>
<thead>
<tr>
<th>State/Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Original Authorized Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Korea</td>
<td>Camp Tango ...............</td>
<td>Command and Control Facility</td>
<td>$17,500,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Cantonment Area Roads ........</td>
<td>$16,500,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Fort Meade ...............</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(b) **Army Overseas Contingency Operations Military Construction.**—

(1) **Extension.**—Notwithstanding such section, the authorizations set forth in the table in paragraph (2), as provided in section 2901 of such Act, shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) **Table.**—The table referred to in paragraph (1) is as follows:

**Army: Extension of 2019 Project Authorizations**

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Original Authorized Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bulgaria</td>
<td>Nevo Selo FOS ............</td>
<td>EDI: Ammunition Holding Area ..........</td>
<td>$5,200,000</td>
</tr>
<tr>
<td>Romania</td>
<td>Mihail Kogalniceanu FOS</td>
<td>EDI: Explosives and Ammo Load/Unload Apron.</td>
<td>$21,651,000</td>
</tr>
</tbody>
</table>
SEC. 2107. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2021 ARMY MILITARY CONSTRUCTION PROJECTS.

(a) Army Military Construction.—

(1) Extension.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116-283; 134 Stat. 4294), the authorizations set forth in the table in paragraph (2), as provided in section 2101(a) of that Act (134 Stat. 4295), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, 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>Arizona</td>
<td>Yuma Proving Ground</td>
<td>Ready Building ............</td>
<td>$14,000,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Fort Gillem</td>
<td>Forensic Lab ..............</td>
<td>$71,000,000</td>
</tr>
<tr>
<td>Louisiana</td>
<td>Fort Polk</td>
<td>Information Systems Facility .........</td>
<td>$25,000,000</td>
</tr>
</tbody>
</table>

(b) Child Development Centers at Military Installations.—

table in paragraph (2), as provided in section 2865 of that Act (134 Stat. 4360), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) TABLE.—The table referred to in paragraph (1) is as follows:

Army: Extension of 2021 Project Authorization

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Original Authorized Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Georgia</td>
<td>Fort Gordon</td>
<td>Child Development Center</td>
<td>$21,000,000</td>
</tr>
</tbody>
</table>

**TITLE XXII—NAVY MILITARY CONSTRUCTION**

**SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2203(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Navy: Inside the United States

<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>$42,100,000</td>
</tr>
</tbody>
</table>
Navy: Inside the United States—Continued

<table>
<thead>
<tr>
<th>State or Territory</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Connecticut</td>
<td>Port Hueneme</td>
<td>$110,000,000</td>
</tr>
<tr>
<td>District Of Columbia</td>
<td>Naval Submarine Base New London</td>
<td>$331,718,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Marine Corps Logistics Base Albany</td>
<td>$63,970,000</td>
</tr>
<tr>
<td>Guam</td>
<td>Andersen Air Force Base</td>
<td>$497,620,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Marine Corps Base Hawai’i</td>
<td>$227,350,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Fort Meade</td>
<td>$186,480,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Naval Air Station Patuxent River</td>
<td>$141,700,000</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>Naval Surface Warfare Center Philadelphia</td>
<td>$88,200,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Joint Expeditionary Base Little Creek - Story</td>
<td>$35,000,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Naval Base Kitsap</td>
<td>$245,000,000</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:

Navy: 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 Djibouti</td>
<td>$106,600,000</td>
</tr>
<tr>
<td>Italy</td>
<td>Naval Air Station Sigonella</td>
<td>$77,072,000</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:

**Navy: Family Housing**

<table>
<thead>
<tr>
<th>Location</th>
<th>Installation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Guam</td>
<td>Joint Region Marianas</td>
<td>$121,906,000</td>
</tr>
<tr>
<td></td>
<td>Naval Support Activity Andersen</td>
<td>$83,126,000</td>
</tr>
</tbody>
</table>

(b) **Improvements to Military Family Housing Units.**—Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2203(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may improve existing military family housing units in an amount not to exceed $57,740,000.

(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 $14,370,000.
SEC. 2203. AUTHORIZATION OF APPROPRIATIONS, NAVY.

(a) Authorization of Appropriations.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2023, for military construction, land acquisition, and military family housing functions of the Department of the Navy, as specified in the funding table in section 4601.

(b) Limitation on Total Cost of Construction Projects.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2201 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

SEC. 2204. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2019 NAVY MILITARY CONSTRUCTION PROJECTS.

(a) Navy Military Construction.—

(1) Extension.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2240), the authorizations set forth in the table in paragraph (2), as provided in section 2201 of that Act (132 Stat. 2244), shall remain in effect until October 1, 2024, or the date of the enactment of
an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) **TABLE.**—The table referred to in paragraph (1) is as follows:

**Navy: Extension of 2019 Project Authorizations**

<table>
<thead>
<tr>
<th>State/Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Original Authorized Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bahrain ...........</td>
<td>SW Asia ....................</td>
<td>Fleet Maintenance Facility and TOC</td>
<td>$26,340,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Marine Corps Base Camp Lejeune</td>
<td>2nd Radio BN Complex, Phase 2 ..........</td>
<td>$51,300,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Marine Corps Air Station Beaufort</td>
<td>Recycling/Hazardous Waste Facility ......</td>
<td>$9,517,000</td>
</tr>
<tr>
<td>Washington ......</td>
<td>Bangor ......................</td>
<td>Pier and Maintenance Facility ......</td>
<td>$88,960,000</td>
</tr>
</tbody>
</table>

(b) **ENHANCING FORCE PROTECTION AND SAFETY ON MILITARY INSTALLATIONS.**—

(1) **EXTENSION.**—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2240), the authorization set forth in the table in paragraph (2), as provided in section 2810 of that Act (132 Stat. 2266), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) **TABLE.**—The table referred to in paragraph (1) is as follows:
(c) NAVY CONSTRUCTION AND LAND ACQUISITION PROJECT.—

(1) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2240), the authorization set forth in the table in paragraph (2), as provided in section 2902 of that Act (132 Stat. 2286), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, 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>South Carolina</td>
<td>Marine Corps Air Station Beaufort</td>
<td>Laurel Bay Fire Station</td>
<td>$10,750,000</td>
</tr>
<tr>
<td>Greece</td>
<td>Naval Support Activity Souda Bay</td>
<td>EDI: Joint Mobility Processing Center</td>
<td>$41,650,000</td>
</tr>
</tbody>
</table>
SEC. 2205. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2021 NAVY MILITARY CONSTRUCTION PROJECTS.

(a) Extension.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116–283; 134 Stat. 4294), the authorizations set forth in the table in subsection (b), as provided in section 2201 of that Act (134 Stat. 4297), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(b) Table.—The table referred to in subsection (a) is as follows:

Navy: Extension of 2021 Project Authorizations

<table>
<thead>
<tr>
<th>State/Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Original Authorized Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>Twentynine Palms ...............</td>
<td>Wastewater Treatment Plant ..........</td>
<td>$76,500,000</td>
</tr>
<tr>
<td>Guam</td>
<td>Joint Region Marianas</td>
<td>Joint Communication Upgrade ..........</td>
<td>$166,000,000</td>
</tr>
<tr>
<td>Maine</td>
<td>NCTAMS LANT Detachment Cutler</td>
<td>Perimeter Security ...</td>
<td>$26,100,000</td>
</tr>
<tr>
<td>Nevada</td>
<td>Fallon</td>
<td>Range Training Complex, Phase 1</td>
<td>$29,040,000</td>
</tr>
</tbody>
</table>

TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) Inside the United States.—Using amounts appropriated pursuant to the authorization of appropriations
in section 2303(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

### Air Force: Inside the United States

<table>
<thead>
<tr>
<th>State or Territory</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Florida</td>
<td>Eglin Air Force Base</td>
<td>$14,600,000</td>
</tr>
<tr>
<td></td>
<td>MacDill Air Force Base</td>
<td>$131,000,000</td>
</tr>
<tr>
<td></td>
<td>Patrick Space Force Base</td>
<td>$27,000,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Robins Air Force Base</td>
<td>$115,000,000</td>
</tr>
<tr>
<td></td>
<td>Joint Region Marvinas</td>
<td>$111,000,000</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>Hanscom Air Force Base</td>
<td>$37,000,000</td>
</tr>
<tr>
<td>Mississippi</td>
<td>Columbus Air Force Base</td>
<td>$39,500,000</td>
</tr>
<tr>
<td>Montana</td>
<td>Malmstrom Air Force Base</td>
<td>$10,300,000</td>
</tr>
<tr>
<td>South Dakota</td>
<td>Ellsworth Air Force Base</td>
<td>$23,500,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Joint Base San Antonio-Lackland</td>
<td>$158,000,000</td>
</tr>
<tr>
<td>Utah</td>
<td>Hill Air Force Base</td>
<td>$82,000,000</td>
</tr>
<tr>
<td>Wyoming</td>
<td>F.E. Warren Air Force Base</td>
<td>$85,000,000</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>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Australia</td>
<td>Royal Australian Air Force Base Darwin</td>
<td>$26,000,000</td>
</tr>
<tr>
<td></td>
<td>Royal Australian Air Force Base Tindal</td>
<td>$130,500,000</td>
</tr>
<tr>
<td>Norway</td>
<td>Rygge Air Station</td>
<td>$119,000,000</td>
</tr>
<tr>
<td>Philippines</td>
<td>Cesar Baza Air Base</td>
<td>$35,000,000</td>
</tr>
<tr>
<td>Spain</td>
<td>Morón Air Base</td>
<td>$26,000,000</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>Royal Air Force Fairford</td>
<td>$47,000,000</td>
</tr>
</tbody>
</table>
Air Force: Outside the United States—Continued

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Royal Air Force Lakenheath</td>
<td>$78,000,000</td>
</tr>
</tbody>
</table>

SEC. 2302. FAMILY HOUSING.

(a) IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.—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 construct or acquire family housing units (including land acquisition and supporting facilities) at the installations or locations, in the number of units, and in the amounts set forth in the following table:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Japan</td>
<td>Yokota Air Base</td>
<td>$27,000,000</td>
</tr>
</tbody>
</table>

(b) IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.—Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2303(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may improve existing military family housing units in an amount not to exceed $229,282,000.

(c) 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 $7,815,000.

SEC. 2303. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

(a) Authorization of Appropriations.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2023, 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 2017 AIR FORCE MILITARY CONSTRUCTION PROJECTS.**

(a) **Air Force Military Construction Projects Outside the United States.—**

(1) **Extension.**—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2017 (division B of Public Law 114–328; 130 Stat. 2688), the authorizations set forth in the table in paragraph (2), as provided in section 2301(b) of that Act (130 Stat. 2696) and extended by section 2304 of the Military Construction Act for Fiscal Year 2022 (division B of Public Law 117–181; 135 Stat. 2169), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) **Table.**—The table referred to in paragraph (1) is as follows:

**Air Force: Extension of 2017 Project Authorizations**

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Original Authorized Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td>Ramstein Air Base .................</td>
<td>37 AS Squadron Operations/Aircraft Maintenance Unit</td>
<td>$13,437,000</td>
</tr>
<tr>
<td>Germany</td>
<td>Spangdahlem Air Base .............</td>
<td>Upgrade Hardened Aircraft Shelters for F/A–22 ............................</td>
<td>$2,700,000</td>
</tr>
<tr>
<td>Japan</td>
<td>Yokota Air Base ...................</td>
<td>C–130J Corrosion Control Hangar .............................................</td>
<td>$23,777,000</td>
</tr>
</tbody>
</table>
(b) AIR FORCE OVERSEAS CONTINGENCY OPERATIONS

PROJECTS.—

(1) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2017 (division B of Public Law 114–328; 130 Stat. 2688), the authorization set forth in the table in paragraph (2), as provided in section 2902 of that Act (130 Stat. 2743) and extended by section 2304 of the Military Construction Act for Fiscal Year 2022 (division B of Public Law 117–181; 135 Stat. 2169), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, 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>Germany</td>
<td>Spangdahlem Air Base</td>
<td>F/A–22 Low Observable/Composite Repair Facility</td>
<td>$12,000,000</td>
</tr>
</tbody>
</table>

SEC. 2305. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2018 AIR FORCE MILITARY CONSTRUCTION PROJECTS.

(a) TYNDALL AIR FORCE BASE, FLORIDA.—
(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 set forth in the table in paragraph (2), as provided in section 2301(a) of that Act (131 Stat. 1825) and extended by section 2304(a) of the Military Construction Act for Fiscal Year 2023 (division B of Public Law 117–263), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) TABLE.—The table referred to in paragraph (1) is as follows:

Air Force: Extension of 2018 Project Authorization

<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>
</tbody>
</table>

(b) AIR FORCE OVERSEAS CONTINGENCY OPERATIONS PROJECTS.—

(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 authorizations set forth in the table in paragraph (2), as provided in section 2903 of that Act (131 Stat. 1876) and extended by section...
2304(b) of the Military Construction Act for Fiscal Year 2023 (division B of Public Law 117–263), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) Table.—The table referred to in paragraph (1) is as follows:

Air Force: Extension of 2018 Project Authorizations

<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>Luxembourg</td>
<td>Sanem</td>
<td>ERI: ECAOS Deployable Airbase Storage System</td>
<td>$67,400,000</td>
</tr>
<tr>
<td>Slovakia</td>
<td>Malacky</td>
<td>ERI: Airfield Upgrades ..........</td>
<td>$4,000,000</td>
</tr>
<tr>
<td></td>
<td>Malacky</td>
<td>ERI: Increase POL Storage Capacity</td>
<td>$20,000,000</td>
</tr>
</tbody>
</table>

SEC. 2306. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2019 AIR FORCE MILITARY CONSTRUCTION PROJECTS.

(a) Air Force Military Construction Projects.—

table in paragraph (2), as provided in section 2301
of that Act (132 Stat. 2246), shall remain in effect
until October 1, 2024, or the date of the enactment of
an Act authorizing funds for military construction
for fiscal year 2025, whichever is later.

(2) TABLE.—The table referred to in paragraph
(1) is as follows:

Air Force: Extension of 2019 Project Authorizations

<table>
<thead>
<tr>
<th>State/Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Original Authorized Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marianas Islands</td>
<td>Tinian</td>
<td>APR-Cargo Pad with Taxiway Extension</td>
<td>$46,000,000</td>
</tr>
<tr>
<td></td>
<td>Tinian</td>
<td>APR-Maintenance Support Facility</td>
<td>$4,700,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Joint Base Andrews</td>
<td>Child Development Center</td>
<td>$13,000,000</td>
</tr>
<tr>
<td></td>
<td>Joint Base Andrews</td>
<td>PAR Relocate Haz Cargo Pad and EOD Range</td>
<td>$37,000,000</td>
</tr>
<tr>
<td>New Mexico</td>
<td>Holloman Air Force Base</td>
<td>MQ–9 FTU Ops Facility</td>
<td>$85,000,000</td>
</tr>
<tr>
<td></td>
<td>Kirtland Air Force Base</td>
<td>Wyoming Gate Upgrade for Anti-Terrorism Compliance</td>
<td>$7,000,000</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>Royal Air Force Lakenheath</td>
<td>F–35A ADAL Conventional Munitions MX</td>
<td>$9,204,000</td>
</tr>
<tr>
<td>Utah</td>
<td>Hill Air Force Base</td>
<td>Composite Aircraft Antenna Calibration Fac.</td>
<td>$26,000,000</td>
</tr>
</tbody>
</table>

(b) AIR FORCE OVERSEAS CONTINGENCY OPERATIONS

PROJECTS.—

(1) EXTENSION.—Notwithstanding section 2002
of the Military Construction Authorization Act for
Fiscal Year 2019 (division B of Public Law 115–232;
132 Stat. 2240), the authorizations set forth in the
table in paragraph (2), as provided in section 2903 of that Act (132 Stat. 2287), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) TABLE.—The table referred to in paragraph (1) is as follows:

**Air Force: Extension of 2019 Project Authorizations**

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Original Authorized Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Slovakia ..........</td>
<td>Malacky</td>
<td>EDI: Regional Munitions Storage Area</td>
<td>$59,000,000</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>RAF Fairford</td>
<td>EDI: Construct DABS-PEV Storage......</td>
<td>$87,000,000</td>
</tr>
<tr>
<td></td>
<td>RAF Fairford</td>
<td>EDI: Munitions Holding Area..........</td>
<td>$19,000,000</td>
</tr>
</tbody>
</table>

**SEC. 2307. EXTENSION OF AUTHORITY TO CARRY OUT FISCAL YEAR 2021 AIR FORCE MILITARY CONSTRUCTION PROJECTS.**

(a) **J OINT BASE LANGLEY–EUSTIS, VIRGINIA.**—

(1) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116–283; 134 Stat. 4294), the authorization set forth in the table in paragraph (2), as provided in section 2301 of that Act (134 Stat. 4299), shall remain in effect until October 1, 2024, or the date of the enactment of
an Act authorizing funds for military construction
for fiscal year 2025, whichever is later.

(2) **TABLE.**—The table referred to in paragraph (1) is as follows:

**Air Force: Extension of 2021 Project Authorization**

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Original Authorized Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Virginia ......</td>
<td>Joint Base Langley-Eustis</td>
<td>Access Control Point Main Gate With Land Acq.</td>
<td>$19,500,000</td>
</tr>
</tbody>
</table>

(b) **Air Force Overseas Contingency Operations.**—

(1) **EXTENSION.**—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116–283; 134 Stat. 4294), the authorizations set forth in the table in paragraph (2), as provided in section 2902 of that Act (134 Stat. 4373), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) **TABLE.**—The table referred to in paragraph (1) is as follows:

**Air Force: Extension of 2021 Project Authorizations**

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Original Authorized Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany ......</td>
<td>Ramstein Air Base .......</td>
<td>EDI: Rapid Airfield Damage Repair Storage ...............</td>
<td>$36,345,000</td>
</tr>
</tbody>
</table>
Air Force: Extension of 2021 Project Authorizations—Continued

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Original Authorized Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Spangdahlem ..................</td>
<td>EDI: Rapid Airfield Damage Repair Storage .......................</td>
<td>$25,824,000</td>
</tr>
</tbody>
</table>

1 **TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION**

2 **SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

3 (a) **INSIDE THE UNITED STATES.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

4 **Defense Agencies: Inside the United States**

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>Redstone Arsenal ...................................</td>
<td>$147,975,000</td>
</tr>
<tr>
<td>California</td>
<td>Marine Corps Air Station Miramar ...............</td>
<td>$103,000,000</td>
</tr>
<tr>
<td></td>
<td>Naval Base Coronado ..................................</td>
<td>$54,000,000</td>
</tr>
<tr>
<td></td>
<td>Naval Base San Diego ................................</td>
<td>$101,644,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Fort Meade ...........................................</td>
<td>$885,000,000</td>
</tr>
<tr>
<td></td>
<td>Joint Base Andrews ..................................</td>
<td>$38,300,000</td>
</tr>
<tr>
<td>Montana</td>
<td>Great Falls International Airport ..............</td>
<td>$30,000,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Marine Corps Base Camp Lejeune ..................</td>
<td>$70,000,000</td>
</tr>
<tr>
<td>Utah</td>
<td>Hill Air Force Base ..................................</td>
<td>$4,200,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Fort Belvoir ...........................................</td>
<td>$185,000,000</td>
</tr>
<tr>
<td></td>
<td>Joint Expeditionary Base Little Creek - Story.</td>
<td>$61,000,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Pentagon ..............................................</td>
<td>$30,600,000</td>
</tr>
<tr>
<td></td>
<td>Joint Base Lewis-McChord .........................</td>
<td>$62,000,000</td>
</tr>
<tr>
<td></td>
<td>Manchester ............................................</td>
<td>$71,000,000</td>
</tr>
</tbody>
</table>
(b) **OUTSIDE THE UNITED STATES.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cuba</td>
<td>Guantanamo Bay Naval Station</td>
<td>$257,000,000</td>
</tr>
<tr>
<td>Germany</td>
<td>Baumholder</td>
<td>$329,700,000</td>
</tr>
<tr>
<td></td>
<td>Ramstein Air Base</td>
<td>$181,764,000</td>
</tr>
<tr>
<td>Honduras</td>
<td>Soto Cano Air Base</td>
<td>$41,300,000</td>
</tr>
<tr>
<td>Japan</td>
<td>Kadena Air Base</td>
<td>$100,300,000</td>
</tr>
<tr>
<td>Spain</td>
<td>Naval Station Rota</td>
<td>$86,000,000</td>
</tr>
</tbody>
</table>

**SEC. 2402. AUTHORIZED ENERGY RESILIENCE AND CONSERVATION INVESTMENT PROGRAM PROJECTS.**

(a) **INSIDE THE UNITED STATES.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for energy conservation projects as specified in the funding table in section 4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code, for the installations or locations inside the United States, and in the amounts, set forth in the following table:
ERCIP Projects: Inside the United States

<table>
<thead>
<tr>
<th>State or Territory</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>Naval Base San Diego</td>
<td>$6,300,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Air Station Miramar</td>
<td>$30,550,000</td>
</tr>
<tr>
<td></td>
<td>Vandenberg Space Force Base</td>
<td>$37,000,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Buckley Space Force Base</td>
<td>$14,700,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Naval Submarine Base Kings Bay</td>
<td>$49,500,000</td>
</tr>
<tr>
<td>Kansas</td>
<td>Forbes Field</td>
<td>$3,850,000</td>
</tr>
<tr>
<td>Missouri</td>
<td>Lake City Army Ammunition Plant</td>
<td>$80,100,000</td>
</tr>
<tr>
<td>Nebraska</td>
<td>Offutt Air Force Base</td>
<td>$41,000,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Fort Bragg (Camp Mackall)</td>
<td>$10,500,000</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Fort Sill</td>
<td>$76,650,000</td>
</tr>
<tr>
<td>Puerto Rico</td>
<td>Fort Buchanan</td>
<td>$56,000,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Fort Hood</td>
<td>$18,250,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Pentagon</td>
<td>$2,250,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Joint Base Lewis-McChord</td>
<td>$49,850,000</td>
</tr>
<tr>
<td>Wyoming</td>
<td>F.E. Warren Air Force Base</td>
<td>$25,000,000</td>
</tr>
</tbody>
</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>Korea</td>
<td>K–16 Air Base</td>
<td>$5,650,000</td>
</tr>
<tr>
<td>Kuwait</td>
<td>Camp Buehring</td>
<td>$18,850,000</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, 2023, for military construction,
land acquisition, and military family housing functions of
the Department of Defense (other than the military depart-
ments), as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION
PROJECTS.—Notwithstanding the cost variations author-
ized by section 2853 of title 10, United States Code, and
any other cost variation authorized by law, the total cost
of all projects carried out under section 2401 of this Act
may not exceed the total amount authorized to be appro-
piated under subsection (a), as specified in the funding
table in section 4601.

SEC. 2404. EXTENSION OF AUTHORITY TO CARRY OUT CERT-
AIN FISCAL YEAR 2018 DEFENSE AGENCIES
MILITARY CONSTRUCTION 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 authorizations set forth in the table in subsection (b),
as provided in section 2401(b) of that Act (131 Stat. 1829)
and extended by section 2404 of the Military Construction
Act for Fiscal Year 2023 (division B of Public Law 117–
263), shall remain in effect until October 1, 2024, or the
date of the enactment of an Act authorizing funds for mili-
tary construction for fiscal year 2025, whichever is later.
(b) TABLE.—The table referred to in subsection (a) is as follows:

**Defense Agencies: Extension of 2018 Project Authorizations**

<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>Iwakuni</td>
<td>PDI: Construct Bulk Storage Tanks PH 1 Replacement</td>
<td>$30,800,000</td>
</tr>
<tr>
<td>Puerto Rico</td>
<td>Punta Borinquen</td>
<td>Ramey Unit School Replacement</td>
<td>$61,071,000</td>
</tr>
</tbody>
</table>

SEC. 2405. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2019 DEFENSE AGENCIES MILITARY CONSTRUCTION PROJECTS.

(a) Extension.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2240), the authorizations set forth in the table in subsection (b), as provided in section 2401(b) of that Act (132 Stat. 2249), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

**Defense Agencies: Extension of 2019 Project Authorizations**

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Original Authorized Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td>Baumholder</td>
<td>SOF Joint Parachute Rigging Facility</td>
<td>$11,504,000</td>
</tr>
<tr>
<td>Japan</td>
<td>Camp McTureous</td>
<td>Bechtel Elementary School</td>
<td>$94,851,000</td>
</tr>
<tr>
<td></td>
<td>Iwakuni</td>
<td>Fuel Pier</td>
<td>$33,200,000</td>
</tr>
</tbody>
</table>
SEC. 2406. MODIFICATION OF AUTHORITY TO CARRY OUT
FISCAL YEAR 2019 PROJECT AT SOF JOINT
PARACHUTE RIGGING FACILITY,
BAUMHOLDER, GERMANY.

(a) Modification of Authority.—In the case of the
authorization contained in the table in section 2401(b) of
the Military Construction Authorization Act for Fiscal Year
2019 (division B of Public Law 115–232; 132 Stat. 2249)
for Baumholder, Germany, for construction of a SOF Joint
Parachute Rigging Facility, the Secretary of Defense may
construct a 3,200 square meter facility.

(b) Modification of Project Amounts.—

(1) Division B Table.—The authorization table
in section 2401(b) of the Military Construction De-
fense Authorization Act for Fiscal Year 2019 (division
B of Public Law 115–232; 132 Stat. 2249) is amend-
ed in the item relating to Baumholder, Germany, by
striking “$11,504,000” and inserting “$23,000,000”.

(2) Division D Table.—The funding table in
section 4601 of the John S. McCain National Defense
Authorization Act for Fiscal Year 2019 (Public Law
115–232; 132 Stat. 2406) is amended in the item re-
lating to Baumholder, Germany, SOF Joint Para-
chute Rigging Facility, by striking “$11,504” in the
Conference Authorized column and inserting
“$23,000”.

•HR 2670 RH18
SEC. 2407. EXTENSION OF AUTHORITY TO CARRY OUT FISCAL YEAR 2021 PROJECT AT DEFENSE FUEL SUPPORT POINT TSURUMI, JAPAN.

(a) Extension.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116–283; 134 Stat. 4294), the authorization set forth in the table in subsection (b), as provided in section 2401(b) of that Act (134 Stat. 4304), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, 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>Def Fuel Support Point</td>
<td>Fuel Wharf</td>
<td>$49,500,000</td>
</tr>
<tr>
<td></td>
<td>Tsurumi</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

SEC. 2408. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2021 ENERGY RESILIENCE AND CONSERVATION INVESTMENT PROJECTS.

(a) Extension.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116–283; 134 Stat. 4294), the authorizations set forth in the table in subsection (b), as provided in section 2402 of that Act (134 Stat. 4306),...
shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(b) Table.—The table referred to in subsection (a) is as follows:

ERCIP Projects: Extension of 2021 Project Authorizations

<table>
<thead>
<tr>
<th>State/Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Original Authorized Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arkansas ......</td>
<td>Ebbing Air National Guard Base ..........</td>
<td>PV Arrays and Battery Storage ........</td>
<td>$2,600,000</td>
</tr>
<tr>
<td>California ....</td>
<td>Marine Corps Air Combat Center Twenty Nine Palms ..........</td>
<td>Install 10 Mw Battery Energy Storage for Various Buildings ..........</td>
<td>$11,646,000</td>
</tr>
<tr>
<td></td>
<td>Military Ocean Terminal Concord ..........</td>
<td>Military Ocean Terminal Concord Microgrid ..........</td>
<td>$29,000,000</td>
</tr>
<tr>
<td></td>
<td>Naval Support Activity Monterey ..........</td>
<td>Cogeneration Plant at B236 ..........</td>
<td>$10,540,000</td>
</tr>
<tr>
<td>Italy ..........</td>
<td>Naval Support Activity Naples .............</td>
<td>Smart Grid ..........</td>
<td>$3,490,000</td>
</tr>
<tr>
<td>Nevada ..........</td>
<td>Creech Air Force Base ...........</td>
<td>Central Standby Generators ..........</td>
<td>$32,000,000</td>
</tr>
<tr>
<td>Virginia ......</td>
<td>Naval Medical Center Portsmouth ...........</td>
<td>Retro Air Handling Units From Constant Volume; Reheat to Variable Air Volume ..........</td>
<td>$611,000</td>
</tr>
</tbody>
</table>

SEC. 2409. AUTHORITY TO CARRY OUT MILITARY CONSTRUCTION PROJECTS TO IMPROVE CERTAIN FISCAL YEAR 2022 UTILITY SYSTEMS.

In the case of a utility system that is conveyed under section 2688 of title 10, United States Code, and that only provides utility services to a military installation, notwithstanding subchapters I and III of chapter 169 and chapters
of Defense or the Secretary of a military department may authorize a contract with the conveyee of the utility system to carry out the military construction projects set forth in the following table:

**Improvements to Conveyed Utility Systems**

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Project</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama ........</td>
<td>Fort Rucker ...............</td>
<td>Construct a 10 MW RICE Generator Plant and Micro-Grid Controls</td>
</tr>
<tr>
<td>Georgia .........</td>
<td>Fort Benning ..............</td>
<td>Construct 4.8 MW Generation and Microgrid</td>
</tr>
<tr>
<td>New York ..........</td>
<td>Fort Drum ..................</td>
<td>Wellfield Expansion Resilience Project</td>
</tr>
<tr>
<td>North Carolina ...</td>
<td>Fort Bragg ................</td>
<td>Construct 10 MW Microgrid Utilizing Existing and New Generators</td>
</tr>
</tbody>
</table>

SEC. 2410. ADDITIONAL AUTHORITY TO CARRY OUT CERTAIN MILITARY CONSTRUCTION PROJECTS TO IMPROVE CERTAIN FISCAL YEAR 2023 UTILITY SYSTEMS.

In the case of a utility system that is conveyed under section 2688 of title 10, United States Code, and that only provides utility services to a military installation, notwithstanding subchapters I and III of chapter 169 and chapters 221 and 223 of title 10, United States Code, the Secretary of Defense or the Secretary of a military department may authorize a contract with the conveyee of the utility system...
to carry out the military construction projects set forth in the following table:

**Improvement of Conveyed Utility Systems**

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Project</th>
</tr>
</thead>
<tbody>
<tr>
<td>Georgia</td>
<td>Fort Stewart-Hunter Army Airfield</td>
<td>Power Generation and Microgrid</td>
</tr>
<tr>
<td>Kansas</td>
<td>Fort Riley</td>
<td>Power Generation and Microgrid</td>
</tr>
<tr>
<td>Texas</td>
<td>Fort Hood</td>
<td>Power Generation and Microgrid</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 2806 of title 10, United States Code, in an amount not to exceed the sum of the amount authorized to be appropriated for this purpose in section 2502 and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

**SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.**

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2023, for contribu-
tions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization Security Investment Program authorized by section 2501 as specified in the funding table in section 4601.

**Subtitle B—Host Country In-Kind Contributions**

**SEC. 2511. REPUBLIC OF KOREA FUNDED CONSTRUCTION PROJECTS.**

Pursuant to agreement with the Republic of Korea for required in-kind contributions, the Secretary of Defense may accept military construction projects for the installations or locations in the Republic of Korea, and in the amounts, set forth in the following table:

**Republic of Korea Funded Construction Projects**

<table>
<thead>
<tr>
<th>Component</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Army</td>
<td>Camp Bonifas</td>
<td>Vehicle Maintenance Shop</td>
<td>$7,700,000</td>
</tr>
<tr>
<td>Army</td>
<td>Camp Carroll</td>
<td>Humidity Controlled Warehouse</td>
<td>$189,000,000</td>
</tr>
<tr>
<td>Army</td>
<td>Camp Humphreys</td>
<td>Airfield Services Storage Warehouse</td>
<td>$7,000,000</td>
</tr>
<tr>
<td>Army</td>
<td>Camp Walker</td>
<td>Consolidated Fire and Military Police Station</td>
<td>$48,000,000</td>
</tr>
<tr>
<td>Army</td>
<td>Pusan</td>
<td>Warehouse Facility</td>
<td>$40,000,000</td>
</tr>
<tr>
<td>Navy</td>
<td>Chinhae</td>
<td>Electrical Switchgear Building</td>
<td>$6,000,000</td>
</tr>
<tr>
<td>Air Force</td>
<td>Osan Air Base</td>
<td>Consolidated Operations Group and Maintenance Group Headquarters</td>
<td>$46,000,000</td>
</tr>
<tr>
<td>Air Force</td>
<td>Osan Air Base</td>
<td>Flight Line Dining Facility</td>
<td>$6,800,000</td>
</tr>
<tr>
<td>Air Force</td>
<td>Osan Air Base</td>
<td>Reconnaissance Squadron Operations and Avionics Facility</td>
<td>$30,000,000</td>
</tr>
<tr>
<td>Air Force</td>
<td>Osan Air Base</td>
<td>Repair Aircraft Maintenance Hangar R1732</td>
<td>$8,000,000</td>
</tr>
<tr>
<td>Air Force</td>
<td>Osan Air Base</td>
<td>Upgrade Electrical Distribution East, Phase 2</td>
<td>$46,000,000</td>
</tr>
<tr>
<td>Air Force</td>
<td>Osan Air Base</td>
<td>Water Supply Treatment Facility</td>
<td>$22,000,000</td>
</tr>
</tbody>
</table>
SEC. 2512. REPUBLIC OF POLAND FUNDED CONSTRUCTION PROJECTS.

Pursuant to agreement with the Republic of Poland for required in-kind contributions, the Secretary of Defense may accept military construction projects for the installations or locations in the Republic of Poland, and in the amounts, set forth in the following table:

Republic of Poland Funded Construction Projects

<table>
<thead>
<tr>
<th>Component</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Army</td>
<td>Powidz</td>
<td>Barracks and Dining Facility</td>
<td>$93,000,000</td>
</tr>
<tr>
<td>Army</td>
<td>Powidz</td>
<td>Rotary Wing Aircraft Apron</td>
<td>$35,000,000</td>
</tr>
<tr>
<td>Army</td>
<td>Swietoszow</td>
<td>Bulk Fuel Storage</td>
<td>$35,000,000</td>
</tr>
<tr>
<td>Army</td>
<td>Swietoszow</td>
<td>Rail Extension and Railhead</td>
<td>$7,300,000</td>
</tr>
<tr>
<td>Air Force</td>
<td>Wroclaw</td>
<td>Aerial Port of Debarkation Ramp</td>
<td>$59,000,000</td>
</tr>
<tr>
<td>Air Force</td>
<td>Wroclaw</td>
<td>Taxiways to Aerial Port of Debarkation Ramp</td>
<td>$39,000,000</td>
</tr>
<tr>
<td>Defense-Wide...</td>
<td>Lubliniec</td>
<td>Special Operations Forces Company Operations Facility</td>
<td>$16,200,000</td>
</tr>
</tbody>
</table>

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army National Guard locations inside the

•HR 2670 RH1S
United States, and in the amounts, set forth in the following table:

**Army National Guard: Inside the United States**

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arizona</td>
<td>Surprise Readiness Center</td>
<td>$15,000,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Camp Blanding</td>
<td>$11,000,000</td>
</tr>
<tr>
<td>Idaho</td>
<td>Jerome County Regional Site</td>
<td>$17,000,000</td>
</tr>
<tr>
<td>Illinois</td>
<td>North Riverside (National Guard Maintenance Center)</td>
<td>$24,000,000</td>
</tr>
<tr>
<td>Kentucky</td>
<td>Burlington</td>
<td>$16,400,000</td>
</tr>
<tr>
<td>Missouri</td>
<td>Belle Fontaine</td>
<td>$28,000,000</td>
</tr>
<tr>
<td>New Hampshire</td>
<td>Littleton</td>
<td>$25,000,000</td>
</tr>
<tr>
<td>New Mexico</td>
<td>Rio Rancho Training Site</td>
<td>$11,000,000</td>
</tr>
<tr>
<td>New York</td>
<td>Lexington Avenue Armory</td>
<td>$90,000,000</td>
</tr>
<tr>
<td>Ohio</td>
<td>Camp Perry Joint Training Center</td>
<td>$19,200,000</td>
</tr>
<tr>
<td>Oregon</td>
<td>Washington County Readiness Center</td>
<td>$26,000,000</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>Hermitage Readiness Center</td>
<td>$13,600,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Aiken County Readiness Center</td>
<td>$20,000,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>McCrady Training Center</td>
<td>$7,900,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Sandston RC &amp; FMS 1</td>
<td>$20,000,000</td>
</tr>
<tr>
<td>Wisconsin</td>
<td>Viroqua</td>
<td>$18,200,000</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:

**Army Reserve**

<table>
<thead>
<tr>
<th>State or Territory</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>Birmingham</td>
<td>$57,000,000</td>
</tr>
<tr>
<td>Arizona</td>
<td>Queen Creek</td>
<td>$12,000,000</td>
</tr>
<tr>
<td>California</td>
<td>Fort Hunter Liggett</td>
<td>$40,000,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>USMC Logistics Base Albany</td>
<td>$40,000,000</td>
</tr>
</tbody>
</table>
SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE CORPS RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the Navy Reserve and Marine Corps Reserve 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>Michigan</td>
<td>Battle Creek</td>
<td>$24,549,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Dam Neck</td>
<td>$12,400,000</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:
Air National Guard

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>Montgomery Regional Airport</td>
<td>$7,000,000</td>
</tr>
<tr>
<td>Alaska</td>
<td>Joint Base Elmendorf Richardson</td>
<td>$7,000,000</td>
</tr>
<tr>
<td>Arizona</td>
<td>Tucson International Airport</td>
<td>$11,600,000</td>
</tr>
<tr>
<td>Arkansas</td>
<td>Ebbing Field</td>
<td>$75,542,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Buckley Air National Guard Base</td>
<td>$12,000,000</td>
</tr>
<tr>
<td>Indiana</td>
<td>Fort Wayne International Airport</td>
<td>$8,900,000</td>
</tr>
<tr>
<td>Oregon</td>
<td>Portland International Airport</td>
<td>$71,500,000</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>Harrisburg International Airport</td>
<td>$8,000,000</td>
</tr>
<tr>
<td>Wisconsin</td>
<td>Truax Field</td>
<td>$5,200,000</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 or Territory</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arizona</td>
<td>Davis-Monthan Air Force Base</td>
<td>$8,500,000</td>
</tr>
<tr>
<td>California</td>
<td>March Air Reserve Base</td>
<td>$226,500,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Dobbins Air Reserve Base</td>
<td>$23,000,000</td>
</tr>
<tr>
<td>Guam</td>
<td>Joint Region Marianas</td>
<td>$27,000,000</td>
</tr>
<tr>
<td>Louisiana</td>
<td>Barksdale Air Force Base</td>
<td>$7,000,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Naval Air Station Joint Reserve Base</td>
<td>$16,000,000</td>
</tr>
<tr>
<td></td>
<td>Fort Worth</td>
<td></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, 2023, for the costs of acquisition, architectural and engineering services, and
construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of title 10, United States Code (including the cost of acquisition of land for those facilities), as specified in the funding table in section 4601.

SEC. 2607. EXTENSION OF AUTHORITY TO CARRY OUT FISCAL YEAR 2018 PROJECT AT HULMAN REGIONAL AIRPORT, INDIANA.

(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 2604 of that Act (131 Stat. 1836) and extended by section 2608 of the Military Construction Act for Fiscal Year 2023 (division B of Public Law 117–263), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(b) Table.—The table referred to in subsection (a) 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>Indiana</td>
<td>Hulman Regional Airport ..................</td>
<td>Construct Small Arms Range</td>
<td>$8,000,000</td>
</tr>
</tbody>
</table>
SEC. 2608. EXTENSION OF AUTHORITY TO CARRY OUT FISCAL YEAR 2019 PROJECT AT FRANCIS S. GABRESKI AIRPORT, NEW YORK.

(a) Extension.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2240), the authorization set forth in the table in subsection (b), as provided in sections 2604 of that Act (132 Stat. 2255), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(b) Table.—The table referred to in subsection (a) 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>New York</td>
<td>Francis S. Gabreski Airport</td>
<td>Security Forces/Comm. Training</td>
<td>$20,000,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Facility</td>
<td></td>
</tr>
</tbody>
</table>

SEC. 2609. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2021 NATIONAL GUARD AND RESERVE MILITARY CONSTRUCTION PROJECTS.

the authorizations set forth in the table in subsection (b), as provided in sections 2601, 2602, and 2604 of that Act (134 Stat. 4312, 4313, 4314), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

National Guard and Reserve: Extension of 2021 Project Authorizations

<table>
<thead>
<tr>
<th>State or Territory</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Original Authorized Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arkansas ..........</td>
<td>Fort Chaffee ...............</td>
<td>National Guard Readiness Center ..</td>
<td>$15,000,000</td>
</tr>
<tr>
<td>California ..........</td>
<td>Bakersfield .................</td>
<td>National Guard Vehicle Maintenance Shop. ...............</td>
<td>$9,300,000</td>
</tr>
<tr>
<td>Colorado ..........</td>
<td>Peterson Space Force Base ...............</td>
<td>National Guard Readiness Center ..</td>
<td>$15,000,000</td>
</tr>
<tr>
<td>Guam ...............</td>
<td>Joint Region Marianas Space Control Facility #5 ...............</td>
<td>$20,000,000</td>
<td></td>
</tr>
<tr>
<td>Ohio ...............</td>
<td>Columbus .................</td>
<td>National Guard Readiness Center ..</td>
<td>$15,000,000</td>
</tr>
<tr>
<td>Massachusetts ..</td>
<td>Devens Reserve Forces Training Area ...............</td>
<td>Automated Multipurpose Machine Gun Range. ...............</td>
<td>$8,700,000</td>
</tr>
<tr>
<td>North Carolina ..........</td>
<td>Asheville ...............</td>
<td>Army Reserve Center/ Land ...............</td>
<td>$24,000,000</td>
</tr>
<tr>
<td>Puerto Rico ..........</td>
<td>Fort Allen .................</td>
<td>National Guard Readiness Center ..</td>
<td>$37,000,000</td>
</tr>
<tr>
<td>South Carolina ..........</td>
<td>Joint Base Charleston ...</td>
<td>National Guard Readiness Center ..</td>
<td>$15,000,000</td>
</tr>
<tr>
<td>Texas ..........</td>
<td>Fort Worth ...............</td>
<td>Aircraft Maintenance Hangar Addition/ Alt. ...............</td>
<td>$6,000,000</td>
</tr>
<tr>
<td>.................</td>
<td>Joint Base San Antonio F–16 Mission Training Center ...............</td>
<td>$10,800,000</td>
<td></td>
</tr>
<tr>
<td>Virgin Islands ..</td>
<td>St. Croix ...............</td>
<td>Army Aviation Support Facility (AASFP) ...............</td>
<td>$28,000,000</td>
</tr>
<tr>
<td>.................</td>
<td>St. Croix ...............</td>
<td>CST Ready Building ...............</td>
<td>$11,400,000</td>
</tr>
</tbody>
</table>
SEC. 2610. MODIFICATION OF AUTHORITY TO CARRY OUT FISCAL YEAR 2023 PROJECT AT CAMP PENDELTON, CALIFORNIA.

In the case of the authorization contained in the table in section 2602 of the Military Construction Authorization Act for Fiscal Year 2023 (division B of Public Law 117–263; 136 Stat. 2987) for Camp Pendleton, California, for construction of an area maintenance support activity, the Secretary of the Army may construct a 15,000 square foot facility.

TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES

SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE REALIGNMENT AND CLOSURE ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2023, for base realignment and closure activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account established by section 2906 of such Act as specified in the funding table in section 4601.
TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Programs

SEC. 2801. MODIFICATIONS TO DEFENSE COMMUNITY INFRASTRUCTURE PROGRAM.

Section 2391(d) of title 10, United States Code, is amended—

(1) in the subsection heading, by striking “PILOT”; and

(2) by striking paragraph (5).

SEC. 2802. MODIFICATION TO AUTHORITY FOR UNSPECIFIED MINOR CONSTRUCTION.

(a) Inclusion of Demolition in Definition of Unspecified Minor Military Construction Project.—

Section 2805(a)(2) of title 10, United States Code, is amended by inserting “or a demolition project” after “is a military construction project”.

(b) Modification to Dollar Thresholds for Unspecified Minor Construction.—Section 2805 of title 10, United States Code, is amended—

(1) in subsection (a)(2), by striking the dollar figure and inserting “$9,000,000”;

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(2) in subsection (c), by striking the dollar figure and inserting “$4,000,000”; and

(3) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking the dollar figure and inserting “$9,000,000”; and

(ii) in subparagraph (B), by striking the dollar figure and inserting “$9,000,000”; and

(B) in paragraph (2), by striking the dollar figure and inserting “$9,000,000”.

(c) Modification to Adjustment of Dollar Limitations for Location.—Section 2805(f) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking the dollar figure and inserting “$14,000,000”; and

(2) by striking paragraph (3).

(d) Report.—No later than 270 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 impacts of inflation over time on the utility of the authority to carry out unspecified minor military construction projects under section 2805 of title 10, United States Code.
SEC. 2803. MODIFICATION OF AUTHORITY TO CARRY OUT
DEFENSE LABORATORY MODERNIZATION
PROGRAM.

Section 2805(g)(1) of title 10, United States Code, is amended in subparagraph (D) by inserting “or development, production, and sustainment of combat capabilities” before the period at the end.

SEC. 2804. EXPANSION OF MAXIMUM AMOUNT OF FUNDS AVAILABLE FOR CERTAIN DEFENSE LABORATORY IMPROVEMENT PROJECTS.

Section 2805(g) of title 10, United States Code, is amended in paragraph (5) by striking “$150,000,000” and inserting “$250,000,000”.

SEC. 2805. PRIORITIZATION OF CERTAIN MILITARY CONSTRUCTION PROJECTS TO IMPROVE INFRASTRUCTURE AT CERTAIN FACILITIES DETERMINED TO BE CRITICAL TO NATIONAL SECURITY.

Section 2815 of title 10, United States Code, is amended—

(1) by redesignating subsections (e) and (f) as subsections (f) and (g), respectively; and

(2) by inserting after subsection (d), the following new subsection:

“(e) PRIORITIZATION.—In carrying out this section, the Secretary concerned shall prioritize projects that im-
prove federally owned infrastructure that provides the sole means of ingress to and egress from a facility determined to be critical to the national security interests of the United States, as determined by the Secretary of Defense.”.

SEC. 2806. EXPANSION OF AMOUNT OF CERTAIN FUNDS SECRETARY CONCERNED MAY OBLIGATE ANNUALLY FOR MILITARY INSTALLATION RESILIENCE PROJECTS.

Paragraph (3) of section 2815(f) of title 10, United States Code, as redesignated by section 2805, is amended by striking “$100,000,000” and inserting “$200,000,000”.

SEC. 2807. CERTIFICATION OF CONSIDERATION OF CERTAIN METHODS OF CONSTRUCTION FOR MILITARY CONSTRUCTION PROJECTS; ANNUAL REPORT.

Subchapter I of chapter 169 of title 10, United States Code, is amended by adding at the end the following new section:

“§2817. Certification of consideration of certain methods of construction for covered military construction projects; annual report

“(a) PROHIBITION.—A covered official may not, before submitting to the appropriate Assistant Secretary the certification described in subsection (b)—
“(1) advance a covered military construction project from the design phase of such project to a subsequent phase of such project; or

“(2) solicit bids for the construction phase of a covered military construction project.

“(b) CERTIFICATION DESCRIBED.—The certification described in this subsection is a certification that a covered official, with respect to a covered military construction project under subsection (a), has considered all relevant construction materials and methods of construction included in the Unified Facilities Criteria/DoD Building Code (UFC 1–200–01).

“(c) MODIFICATION.—The Secretary of Defense shall modify Department of Defense Form 1391 to require the inclusion of the certification described in subsection (b).

“(d) REPORT.—Not later than 90 days after the date on which such Secretary makes the modification required under subsection (c), the Assistant Secretary of Defense for Energy, Installations, and Environment, in consultation with each covered official, shall submit to the congressional defense committees a report on the processes, if any, developed by covered officials to consider all relevant construction materials and methods of construction included in the Unified Facilities Criteria/DoD Building Code (UFC 1–200–01).
“(e) DEFINITIONS.—In this section:

“(1) The term ‘appropriate Assistant Secretary’
means the following:

“(A) The Assistant Secretary of the Army (Installations, Energy and Environment).

“(B) The Assistant Secretary of the Navy for Energy, Installations and Environment.


“(2) The term ‘covered military construction project’ means a military construction project with an estimated total cost that exceeds $9,000,000.

“(3) The term ‘covered official’ means the following:

“(A) The Chief of Engineers of the Army Corps of Engineers.

“(B) The Commander of the Naval Facilities Engineering System Command.

“(C) The Commander of the Air Force Civil Engineer Center.”.
SEC. 2808. AUTHORITY FOR CERTAIN CONSTRUCTION PROJECTS IN FRIENDLY FOREIGN COUNTRIES.

Subchapter I of chapter 169 of title 10, United States Code, as amended by section 2807, is further amended by adding at the end the following new section:

“§ 2818. Authority for certain construction projects in friendly foreign countries

“(a) CONSTRUCTION AUTHORIZED.—Using funds available for operations and maintenance, the Secretary of Defense may carry out a construction project in a friendly foreign country, and perform planning and design to support such a project, that the Secretary determines meets each of the following conditions:

“(1) The commander of the geographic combatant command in which the construction project will be carried out identified the construction project as necessary to support vital United States military requirements at an air port of debarkation, sea port of debarkation, or rail or other logistics support location.

“(2) The construction project will not be carried out at a military installation.

“(3) The funds made available under the authority of this section for the construction project—

“(A) will be sufficient to—
“(i) construct a complete and usable facility or make an improvement to a facility; or

“(ii) complete the repair of an existing facility or improvement to a facility; and

“(B) will not require additional funds from other Department of Defense accounts.

“(4) The level of construction for the construction project may not exceed the minimum necessary to meet the military requirements identified under paragraph (1).

“(5) Deferral of the construction project pending inclusion of the construction project proposal in the national defense authorization Act for a subsequent fiscal year is inconsistent with the military requirements identified under paragraph (1) and other national security or national interests of the United States.

“(b) CONGRESSIONAL NOTIFICATION.—

“(1) Notification required.—Upon determining to carry out a construction project under this section that has an estimated cost in excess of the amounts authorized for unspecified minor military construction projects under section 2805(c) of this title, the Secretary of Defense shall submit to the spec-
ified congressional committees a notification of such
determination.

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

“(A) A certification that the conditions
specified in subsection (a) are satisfied with re-
gard to the construction project.

“(B) A justification for such project.

“(C) An estimate of the cost of such project.

“(3) NOTICE AND WAIT.—The Secretary of De-
fense may carry out a construction project only after
the end of the 30-day period beginning on the date the
notice required by paragraph (1) is received by the
specified congressional committees in an electronic
medium pursuant to section 480 of this title.

“(c) ANNUAL LIMITATIONS ON USE OF AUTHORITY.—

“(1) TOTAL COST LIMITATION.—The Secretary of
Defense may not obligate more than $200,000,000 in
any fiscal year under the authority provided by this
section.

“(2) ADDITIONAL OBLIGATION AUTHORITY.—Not-
withstanding paragraph (1), the Secretary of Defense
may authorize the obligation under this section of not
more than an additional $10,000,000 from funds
available for operations and maintenance for a fiscal
year if the Secretary determines that the additional funds are needed for costs associated with contract closeouts for all construction projects during such fiscal year.

“(3) PROJECT LIMITATION.—The maximum amount that the Secretary may obligate for a single construction project is $15,000,000.

“(d) SPECIFIED CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ‘specified congressional committees’ means—

“(1) the Committee on Armed Services and the Subcommittee on Defense and the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate; and

“(2) the Committee on Armed Services and the Subcommittee on Defense and the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives.”.
SEC. 2809. REPORTING REQUIREMENTS AND CONGRESSIONAL NOTIFICATION FOR CERTAIN MILITARY CONSTRUCTION PROJECTS.

(a) Supervision of Military Construction Projects.—Section 2851 of title 10, United States Code, is amended—

(1) in subsection (c)(1), by inserting “or appropriated” after “funds authorized” each place such term appears; and

(2) in subsection (c)(2)—

(A) in subparagraph (A), by inserting “, deadline for bid submissions,” after “solicitation date”; and

(B) in subparagraph (B), by inserting “(including the address of such recipient)” after “contract recipient”.

(b) Congressional Notification of Covered Military Construction Contracts.—

(1) In General.—Subchapter III of chapter 169 of title 10, United States Code, is amended by inserting after section 2851a the following new section:

“SEC. 2851b. CONGRESSIONAL NOTIFICATION OF COVERED MILITARY CONSTRUCTION CONTRACTS.

“(a) Notice.—Upon award of a covered military construction contract with an estimated value greater than or equal to $9,000,000, the Secretary concerned shall notify
any applicable Member of Congress representing the covered State or territory in which that covered military construction contract is to be performed of such award in a timely manner.

“(b) Exclusion of Classified Projects.—This section does not apply to a classified covered military construction project.

“(c) Definitions.—In this section:

“(1) Covered military construction contract.—The term ‘covered military construction contract’ means a contract for work on a military construction project, military family housing project, or Facilities Sustainment, Restoration, and Modernization project carried out in a covered State or territory.

“(2) Covered State or territory.—The term ‘covered State or territory’ means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, or the Commonwealth of the Northern Mariana Islands.

“(3) Member of Congress.—The term ‘Member of Congress’ has the meaning given in section 2106 of title 5.”.
(2) **APPLICABILITY.**—Section 2851b of title 10, United States Code, as added by paragraph (1), shall apply with respect to a covered military construction contract, as defined in such section, entered into on or after the date of the enactment of this section.

**Subtitle B—Military Housing Reforms**

**SEC. 2821. AUTHORITY TO OPERATE CERTAIN TRANSIENT HOUSING OF THE DEPARTMENT OF DEFENSE TRANSFERRED TO ASSISTANT SECRETARY OF DEFENSE FOR ENERGY, INSTALLATIONS, AND ENVIRONMENT.**

(a) **TRANSFER OF AUTHORITY.**—

(1) **ASSIGNMENT.**—Paragraph (7) of section 138(b) of title 10, United States Code, is amended by adding at the end the following new sentence: "The Assistant Secretary is responsible, subject to the authority, direction, and control of the Secretary of Defense, for all matters relating to lodging intended to be occupied by members of the armed forces that require such lodging due to a temporary duty assignment or a permanent change of station order."

(2) **TRANSFER.**—

(A) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the
Secretary of Defense shall transfer each duty or responsibility relating to covered transient housing to the Assistant Secretary of Defense for Energy, Installations, and Environment.

(B) CERTIFICATION.—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 certification that the transfer required under subparagraph (A) has been completed.

(3) COORDINATION ON COVERED TRANSIENT HOUSING.—

(A) ARMY TRANSIENT HOUSING.—On matters relating to covered transient housing of the Department of the Army, the Assistant Secretary of Defense for Energy, Installations, and Environment shall coordinate with the Assistant Secretary of the Army for Installations, Energy, and Environment.

(B) NAVY TRANSIENT HOUSING.—On matters relating to covered transient housing of the Department of the Navy, the Assistant Secretary of Defense for Energy, Installations, and Environment shall coordinate with the Assistant Sec-
retary of the Navy (Energy, Installations, and Environment).

(C) **AIR FORCE TRANSIENT HOUSING.**—On matters relating to covered transient housing of the Department of the Air Force, the Assistant Secretary of Defense for Energy, Installations, and Environment shall coordinate with the Assistant Secretary of the Air Force for Energy, Installations and Environment.

(b) **REFERENCES.**—Any reference in law, regulation, guidance, instruction, or other document of the Federal Government to the Under Secretary of Defense for Personnel and Readiness with respect to covered transient housing shall be deemed to refer to the Assistant Secretary of Defense for Energy, Installations, and Environment.

(c) **COVERED TRANSIENT HOUSING DEFINED.**—In this section, the term “covered transient housing” means lodging intended to be occupied by members of the Armed Forces that require such lodging due to—

(1) a temporary duty assignment;

(2) or a permanent change of station order.
SEC. 2822. DEPARTMENT OF DEFENSE MILITARY HOUSING READINESS COUNCIL.

(a) E STABLISHMENT.—Subchapter I of chapter 88 of title 10, United States Code, is amended by inserting after section 1781c the following new section:

“§ 1781d. Department of Defense Military Housing Readiness Council

“(a) IN GENERAL.—There is in the Department of Defense the Department of Defense Military Housing Readiness Council (in this section referred to as the ‘Council’).

“(b) MEMBERS.—(1) The Council shall be composed of the following members:

“(A) The Assistant Secretary of Defense for Energy, Installations, and Environment, who shall serve as chair of the Council and who may designate a representative to chair the Council in the absence of the Assistant Secretary.

“(B) One representative of each of the Army, Navy, Air Force, Marine Corps, and Space Force—

“(i) each of whom shall be a member of the armed force to be represented; and

“(ii) not fewer than two of whom shall be enlisted members.

“(C) One spouse of a member of each of the Army, Navy, Air Force, Marine Corps, and Space
Force on active duty, not fewer than two of whom shall be the spouse of an enlisted member.

“(D) One representative that possesses expertise in State and Federal housing standards from each of the following areas:

“(i) Plumbing.

“(ii) Electrical.

“(iii) Heating, ventilation, and air conditioning.

“(iv) Certified home inspection.

“(v) Roofing.

“(vi) Structural engineering.

“(vii) Window fall prevention and safety.

“(E) Two representatives of organizations that advocate on behalf of military families with respect to military housing.

“(F) One individual appointed by the Secretary of Defense among representatives of the International Code Council.

“(G) One individual appointed by the Secretary of Defense among representatives of the Institute of Inspection Cleaning and Restoration Certification.

“(H) One individual appointed by the Secretary of Defense among representatives of a voluntary consensus standards body that develops construction standards.
standards (such as building, plumbing, mechanical, or electrical).

“(I) One individual appointed by the Secretary of Defense among representatives of a voluntary consensus standards body that develops personnel certification standards for building maintenance or restoration.

“(J) Two individuals appointed by the Chair of the Committee on Armed Services of the Senate, each of whom is not described in subparagraph (B), (C), or (D) and is not a representative of an organization specified in subparagraph (E), (F), (G), (H), or (I).

“(K) Two individuals appointed by the Ranking Member of the Committee on Armed Services of the Senate, each of whom is not described in subparagraph (B), (C), or (D) and is not a representative of an organization specified in subparagraph (E), (F), (G), (H), or (I).

“(L) Two individuals appointed by the Chair of the Committee on Armed Services of the House of Representatives, each of whom is not described in subparagraph (B), (C), or (D) and is not a representative of an organization specified in subparagraph (E), (F), (G), (H), or (I).
“(M) Two individuals appointed by the Ranking Member of the Committee on Armed Services of the House of Representatives, each of whom is not described in subparagraph (B), (C), or (D) and is not a representative of an organization specified in subparagraph (E), (F), (G), (H), or (I).

“(2) The term on the Council of the members specified under subparagraphs (B) through (M) of paragraph (1) shall be two years and may be renewed by the Secretary of Defense.

“(3) The chair of the Council shall extend an invitation to all landlords for one representative of each landlord to attend such meetings of the Council as the chair considers appropriate.

“(4) Each member of the Council under paragraph (1)(D) may not be affiliated with—

“(A) any organization that provides privatized military housing; or

“(B) the Department of Defense.

“(c) MEETINGS.—The Council shall meet two times each year.

“(d) DUTIES.—The duties of the Council shall include the following:

“(1) To review and make recommendations to the Secretary of Defense regarding policies for
privatized military housing, including inspections
practices, resident surveys, landlord payment of med-
icial bills for health conditions of residents of housing
units resulting from lack of maintenance of minimum
standards of habitability, and access to maintenance
work order systems.

“(2) To monitor compliance by the Department
of Defense with, and effective implementation by the
Department of, statutory and regulatory improve-
ments to policies for privatized military housing, in-
cluding the Military Housing Privatization Initiative
Tenant Bill of Rights developed under section 2890 of
this title and the complaint database established
under section 2894a of this title.

“(3) To make recommendations to the Secretary
of Defense to improve collaboration, awareness, and
promotion of accurate and timely information about
privatized military housing, accommodations avail-
able through the Exceptional Family Member Pro-
gram of the Department, and other support services
among policymakers, service providers, and targeted
beneficiaries.

“(e) PUBLIC REPORTING.—(1) 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, agenda, and other docu-
ments made available to or prepared for or by the Council
shall be available for public inspection and copying at a
single location in a publicly accessible format on a website
of the Department of Defense until the Council ceases to
exist.

“(2)(A) Detailed minutes of each meeting of the Coun-
cil shall be kept and shall contain—
“(i) a record of the individuals present;
“(ii) a complete and accurate description of mat-
ters discussed and conclusions reached; and
“(iii) copies of all reports received, issued, or ap-
proved by the Council.
“(B) The chair of the Council shall certify the accuracy
of the minutes of each meeting of the Council.

“(f) ANNUAL REPORTS.—(1) Not later than March 1,
2024, and annually thereafter, the Council shall submit to
the Secretary of Defense and the congressional defense com-
mittees a report on privatized military housing readiness.
“(2) Each report under this subsection shall include
the following:
“(A) An assessment of the adequacy and effec-
tiveness of the provision of privatized military hous-
ing and the activities of the Secretary 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 privatized military housing;

“(ii) data received by the Council on maintenance response time and completion of maintenance requests relating to privatized military housing;

“(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; and

“(vi) any survey results conducted on behalf of or received by the Council.

“(C) Recommendations on actions to be taken to improve the capability of the provision of privatized military housing and the activities of the Department of Defense to meet the needs and requirements of military families relating to housing, including actions relating to the allocation of funding and other resources.
“(3) Each report under this subsection shall be made available in a publicly accessible format on a website of the Department of Defense.

“(g) DEFINITIONS.—In this section:

“(1) The terms ‘landlord’ and ‘tenant’ have the meanings given, respectively, in section 2871 of this title.

“(2) The term ‘privatized military housing’ means housing provided under subchapter IV of chapter 169 of this title.”.

(b) BRIEFING.—Not later than March 1, 2024, the Secretary of Defense shall provide to the congressional defense committees a briefing on the annual report required under subsection (f) of section 1781d of title 10, United States Code, as added by subsection (a).

SEC. 2823. INCLUSION OF INFORMATION RELATING TO COMPLIANCE WITH MILITARY HOUSING PRIVATIZATION INITIATIVE TENANT BILL OF RIGHTS IN CERTAIN NOTIFICATIONS SUBMITTED TO CONGRESS.

Section 2878(f)(2) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

“(E) An assessment by the Assistant Secretary of Defense for Energy, Installations, and Environment
of the extent to which the lessor, with respect to such
ground lease, complied with the rights contained in
the Military Housing Privatization Initiative Tenant
Bill of Rights developed under section 2890 of this
title.”.

SECTION 2824. ESTABLISHING ADDITIONAL REQUIRE-
MENTS FOR A MILITARY HOUSING COM-
PLAINT DATABASE.

Section 2894a of title 10, United States Code, is
amended—

(1) in subsection (a) by striking “regarding
housing units” and inserting “by a tenant regarding
covered dwelling units”;

(2) in subsections (c) and (d) by striking “hous-
ing unit” each place it appears and inserting “cov-
ered dwelling unit”; and

(3) by inserting after subsection (e) the following
new subsections:

“(f) ANNUAL REPORT.—

“(1) IN GENERAL.—The Deputy Assistant Sec-
retary of Defense for Housing shall submit to the
Committees on Armed Services of the House of Rep-
resentatives and the Senate, and make available to
each Secretary of a military department, an annual
report that includes, during the year covered by such report—

“(A) a summary of the data collected using the database established under subsection (a);

“(B) an aggregation of the complaints categorized by type, in accordance with paragraph (2), and military installation, if applicable; and

“(C) the actions taken to remedy complaints received during the period covered by such report.

“(2) TYPE OF COMPLAINTS.—In categorizing complaints by type pursuant to paragraph (1)(B), the Secretary shall aggregate complaints based on the following categories:

“(A) Physiological hazards, including dampness and mold growth, lead-based paint, asbestos and manmade fibers, radiation, biocides, carbon monoxide, and volatile organic compounds.

“(B) Psychological hazards, including ease of access by unlawful intruders, faulty locks or alarms, and lighting issues.

“(C) Safety hazards.

“(D) Maintenance timeliness.

“(E) Maintenance quality.
“(g) DEFINITIONS.—In this section:

“(1) The term ‘covered dwelling unit’ means a unit of accompanied family housing, unaccompanied housing, or barracks—

“(A) in which a member of the armed forces resides; and

“(B) that the member does not own.

“(2) The term ‘tenant’ means any of the following:

“(A) A member of the armed forces who resides in a covered dwelling unit.

“(B) A dependent of a member described in subparagraph (A) who resides in a covered dwelling unit.”.

SEC. 2825. MODIFICATION OF AUTHORITY TO GRANT CERTAIN WAIVERS RELATING TO CONFIGURATION AND PRIVACY STANDARDS FOR MILITARY UNACCOMPANIED HOUSING; LIMITATIONS ON AVAILABILITY OF CERTAIN FUNDS.

(a) IN GENERAL.—Any waiver of covered minimum standards for military unaccompanied housing shall have no force or effect without the approval of the appropriate Secretary of a military department.

(b) QUARTERLY BRIEFING.—Not later than April 1, 2024, and on a quarterly basis thereafter, the Assistant Sec-
Secretary of the Army for Energy, Installations, and Environment, the Assistant Secretary of the Navy for Energy, Installations, and Environment, and the Assistant Secretary of the Air Force for Energy, Installations, and Environment, shall provide to the congressional defense committees a briefing on each waiver described in subsection (a) approved by each Secretary of a military department during the period covered by the briefing that includes—

(1) an identification of the military installation on which the military unaccompanied housing to which such waiver is applicable is located;

(2) an identification of the number of members of the Armed Forces that reside in such military unaccompanied housing;

(3) a description of the military necessity underlying such waiver; and

(4) an statement of the period such waiver is effective.

(c) Annual Briefing.—Not later than July 1, 2024, and annually thereafter in conjunction with the submission of the budget of the President to Congress pursuant to section 1105 of title 31, United States Code, the Assistant Secretary of the Army for Energy, Installations, and Environment, the Assistant Secretary of the Navy for Energy, Installations, and Environment, and the Assistant Secretary
of the Air Force for Energy, Installations, and Environment, shall provide to the congressional defense committees a briefing on waivers described in subsection (a) approved by each Secretary of a military department that includes—

(1) the number of such waivers that were granted during the period covered by the briefing;

(2) a strategy to remedy issues, if any, caused by military unaccompanied housing that does not comply with covered minimum standards;

(3) a strategy to remedy the factors, if any, that require the submission to such Secretary of a military department for approval of consecutive waivers described in subsection (a) that includes a timeline for the implementation of such strategy; and

(4) an analysis of strategies to remedy the factors described in paragraph (3), including—

(A) projects to modernize existing military unaccompanied housing to comply with such covered minimum standards;

(B) projects to construct new military unaccompanied housing; and

(C) modifications to relevant policies of the Department of Defense, excluding such policies related to infrastructure.

(d) LIMITATIONS ON AVAILABILITY OF FUNDS.—
(1) OPERATIONS AND MAINTENANCE, ARMY.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal 2024 for operations and maintenance, Army, not more than 75 percent may be obligated or expended until the Assistant Secretary of the Army for Energy, Installations, and Environment provides the first respective briefing described in subsection (c).

(2) OPERATIONS AND MAINTENANCE, NAVY.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal 2024 for operations and maintenance, Navy, not more than 75 percent may be obligated or expended until the Assistant Secretary of the Navy for Energy, Installations, and Environment provides the first respective briefing described in such subsection.

(3) OPERATIONS AND MAINTENANCE, AIR FORCE.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal 2024 for operations and maintenance, Air Force, not more than 75 percent may be obligated or expended until the Assistant Secretary of the Air Force for Energy, Installations, and Environment provides the first respective briefing described in such subsection.

(e) DEFINITIONS.—In this section:
(1) The term “covered minimum standards” means the minimum standards for configuration and privacy applicable to military unaccompanied housing described in Department of Defense Manual 4165.63 titled “DoD Housing Management” and dated October 28, 2010 (or a successor document).

(2) The term “military installation” has the meaning given such term in section 2801 of title 10, United States Code.

(3) The term “military unaccompanied housing” has the meaning given such term in section 2871 of such title.

(4) The term “military department” has the meaning given such term in section 101 of such title.

SEC. 2826. REVISION OF CERTAIN MINIMUM STANDARDS RELATING TO HEALTH, SAFETY, AND CONDITION FOR MILITARY UNACCOMPANIED HOUSING; TERMINATION OF AUTHORITY TO GRANT CERTAIN WAIVERS.

(a) Revision of Standards.—Not later than January 1, 2025, the Secretary of Defense, in coordination with each Secretary of a military department, shall update applicable minimum standards to include minimum standards relating to—

(1) sanitary facilities;
(2) environmental hazards;
(3) electrical safety;
(4) water;
(5) wastewater;
(6) air quality and fire alarm systems; and
(7) fire safety.

(b) Modification of Waiver Authority; Termination.—

(1) Modification.—Any waiver of applicable minimum standards for military unaccompanied housing shall have no force or effect without the approval of the appropriate Secretary of a military department.

(2) Termination date.—The authority to waive such applicable minimum standards shall terminate on January 1, 2028.

(c) Quarterly Briefing.—Not later than April 1, 2024, and on a quarterly basis thereafter, the Assistant Secretary of the Army for Energy, Installations, and Environment, the Assistant Secretary of the Navy for Energy, Installations, and Environment, and the Assistant Secretary of the Air Force for Energy, Installations, and Environment, shall provide to the congressional defense committees a briefing on each waiver described in subsection (b) ap-
proved by each Secretary of a military department during the period covered by the briefing that includes—

(1) an identification of the military installation on which the military unaccompanied housing to which such waiver is applicable is located;

(2) an identification of the number of members of the Armed Forces that reside in such military unaccompanied housing;

(3) a description of the military necessity underlying such waiver; and

(4) an statement of the period such waiver is effective.

(d) Annual Briefing.—Not later than July 1, 2024, and annually thereafter in conjunction with the submission of the budget of the President to Congress pursuant to section 1105 of title 31, United States Code, the Assistant Secretary of the Army for Energy, Installations, and Environment, the Assistant Secretary of the Navy for Energy, Installations, and Environment, and the Assistant Secretary of the Air Force for Energy, Installations, and Environment, shall provide to the congressional defense committees a briefing on waivers described in subsection (b) approved by each Secretary of a military department that includes—

(1) the number of such waivers that were granted during the period covered by the briefing;
(2) a strategy to remedy issues, if any, caused by military unaccompanied housing that does not comply with applicable minimum standards;

(3) a strategy to remedy the factors, if any, that require the submission to the appropriate Secretary of a military department for approval of consecutive waivers described in subsection (b) that includes a timeline for the implementation of such strategy; and

(4) an analysis of strategies to remedy the factors described in paragraph (3), including—

(A) projects to modernize existing military unaccompanied housing to comply with such applicable minimum standards;

(B) projects to construct new military unaccompanied housing; and

(C) modifications to relevant policies of the Department of Defense, excluding such policies related to infrastructure.

(e) DEFINITIONS.—In this section:

(1) The term “applicable minimum standards” means minimum standards for health, safety, and condition described in the Department of Defense Manual 4165.63 titled “DoD Housing Management” and dated October 28, 2010 (or a successor document).
(2) The term “military installation” has the meaning given such term in section 2801 of title 10, United States Code.

(3) The term “military unaccompanied housing” has the meaning given such term in section 2871 of such title.

(4) The term “military department” has the meaning given such term in section 101 of such title.

Subtitle C—Real Property and Facilities Administration

SEC. 2831. IMPROVEMENTS RELATING TO ACCESS TO MILITARY INSTALLATIONS IN UNITED STATES.

(a) ADDITIONAL CATEGORIES FOR EXPEDITED ACCESS.—Chapter 159 of title 10, United States Code, is amended by adding at the end the following new section:

“§2698. Access to military installations: standards for entry to military installations in United States

“(a) ACCESS TO MILITARY INSTALLATIONS IN UNITED STATES.—(1) The Secretary of Defense shall develop and maintain access standards applicable to all military installations in the United States. Such access standards shall require screening standards appropriate to the type of installation involved, the security level of the installation, the
category of individuals authorized to visit the installation, and the level of access to be granted, including—

“(A) protocols and criteria to determine the fitness of the individual to enter a military installation;

“(B) standards and methods for verifying the identity of the individual; and

“(C) other factors the Secretary determines appropriate.

“(2) In developing the access standards under paragraph (1), the Secretary shall—

“(A) include procedures to facilitate recurring unescorted access to military installations in the United States, in appropriate cases, for covered individuals the Secretary determines eligible for such recurring unescorted access; and

“(B) issue guidance relating to the granting of unescorted access to military installations in the United States for covered individuals.

“(3) The procedures developed pursuant to paragraph (2)(A) shall include, to the extent practical, a list of credentials that can be used for such recurring unescorted access to such a military installation that are, to the extent practical, credentials non-Department of Defense personnel already possess.
“(4) The guidance issued pursuant to paragraph (2)(B) shall—

“(A) identify the categories of covered individuals eligible for such unescorted access;

“(B) include a list of credentials that can be used for such unescorted access to such a military installation that are, to the extent practical, the credentials described in paragraph (3);

“(C) be consistent across such military installations;

“(D) be in accordance with any privileges or benefits accorded under, procedures developed pursuant to, or requirements of, each covered provision and paragraph (1); and

“(E) be provided to the commanders of each such military installation.

“(5) Upon publication in the Federal Register of access standards described in paragraph (1), the Secretary shall publish such access standards on a publicly accessible website of the Department of Defense.

“(6) In carrying out this subsection, the Secretary shall seek to use existing identification screening technology to validate federally-recognized access credentials and develop additional technology only to the extent necessary to assist commanders of military installations in the United
States in implementing the access standards under paragraph (1) at points of entry for such military installations.

“(b) Pre-arrival Protocol for Access to Military Installations in United States.—The Secretary shall ensure that the access standards under subsection (a) include a specific protocol for the voluntary pre-arrival registration and screening of individuals anticipating a need for access to a military installation in the United States to establish the fitness of such individual and the purpose of such access. Under such protocol—

“(1) such a registration and screening shall occur not less than 24 hours and not more than 14 days prior to the time of such access; and

“(2) if an individual is determined fit to enter the installation pursuant to the pre-arrival registration and screening, access may only be granted upon arrival at the military installation for the stated purpose following a verification of the identity of the individual.

“(c) Reviews and Submission to Congress.—Not less frequently than once every five years, the Secretary shall—

“(1) review the access standards and guidance under this section, and make such updates as may be determined appropriate by the Secretary; and
“(2) submit to the Committees on Armed Services of the House of Representatives and the Senate the most recently reviewed and, as applicable, updated version of such access standards and guidance.

“(d) DEFINITIONS.—In this section:

“(1) The term ‘covered individual’ means the following:

“(A) A member of the armed forces or civilian employee of the Department of Defense, or an employee or family member of such member or employee, who resides, attends school, receives health care services, or shops at a commissary or exchange store on a military installation in the United States.

“(B) A retired member of the armed forces, including the reserve components, or a family member of such retired member, who resides, attend schools, receives health care services, or shops at a commissary or exchange store on such an installation.

“(C) An individual performing work at such an installation under a contract or sub-contract (at any tier), including a military construction project, military family housing
project, or a facilities sustainment, restoration, and modernization project.

“(D) A motor carrier or household goods motor carrier (as such terms are defined in section 13102 of title 49) providing transportation services for the United States Transportation Command.

“(2) The term ‘covered provision’ means the following:

“(A) Chapter 54 of this title.


“(3) The term ‘federally-recognized access credential’ means a credential authorized by Federal law or otherwise issued by the head of a department or agency of the Federal Government that requires the vetting of an individual for access to a facility, area, or program.

“(4) The term ‘military installation’ has the meaning given such term in section 2801 of this title.

“(5) The term ‘State’ means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands of the United States, or the Commonwealth of the Northern Mariana Islands.

“(6) The term ‘United States’ includes each State, as such term is defined in this subsection.”.
(b) Deadline for First Review and Submission to Congress.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall—

(1) conduct the first review of the access standards and guidance required under section 2698 of title 10, United States Code (as added by subsection (a)); and

(2) submit to the Committees on Armed Services of the House of Representatives and the Senate the reviewed and, as applicable, updated version of such access standards and guidance.

(c) Modification to Certain Notification Requirement.—Section 1090(b)(2)(B) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3879; 10 U.S.C. 113 note) is amended by striking “is” and inserting “and, as appropriate, the Secretary of Homeland Security and the Director of the Federal Bureau of Investigation, are”.

(d) Technical and Conforming Amendments.—

(2) Conforming amendments to prior National defense authorization act.—Section 1050 of the National Defense Authorization Act for Fiscal Year 2017 (10 U.S.C. 113 note; 130 Stat. 2396) is amended—

(A) in the heading, by striking “DEPARTMENT OF DEFENSE INSTALLATIONS” and inserting “MILITARY INSTALLATIONS”;

(B) in subsection (a), by striking “Department of Defense installations” and inserting “military installations in the United States”;

(C) in subsection (b), by striking “Department of Defense facilities” and inserting “military installations in the United States”; and

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

“(c) Definitions.—In this section, the terms ‘military installation’ and ‘United States’ have the meanings given such terms, respectively, in section 2698(e) of title 10, United States Code.”.

SEC. 2832. REAL PROPERTY USAGE IN THE NATIONAL CAPITAL REGION.

(a) Report.—Not later than February 1, 2024, the Secretary of Defense shall submit to the congressional defense committees a report on the use of organic Department
of Defense facilities and facilities leased by the Department located in the National Capital Region.

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

(1) Daily access rates by individuals at the Pentagon, disaggregated by military personnel, civilian personnel, and contractor personnel.

(2) Daily access rates at the Mark Center Campus, disaggregated by military personnel, civilian personnel, and contractor personnel.

(3) Workforce capacity at the Pentagon.

(4) Workforce capacity at the Mark Center Campus.

(5) Current telework guidance for individuals working at organic Department of Defense facilities and facilities leased by the Department located in the National Capital Region.

(6) Existing lease agreements for facilities located in the National Capital Region, including—

(A) the length and cost of each such agreement; and

(B) the number of workstations included in each such agreement.
(c) FORM.—The report required under subsection (a) shall be in an unclassified form but may contain a classified annex.

(d) DEFINITIONS.—In this section:

(1) The terms “Mark Center Campus”, “National Capital Region”, and “Pentagon” have the meanings given, respectively, in section 2674 of title 10, United States Code.

(2) The term “organic Department of Defense facility” means a facility that is wholly owned and operated by the Department of Defense.

SEC. 2833. REVISION TO UNIFIED FACILITIES CRITERIA ON USE OF LIFE SAFETY ACCESSIBILITY HARDWARE FOR COVERED DOORS.

(a) IN GENERAL.—The Secretary of Defense shall amend the Unified Facilities Criteria/DoD Building Code (UFC 1–200–01) to update applicable specifications, guidance, and technical documentation relating to the construction, renovation, replacement, or other retrofit of a covered door to ensure that life safety accessibility hardware is used for such construction, renovation, replacement, or other retrofit.

(b) DEFINITIONS.—In this section:

(1) The term “covered door” means a door to—
(A) a sensitive compartmented information facility, including a sensitive compartmented information facility in which information designated as sensitive compartmented information is stored and processed; or

(B) any other room or facility in which information designated as sensitive compartmented information—

(i) is used, handled, discussed, or processed; or

(ii) is stored in approved security containers.

(2) The term “life safety accessibility hardware” means a secure locking device that requires less than five pounds of force to open.

Subtitle D—Land Conveyances

SEC. 2841. EXTENSION OF SUNSET FOR LAND CONVEYANCE, SHARPE ARMY DEPOT, LATHROP, CALIFORNIA.

Section 2833(g) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) is amended by striking “three years” and inserting “five years”.

•HR 2670 RH1S
SEC. 2842. LAND CONVEYANCE, EGLIN AIR FORCE BASE, FLORIDA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force may convey to the Air Force Enlisted Village, a nonprofit corporation (in this section referred to as the “Village”), all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, consisting of approximately 80 acres located adjacent to Eglin Air Force Base, Florida, for the purpose of independent-living and assisted-living apartments for veterans. The conveyance under this subsection is subject to valid existing rights.

(b) TERMS AND CONDITIONS.—The conveyance under subsection (a) shall be—

(1) subject to valid existing rights;

(2) made without consideration; and

(3) subject to any other terms and conditions as the Secretary considers appropriate.

(c) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary may require the Village 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 this section, including survey costs, costs for environmental documentation, and any other
administrative costs related to the conveyance. If amounts are collected from the Village in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the Village.

(2) Treatment of amounts received.—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out the conveyance under subsection (a) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance, or to an appropriate fund or account currently available to the Secretary for the purposes for which the costs were paid. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(d) Description of property.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.
SEC. 2843. LAND ACQUISITION, WESTMORELAND STATE PARK, VIRGINIA.

(a) AUTHORITY.—The Secretary of the Navy may acquire, by purchase or lease from the Commonwealth of Virginia ((in this section referred to as the “Commonwealth”), a real property interest in approximately 225 square feet of land, including ingress and egress, at Westmoreland State Park, Virginia, for the purpose of installing, operating, maintaining, and protecting equipment to support research and development activities by the Department of the Navy for national security purposes.

(b) TERMS AND CONDITIONS.—The acquisition of property under this section shall be subject to the following terms and conditions:

(1) The Secretary shall pay the Commonwealth fair market value for the interest to be acquired, as determined by the Secretary.

(2) Such other terms and conditions considered appropriate by the Secretary.

(c) DESCRIPTION OF PROPERTY.—The legal description of the property to be acquired under this section shall be determined by a survey that is satisfactory to the Secretary and the Commonwealth.

(d) APPLICABILITY OF THE LAND AND WATER CONSERVATION FUND ACT.—The provisions of chapter 2003 of
title 54, United States Code, shall not apply to the acquisi-
tion of property under this section.

(e) REIMBURSEMENT.—The Secretary shall reimburse
the Commonwealth for reasonable and documented adminis-
trative costs incurred by the Commonwealth to execute the
acquisition by the Secretary authorized by this section.

(f) TERMINATION OF REAL PROPERTY INTEREST.—
The real property interest acquired by the Secretary shall
terminate, and be released without cost to the Common-
wealth, when the Secretary determines this real property
interest is no longer required for national security purposes.

Subtitle E—Pilot Programs and
Reports

SEC. 2851. CLARIFICATION ON AMOUNTS AVAILABLE FOR
PROJECTS UNDER CERTAIN PILOT PROGRAM
RELATING TO TESTING FACILITIES AT IN-
STALLATIONS OF THE DEPARTMENT OF THE
AIR FORCE.

Section 2862 of the National Defense Authorization
Act for Fiscal Year 2022 (Public Law 117–81) is amend-
ed—

(1) by redesignating subsections (c) through (e)
as subsections (d) through (f), respectively; and

(2) by inserting after subsection (b), the fol-
lowing new subsection:
“(c) AVAILABLE AMOUNTS.—The commander of an installation selected for the pilot program may obligate or expend the following amounts for projects under such pilot program relating to testing facilities on such installation:

“(1) Subject to subsection (d), amounts allocated to such installation for Facility, Sustainment, Restoration, and Modernization.

“(2) Fees charged for the use of such testing facilities on such installation.”.

SEC. 2852. PILOT PROGRAM TO PROVIDE AIR PURIFICATION TECHNOLOGY IN MILITARY HOUSING.

(a) IN GENERAL.—The Secretary of Defense shall carry out a pilot program to—

(1) provide commercially available off-the-shelf items (as defined in section 104 of title 41, United States Code) for air purification and covered sensors to landlords; and

(2) monitor and measure the effect of such items on environmental and public health of tenants of military housing.

(b) SELECTION OF INSTALLATIONS.—

(1) IN GENERAL.—The Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force shall each select one military installation to carry out the pilot program under subsection (a).
(2) CONSIDERATIONS.—Each Secretary shall ensure that the military installation selected under this section—

(A) contains military unaccompanied housing in which the items described in subsection (a) may be used; and

(B) is engaged in efforts to modernize military housing.

(c) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force shall each provide to the Committees on Armed Services of the House of Representatives and the Senate a briefing on the pilot program established under this section, including a description of the items described in subsection (a) used under such program. The briefing shall include—

(1) a description of any cost savings identified from use of such items relating to—

(A) extending the life and habitability of military housing; and

(B) reducing maintenance frequency; and

(2) with respect to cost savings identified in paragraph (1), a plan to expand the use of the covered sensors in new military housing.
(d) DEVICES.—An air purification device or covered sensor provided under this section shall use technology proven to reduce indoor air risks and yield measurable environmental and public health outcomes.

(e) DEFINITIONS.—In this section:

(1) The term “covered sensor” means a commercially available product manufactured in the United States that detects the conditions for potential mold growth before mold is present.

(2) The term “military housing” includes privatized military housing (as defined in section 3001(a) of the Military Construction Authorization Act for Fiscal Year 2020 (division B of Public Law 116–92; 133 Stat. 1916; 10 U.S.C. 2821 note)).

SEC. 2853. QUARTERLY BRIEFINGS ON MILITARY CONSTRUCTION RELATED TO THE SENTINEL INTERCONTINENTAL BALLISTIC MISSILE WEAPON SYSTEM PROGRAM.

(a) BRIEFING REQUIRED.—Not later than 180 days after the date of the enactment of this Act, and every 90 days thereafter until the date that is five years after the date of the enactment of this Act, the Secretary of the Air Force shall provide to the Committees on Armed Services of the House of Representatives and the Senate a briefing on contracts for covered construction projects relating to the
Sentinel intercontinental ballistic missile weapon system program.

(b) ELEMENTS.—These briefings shall include at a minimum the following information:

(1) An update on timelines and costs for covered construction projects, including details on land acquisitions for such projects.

(2) With respect to any contract or subcontract (at any tier) for a covered construction project that is not a fixed-price contract, a description of the location of performance for such contract or subcontract.

(3) With respect to any contract or subcontract (at any tier) for a covered construction project that is a cost-plus-incentive-fee contract, a description of the following for performance of the contract or subcontract:

(A) The target cost.

(B) The target incentive fee.

(C) The minimum and maximum incentive fee amounts.

(D) A description of the incentive fee adjustment formula (including allowable costs).

(E) A description of the incentive fee structure.
(F) An analysis of any change to the elements in subparagraphs (A) through (E) since the previous quarter.

(4) A summary of Government actions to mitigate cost growth of covered construction projects.

(5) A review of conditions observed at the site for performance of the covered construction project contract during the previous quarter and how those conditions may impact the cost of such contract and subsequent contracts for covered construction projects at such site.

(6) The most recent construction schedule, including any anticipated delays and mitigation measures for each such delay, requests for equitable adjustment, and any changes to the schedule since the previous quarter.

(7) Updated estimated cost to complete the covered construction project.

(c) COVERED CONSTRUCTION PROJECT DEFINED.—In this section, the term “covered construction project” means a below-ground military construction project or other infrastructure project in connection with the development and fielding of the Sentinel intercontinental ballistic missile weapon system program.
SEC. 2854. PLAN FOR USE OF EXCESS BORDER WALL CONSTRUCTION MATERIALS.

(a) Plan.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a plan to use, transfer, or donate to States on the southern border of the United States all existing excess border wall construction materials, including bollards.

(b) Elements.—The plan required by subsection (a) shall include the following:

(1) A list of contracts in the process of performance to store excess border wall construction materials, identified by location and cost to date.

(2) A detailed proposal for the disposition of such excess border wall construction materials, including a timeline for disposition and the authorities under which such disposition shall occur.

SEC. 2871. JOINT HOUSING REQUIREMENTS AND MARKET ANALYSIS FOR MILITARY INSTALLATIONS IN HAWAII.

(a) In General.—The Secretary of Defense, in consultation with appropriate Federal, State, and local stakeholders (to the maximum extent practicable) shall conduct a joint Housing Requirements and Market Analysis for each military installation in Hawaii.

(b) Deadline.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to
the congressional defense committees a report on each joint
Housing Requirements and Market Analysis conducted
under subsection (a) that includes—

(1) an analysis of the extent to which military
installations in Hawaii have affected the availability
of housing in communities in proximity to such mili-
tary installations;

(2) the number of members of the Armed Forces
and their dependents residing in privately-owned
housing located outside of such military installations;

(3) a cost-benefit analysis of implementing a re-
requirement for each member of the Armed Forces as-
signed to a duty station in Hawaii to reside in hous-
ing located on the military installation to which such
member is assigned;

(4) an assessment of strategies to reduce the effect
of members of the Armed Forces and dependents of
such members on the availability of rental housing in
such communities, including strategies to provide
such members and dependents with alternative hous-
ing options;

(5) the optimal stock and occupancy rate of mili-
tary housing units in Hawaii, as determined by the
Secretary;
(6) an estimate of the cost to the United States to maintain such optimal stock and occupancy rate;

(7) an assessment of the feasibility of expanding housing located on military installations in Hawaii to create housing intended to be occupied by civilian employees and contractors of the Department of Defense;

(8) an identification of limitations and challenges, if any, to data collection and analysis in carrying out such joint Housing Requirements and Market Analysis;

(9) strategies to—

(A) address such limitations and challenges;

and

(B) standardize methods of data collection and analysis for conducting a Housing Requirements and Market Analysis under section 2837 of title 10, United States Code;

(10) an assessment of the feasibility and value of the Secretary conducting a joint Housing Requirements and Market Analysis for each military installation in Hawaii every two years; and

(11) other relevant information, as determined by the Secretary.
(c) Housing Requirements and Market Analysis.—In this section, the term “Housing Requirements and Market Analysis” has the meaning given such term in section 2837 of title 10, United States Code.

Subtitle F—Other Matters


Section 2391(d)(2) of title 10, United States Code, is amended in subparagraph (B), by inserting “or an insular area” after “a rural area”.


(a) In General.—Chapter 861 of title 10, United States Code, is amended by inserting after section 8617 the following new section:

“§ 8618. Marine Corps Heritage Center and National Museum of the Marine Corps at Marine Corps Base, Quantico, Virginia

“(a) Joint Venture for Development and Continued Maintenance and Operation.—The Secretary of the Navy may enter into a joint venture with the Marine Corps Heritage Foundation (in this section referred to as
the ‘Foundation’), a not-for-profit entity, for the design, construction, and maintenance and operation of a multi-purpose facility to be used for historical displays for public viewing, curation, and storage of artifacts, research facilities, classrooms, offices, and associated activities consistent with the mission of the Marine Corps University. The facility shall be known as the Marine Corps Heritage Center and the National Museum of the Marine Corps.

“(b) DESIGN AND CONSTRUCTION.—For each phase of development of the facility described in subsection (a), the Secretary may—

“(1) permit the Foundation to contract for the design, construction, or both of such phase of development; or

“(2) accept funds from the Foundation for the design, construction, or both of such phase of development.

“(c) ACCEPTANCE AUTHORITY.—Upon completion of construction of any phase of development of the facility described in subsection (a) by the Foundation to the satisfaction of the Secretary, and the satisfaction of any financial obligations incident thereto by the Foundation, the facility shall become the real property of the Department of the Navy with all right, title, and interest in and to facility being in the United States.
“(d) MAINTENANCE, OPERATION, AND SUPPORT.—(1) The Secretary may, for the purpose of maintenance and operation of the Marine Corps Heritage Center and the National Museum of the Marine Corps—

“(A) enter into contracts or cooperative agreements, on a sole-source basis, with the Foundation for the procurement of property or services for the direct benefit or use of the Marine Corps Heritage Center and the National Museum of the Marine Corps; and

“(B) notwithstanding the requirements of subsection (h) of section 2667 of this title and under such terms and conditions as the Secretary considers appropriate for the joint venture authorized by subsection (a), lease in accordance with such section 2667 portions of the facility developed under subsection (a) to the Foundation for use in generating revenue for activities of the facility and for such administrative purposes as may be necessary for support of the facility.

“(2) In making a determination of fair market value under section 2667(b)(4) of this title for payment of consideration pursuant to a lease described in paragraph (1)(B), the Secretary may consider the entirety of the educational efforts of the Foundation, support to the Marine Corps Heritage Center history division by the Foundation, or the
funding of museum programs and exhibits by the Foundation, or other support related to the Marine Corps Heritage Center and the National Museum of the Marine Corps, in addition to the types of in-kind consideration provided under section 2667(c) of this title.

“(3) The Secretary may authorize the Foundation to use real or personal property within the Marine Corps Heritage Center and National Museum of the Marine Corps to conduct additional revenue-generating activities, as the Secretary considers appropriate considering the work of the Foundation and needs of the Marine Corps Heritage Center and National Museum of the Marine Corps. The Secretary shall only authorize the use of such property for a revenue-generating activity if the Secretary determines the activity will not interfere with military activities and personnel or the activities of the Marine Corps Heritage Center and National Museum of the Marine Corps.

“(4) The Secretary shall retain lease payments received under this section, other than in-kind consideration authorized under paragraph (2) or under section 2667(c) of this title, solely for use in support of the Marine Corps Heritage Center and the National Museum of the Marine Corps, and funds received as lease payments shall remain available until expended.
“(e) Authority to Accept Gifts.—(1) The Secretary of the Navy may accept, hold, administer, and spend any gift, devise, or bequest of real property, personal property, or money made on the condition that the gift, devise, or bequest be used for the benefit, or in connection with, the establishment, operation, or maintenance, of the Marine Corps Heritage Center or the National Museum of the Marine Corps. Section 2601 (other than subsections (b), (c), and (e)) of this title shall apply to gifts accepted under this subsection.

“(2) The Secretary may display at the Marine Corps Heritage Center or the National Museum of the Marine Corps recognition for an individual or organization that contributes money to a partner organization, or an individual or organization that contributes a gift directly to the Navy, for the benefit of the Marine Corps Heritage Center or the National Museum of the Marine Corps, whether or not the contribution is subject to the condition that the recognition be provided. The Secretary shall prescribe regulations governing the circumstances under which contributor recognition may be provided, appropriate forms of recognition, and suitable display standards.

“(3) The Secretary may authorize the sale of donated property received under paragraph (1). A sale under this paragraph need not be conducted in accordance with dis-
posal requirements that would otherwise apply, so long as
the sale is conducted at arms-length and includes an
auditable transaction record.

“(4) Any money received under paragraph (1) and
any proceeds from the sale of property under paragraph
(3) shall be deposited into a fund established in the Treas-
ury to support the Marine Corps Heritage Center and the
National Museum of the Marine Corps.

“(f) ADDITIONAL TERMS AND CONDITIONS.—The Sec-
retary may require such additional terms and conditions
in connection with the joint venture authorized by sub-
section (a) as the Secretary considers appropriate to protect
the interests of the United States.”.

(b) CONFORMING REPEAL.—Section 2884 of the Floyd
Year 2001 (Public Law 106–398) is repealed.

SEC. 2863. PROHIBITION ON JOINT USE OF HOMESTEAD AIR
RESERVE BASE WITH CIVIL AVIATION.

Section 2874 of the James M. Inhofe National Defense
Authorization Act for Fiscal Year 2023 (Public Law 117–
263; 136 Stat. 3014) is amended by striking “On or before
September 30, 2026, the Secretary” and inserting “The Sec-
retary”.
SEC. 2864. NATIONAL MUSEUM OF THE MIGHTY EIGHTH AIR FORCE.

(a) DESIGNATION.—The National Museum of the Mighty Eighth Air Force located at 175 Bourne Avenue, Pooler, Georgia (or any successor location), is designated as the official National Museum of the Mighty Eighth Air Force of the United States (referred to in this section as the “National Museum”).

(b) RELATION TO NATIONAL PARK SYSTEM.—The National Museum shall not be included as a unit of the National Park System.

(c) RULE OF CONSTRUCTION.—This section shall not be construed to appropriate, or authorize the appropriation of, Federal funds for any purpose related to the National Museum.

SEC. 2865. RECOGNITION OF MEMORIAL, MEMORIAL GARDEN, AND K9 MEMORIAL OF THE NATIONAL NAVY UDT-SEAL MUSEUM IN FORT PIERCE, FLORIDA, AS A NATIONAL MEMORIAL, MEMORIAL GARDEN, AND K9 MEMORIAL, RESPECTIVELY, OF NAVY SEALS AND THEIR PREDECESSORS.

The Memorial, Memorial Garden, and K9 Memorial of the National Navy UDT-SEAL Museum, located at 3300 North Highway A1A, North Hutchinson Island, in Fort Pierce, Florida, are recognized as a national memorial, me-
morial garden, and K9 memorial, respectively, of Navy SEALs and their predecessors.

SEC. 2866. LIMITATION ON AVAILABILITY OF CERTAIN FUNDS RELATING TO THE LOCATION OF THE HEADQUARTERS FOR UNITED STATES SPACE COMMAND.

(a) LIMITATION ON AVAILABILITY OF FUNDS FOR MILITARY CONSTRUCTION PROJECTS.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2024 for the Air Force may be obligated or expended for a military construction project (as described in section 2801(b) of title 10, United States Code) for the construction or modification of facilities for temporary or permanent use by United States Space Command for headquarters operations until the report required under subsection (c) is submitted.

(b) LIMITATION ON AVAILABILITY OF FUNDS FOR TRAVEL EXPENDITURES.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2024 to the Office of the Secretary of the Air Force for travel expenditures, not more than 50 percent may be obligated or expended until the report required under subsection (c) is submitted.

(c) REPORT.—The Secretary of the Air Force shall submit to the congressional defense committees a report on the
justification for the selection of a permanent location for
headquarters of the United States Space Command.

SEC. 2867. LIMITATION ON USE OF FUNDS FOR CLOSURE OF
COMBAT READINESS TRAINING CENTERS.

(a) LIMITATION.—None of the funds authorized to be
appropriated by this Act or otherwise made available for
fiscal year 2024 for the Air Force may be obligated or ex-
pended to close, or prepare to close, any combat readiness
training center.

(b) WAIVER.—The Secretary of the Air Force may
waive the limitation under subsection (a) with respect to
a combat readiness training center if the Secretary submits
to the congressional defense committees, not later than 180
days after the date of the enactment of this Act, the fol-
lowing:

(1) A certification that—

(A) the closure of the center would not be in
violation of section 2687 of title 10, United
States Code; and

(B) the support capabilities provided by the
center will not be diminished as a result of the
closure of the center.

(2) A report that includes—

(A) a detailed business case analysis for the
closure of the center; and
(B) an assessment of the effects the closure of the center would have on training units of the Armed Forces, including any active duty units that may use the center.

SEC. 2868. LIMITATION ON AVAILABILITY OF CERTAIN FUNDS UNTIL SUBMISSION OF CERTAIN REPORT ON MILITARY HOUSING.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2024 for the Department of Defense for travel by the Assistant Secretary of Defense for Energy, Installations, and Environment, not more than 5 percent may be obligated or expended for such travel until the date on which the Secretary of Defense submits the report required under section 3041 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92).

SEC. 2869. GUIDANCE ON ENCROACHMENT THAT IMPACTS COVERED SITES.

(a) GUIDANCE REQUIRED.—Not later than 180 days after the date of the enactment of this Act, each Secretary of a military department shall issue guidance to establish—

(1) a process to identify encroachment with respect to a covered site;

(2) a method to mitigate such encroachment; and
(3) a procedure to certify that such encroachment does not directly result in a national security risk to the covered site.

(b) CONSIDERATIONS.—In developing the guidance required by this section, each Secretary of a military department shall consider the following:

(1) The process by which a commander or head of a covered site identifies and reports encroachment with respect to such covered site.

(2) Methods to track data relating to processes, methods, and procedures described in subsection (a).

(3) Coordination processes to track and mitigate encroachment—

(A) within each military department; and

(B) between the military departments and the Assistant Secretaries of Defense for Sustainment and Industrial Base Policy.

(c) FOREIGN INVESTMENT ENCROACHMENT.—Such guidance shall include a requirement that if a Secretary of a military department determines that encroachment described in subsection (a) involves or may involve foreign investment, such Secretary shall—

(1) report information about encroachment relating to foreign investment to the Assistant Secretary of Defense for Industrial Base Policy; and
(2) coordinate with the Assistant Secretary of Defense for Industrial Base Policy on efforts to mitigate such encroachment or potential encroachment.

(d) REPORT.—Not later than 180 days after the date on which the guidance required by subsection (a) is issued, the Assistant Secretary of Defense for Sustainment, in coordination with the Secretaries of the military departments, shall submit a report to the Committees on Armed Services of the Senate and the House of Representatives on the guidance required by this section, including—

(1) the extent to which such guidance has been implemented within the Department of Defense;

(2) a description of methods to update any lists of covered sites; and

(3) an assessment of the procedure described in subsection (a)(3).

(e) DEFINITIONS.—In this section:

(1) The term “covered site” means a military installation or another facility or property of the United States Government.

(2) The term “encroachment” means an activity conducted within close proximity to a covered site that—

(A) may pose a national security risk to a covered site;
(B) may affect the operational mission of a covered site; or

(C) is incompatible with an installation master plan of a covered site.

(3) The term “military department” has the meaning given such term in section 101 of title 10, United States Code.

(4) The term “military installation” has the meaning given such term in section 2801 of title 10, United States Code.

SEC. 2870. CONTINUING EDUCATION CURRICULUM ON THE USE OF INNOVATIVE PRODUCTS FOR MILITARY CONSTRUCTION PROJECTS.

(a) Continuing Education Curriculum Required.—No later than one year after enactment of this Act, the Commander, Navy Facilities Command and Deputy Commanding General for Military and International Operations for the Army Corps of Engineers shall establish a continuing education curriculum for contracting officers and program managers responsible for managing military construction and planning and design projects within the Department of Defense. Such curriculum shall include training on—

(1) cost estimating and cost control mechanisms, including analyses of contract types;
(2) standards relating to antiterrorism force protection, lateral wind, seismic activity, and fire performance;

(3) life-cycle sustainability and renewability; and

(4) use of innovative products and construction methods.

(b) PROVISION OF TRAINING.—The Secretary shall ensure that—

(1) the continuing education curriculum under subsection (a) is made available to such contracting officers and program managers not later than 180 days after completion of the curriculum; and

(2) such curriculum is updated each time an innovative product or construction method is included in the Unified Facilities Criteria.

(c) REPORT.—Not later than June 1, 2025, the Secretary shall submit to Committees on Armed Services for the House and Senate a report containing—

(1) an update on the status of the continuing education curriculum required under subsection (a); and

(2) a plan for executing such curriculum for such contracting officers and program managers.
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 2024 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 24–D–513, Z-Pinch Experimental Underground System Test Bed Facilities Improvement, Nevada National Security Site, Nye County, Nevada, $80,000,000.

Project 24–D–511, Plutonium Production Building, Los Alamos National Laboratory, Los Alamos, New Mexico, $48,500,000.

Project 24–D–510, Analytic Gas Laboratory, Pantex Plant, Panhandle, Texas, $35,000,000.

Project 24–D–530, Naval Reactors Facility Medical Science Complex, Idaho Falls, Idaho, $36,584,000.

SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.

(a) Authorization of Appropriations.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2024 for defense environmental cleanup activities in carrying out programs as specified in the funding table in section 4701.

(b) Authorization of New Plant Project.—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out, for defense environmental cleanup activities, the following new plant project:

SEC. 3103. OTHER DEFENSE ACTIVITIES.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2024 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 2024 for nuclear energy as specified in the funding table in section 4701.

Subtitle B—Program Authorizations, Restrictions, and Limitations

SEC. 3112. EXTENSION OF AUTHORITY ON ACCEPTANCE OF CONTRIBUTIONS FOR ACCELERATION OR REMOVAL OR SECURITY OF FISSILE MATERIALS, RADIOLOGICAL MATERIALS, AND RELATED EQUIPMENT AT VULNERABLE SITES WORLDWIDE.

SEC. 3113. CYBERSECURITY RISK INVENTORY, ASSESSMENT, AND MITIGATION WORKING GROUP.

Subtitle A of title XXXII of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) is amended by adding at the end the following new section:

“SEC. 3222. CYBERSECURITY RISK INVENTORY, ASSESSMENT, AND MITIGATION WORKING GROUP.

“(a) Establishment.—There is in the Administration a working group, to be known as the ‘Cybersecurity Risk Inventory, Assessment, and Mitigation Working Group’.

“(b) Membership.—Members of the working group shall include the Deputy Administrator for Defense Programs, the Associate Administrator for Information Management and Chief Information Officer, and staff from other offices as determined appropriate by the Deputy Administrator and Associate Administrator.

“(c) Comprehensive Strategy.—The working group shall prepare a comprehensive strategy for inventorying the range of National Nuclear Security Administration systems that are potentially at risk in the operational technology and nuclear weapons information technology environments, assessing the systems at risk, and implementing risk mitigation actions. Such strategy shall incorporate key elements of effective cybersecurity risk management strategies, as
identified by the Government Accountability Office, including the specification of—

“(1) goals, objectives, activities, and performance measures;

“(2) organizational roles, responsibilities, and coordination;

“(3) necessary resources needed to implement the strategy over the next ten years; and

“(4) detailed milestones and schedules for completion of tasks.

“(d) SUBMISSION TO CONGRESS.—

“(1) BRIEFING.—Not later than 120 days after the date of the enactment of this Act, the members of the working group shall provide to the congressional defense committees a briefing on the plan of the working group plan to develop the strategy required under subsection (c).

“(2) SUBMISSION OF STRATEGY.—Not later than April 1, 2025, the working group shall submit the congressional defense committees a copy of the completed strategy.

“(e) TERMINATION.—The working group shall terminate on the date that is five years after the date of the enactment of this section.”.
SEC. 3114. MODIFICATION OF MINOR CONSTRUCTION THRESHOLD FOR PLANT PROJECTS.

Section 4701(2) of the Atomic Energy Defense Act (Public Law 107–314; 50 U.S.C. 2741(2)) is amended—

(1) in subparagraph (B), by striking “During the period beginning on December 23, 2022, and ending on November 30, 2025, the” and inserting “The”;

and

(2) by striking subparagraph (C).

SEC. 3115. TECHNICAL CORRECTION TO NATIONAL NUCLEAR SECURITY ADMINISTRATION FUNDED PRIORITIES.

Section 4716 of the Atomic Energy Defense Act (50 U.S.C. 2756) is amended—

(1) in subsection (b)(1)—

(A) in subparagraph (A), by inserting “or the risk to be mitigated” after “objectives to be achieved”; and

(B) in subparagraph (B), by inserting “or risk mitigation” after “objectives”; and

(2) in subsection (c)—

(A) in paragraph (1), by inserting “, and that the Nuclear Weapons Council has certified as sufficient” after “United States Code”; and

(B) in paragraph (2)—
(i) by striking “fulfill” and inserting
“reduce a risk associated with”; and
(ii) by inserting after “Administration” the following: “or to provide a signifi-
cant additional benefit in achieving or
making progress toward the key objectives of
the Administration”.

SEC. 3116. CRIMINAL PENALTIES FOR INTERFERENCE WITH
THE TRANSPORT OF SPECIAL NUCLEAR MATERIALS, NUCLEAR WEAPONS COMPONENTS,
OR RESTRICTED DATA.

Section 92 of the Atomic Energy Act of 1954 (42
U.S.C. 2122) is amended—
(1) by redesignating subsection b. as subsection
c.;
(2) by inserting after subsection a. the following
new subsection:
“b. Whoever knowingly obstructs, resists, or interferes
with a nuclear materials courier (as that term is defined
in section 8331 of title 5) engaged in the transport of any
atomic weapons, special nuclear material, nuclear weapons
components, or Restricted Data shall be fined not more than
$1,000 or imprisoned for not more than one year, or both.”;
(3) in subsection c. (as so redesignated) by striking “prohibited by subsection a.” and inserting “prohibited by subsections a. and b.”; and

(4) adding at the end the following new subsection:

“d. The Attorney General shall have primary investigative authority for any violation of this section.”.

SEC. 3117. DEADLINES FOR COMMENCEMENT OF OPERATIONS OF CERTAIN ATOMIC ENERGY REPLACEMENT PROJECTS.

(a) High Explosive Synthesis, Formulation, and Production Facility.—

(1) Deadline for commencement of operations.—Project 21-D-510, the High Explosive Synthesis, Formulation, and Production facility, shall commence operations by not later than December 31, 2032.

(2) Annual report.—

(A) In general.—The Administrator for Nuclear Security shall submit to the congressional defense committees, not later than February 1 of each year until the termination date specified in subparagraph (B), a report that includes a comprehensive estimate of the funds nec-
necessary, by year, to achieve the deadline specified in paragraph (1).

(B) TERMINATION DATE.—The termination date specified in this subparagraph is the date on which the Administrator determines that the facility referred to in paragraph (1) has commenced operations.

(b) TRITIUM FINISHING FACILITY.—

(1) DEADLINE FOR COMMENCEMENT OF OPERATIONS.—Project 18-D-650, the Tritium Finishing Facility, shall commence operations by not later than December 31, 2035.

(2) ANNUAL REPORT.—

(A) IN GENERAL.—The Administrator for Nuclear Security shall submit to the congressional defense committees, not later than February 1 of each year until the termination date specified in subparagraph (B), a report that includes a comprehensive estimate of the funds necessary, by year, to achieve the deadline specified in paragraph (1).

(B) TERMINATION DATE.—The termination date specified in this subparagraph is the date on which the Administrator determines that the
facility referred to in paragraph (1) has commenced operations.

SEC. 3118. INTEGRATED MASTER SCHEDULE FOR THE FUTURE-YEARS NUCLEAR SECURITY PROGRAM.

(a) In General.—Not later than March 31, 2024, the Administrator for Nuclear Security shall develop an integrated master schedule for the future-years nuclear security program that incorporates all programs of record for nuclear warhead development, including pit production activities, production, and sustainment at the National Nuclear Security Administration.

(b) Briefing.—Not later than May 15, 2024, the Administrator for Nuclear Security shall provide to the congressional defense committees a briefing on the final integrated master schedule developed under subsection (a).

SEC. 3119. PROHIBITION ON AVAILABILITY OF FUNDS TO RECONVERT OR RETIRE W76–2 WARHEADS.

(a) Prohibition.—Except as provided in subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2024 for the National Nuclear Security Administration may be obligated or expended to reconvert or retire a W76–2 warhead.

(b) Waiver.—The Administrator for Nuclear Security may waive the prohibition under subsection (a) if the Administrator, in consultation with the Secretary of Defense
and the Chairman of the Joint Chiefs of Staff, certifies in writing to the congressional defense committees that—

(1) Russia and China do not possess naval capabilities similar to the W76–2 warhead in the active stockpiles of the respective countries; and

(2) the Department of Defense does not have a valid military requirement for the W76–2 warhead.

SEC. 3120. LIMITATION ON USE OF FUNDS PENDING SUBMISSION OF CERTAIN NATIONAL NUCLEAR SECURITY ADMINISTRATION REPORTS.

Of the funds authorized to be appropriated by this Act for fiscal year 2024 for the Administrator for Nuclear Security, for travel, not more than 80 percent may be obligated or expended until the date on which the Administrator provides to the congressional defense committees the briefing described in House Report 117–397 under the heading “Modernization of the Pantex Plant” and the report described in House Report 117–118 under the heading “NNSA Management and Operation Contract Risk Mitigation”.
SEC. 3121. INCREASE IN NUMBER OF AUTHORIZED CONTRACTING, PROGRAM MANAGEMENT, SCIENTIFIC, ENGINEERING, AND TECHNICAL POSITIONS IN NATIONAL NUCLEAR SECURITY ADMINISTRATION.

Section 3241 of the National Nuclear Security Administration Act (50 U.S.C. 2441) is amended—

(1) in the first sentence, by striking “800” and inserting “1,000”; and

(2) by adding at the end the following new sentence: “Not fewer than 40 percent of the positions established under the first sentence of this section shall be positions the primary responsibility of which is to support defense programs.”.

Subtitle C—Plans, Reports, and Other Matters

SEC. 3131. BIENNIAL DETAILED REPORT ON NUCLEAR WEAPONS STOCKPILE STEWARDSHIP, MANAGEMENT, AND RESPONSIVENESS PLAN.

Section 4203(d)(4)(A) of the Atomic Energy Defense Act (50 U.S.C. 2523) is amended by inserting “, including with respect to weapons assembly and disassembly,” after “measures”.

•HR 2670 RH1S
SEC. 3132. PLAN FOR DOMESTIC ENRICHMENT CAPABILITY TO SATISFY DEPARTMENT OF DEFENSE URA-NIUM REQUIREMENTS.

(a) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Administrator of the National Nuclear Security Administration shall submit to the congressional defense committees a report that contains a plan to establish a domestic enrichment capability dedicated to solely satisfying the requirements of the Department of Defense for highly enriched uranium, high-assay low enriched uranium, low enriched uranium, and depleted uranium. Such plan shall include—

(1) a description of mixes and amounts of enriched uranium expected to be necessary between the date of the enactment of this Act and 2060 to meet the requirements of the Department of Defense;

(2) key milestones, steps, and policy decisions required to achieve the domestic defense enrichment capability;

(3) the dates by which such key milestones need to be achieved;

(4) a funding profile, broken down by project and sub-project, for obtaining such capability;

(5) a cost profile to establish such capability by the date that is two years before the date on which such capacity is needed;
(6) a plan for any changes to the workforce of the Administration that are necessary to establish such capability;

(7) a description of any changes in the requirement of the Department of Defense for highly enriched uranium due to AUKUS; and

(8) any other elements or information the Administrator determines appropriate.

(b) Annual Certification Requirement.—

(1) In General.—Not later than February 1 of each year after the year during which the report required by subsection (a) is submitted until the date specified in paragraph (2), the Administrator shall submit to the congressional defense committees a certification that—

(A) the Administration is in compliance with the plan and milestones contained in the report; or

(B) the Administration is not in compliance with such plan or milestones, together with—

(i) a description of the nature of the non-compliance;

(ii) the reasons for the non-compliance;

and
(iii) a plan to achieve compliance.

(2) TERMINATION DATE.—No report shall be required under paragraph (1) after the date on which the Administrator certifies to the congressional defense committees that the final key milestone under the plan has been met.

(c) FORM OF REPORTS.—The report under subsection (a) and each annual certification under subsection (b) shall be submitted in unclassified form, but may include a classified annex.

SEC. 3133. INDEPENDENT ASSESSMENT OF PLUTONIUM PIT AGING MILESTONES AND PROGRESS.

(a) IN GENERAL.—The Administrator for Nuclear Security shall seek to enter into an arrangement with the scientific advisory group known as JASON to conduct an assessment of the report entitled “Research Program Plan for Plutonium and Pit Aging”, published by the National Nuclear Security Administration in September 2021, and the work undertaken as a result of such report.

(b) ELEMENTS.—The assessment required under subsection (a) shall contain the following:

(1) A determination regarding whether the report referred to in such subsection meets the criteria for appropriate pit aging research described by

(2) Information relating to any improvements or additions to such report.

(3) A review of initial data collected by the National Laboratories included in such report to determine the possibility of updating the expected lifetimes of plutonium pits, including, if such updates are not possible, an estimate of when such updates would be possible.

**TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD**

**SEC. 3201. AUTHORIZATION.**

There are authorized to be appropriated for fiscal year 2024, $47,230,000 for the operation of the Defense Nuclear Facilities Safety Board under chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

**TITLE XXXIV—NAVAL PETROLEUM RESERVES**

**SEC. 3401. AUTHORIZATION OF APPROPRIATIONS.**

(a) Amount.—There are hereby authorized to be appropriated to the Secretary of Energy $13,010,000 for fiscal year 2024 for the purpose of carrying out activities under
chapter 869 of title 10, United States Code, relating to the naval petroleum reserves.

(b) Period of Availability.—Funds appropriated pursuant to the authorization of appropriations in subsection (a) shall remain available until expended.

TITLE XXXV—MARITIME ADMINISTRATION
Subtitle A—Maritime Administration

SEC. 3501. AUTHORIZATION OF APPROPRIATIONS FOR MARITIME ADMINISTRATION.

There are authorized to be appropriated to the Department of Transportation for fiscal year 2024, 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, $195,500,000, of which—

(A) $103,500,000 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 manage-
ment for United States Merchant Marine Academy capital improvement projects.

(2) For expenses necessary to support the State maritime academies, $53,700,000, of which—

(A) $2,400,000 shall be for the Student Incentive Payment Program;

(B) $6,000,000 shall be for direct payments for State maritime academies;

(C) $6,800,000 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 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 operations and programs, $96,300,000, of which—
(A) $15,000,000 shall be for the maritime environmental and technical assistance under section 50307 of title 46, United States Code;

(B) $15,000,000 shall be for the United States marine highways program, including to make grants authorized under section 55601 of title 46, United States Code;

(C) $65,500,000 shall be for headquarters operations expenses; and

(D) $800,000 shall be for expenses necessary to provide for National Defense Reserve Fleet resiliency.

(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 United States flag merchant marine to serve the national security needs of the United States 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, $33,000,000, of which—

(A) $30,000,000 may be for the cost (as such term is defined in section 502(5) of the Fed-
eral Credit Reform Act of 1990 (2 U.S.C. 661a(5)) of loan guarantees under the program; and

(B) $3,000,000 may be used for administrative expenses relating to loan guarantee commitments under the program.

(8) For expenses necessary to provide assistance to small shipyards and for maritime training programs authorized under section 54101 of title 46, United States Code, $30,000,000.

(9) For expenses necessary to implement the port infrastructure development program, as authorized under section 54301 of title 46, United States Code, $230,000,000, 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.

Subtitle B—Maritime Infrastructure

SEC. 3511. PORT INFRASTRUCTURE DEVELOPMENT PROGRAM ELIGIBLE PROJECTS.

Section 54301(a)(3)(A)(ii) of title 46, United States Code, is amended—

(1) in subclause (III) by striking “; or” and inserting a semicolon;

(2) in subclause (IV)(ii) by striking the period and inserting “; or”; and

(3) by adding at the end the following:

“(V) port infrastructure that supports the loading and unloading of commercially harvested fish and fish products.”.

SEC. 3512. ASSISTANCE FOR SMALL INLAND RIVER AND COASTAL PORTS AND TERMINALS.

Section 54301(b)(1) of title 46, United States Code, is amended by striking “as determined by using United States Army Corps of Engineers data” and all that follows and inserting the following: “as determined by using—

“(A) Corps of Engineers data; or
“(B) data provided by an independent audit the findings of which are acceptable to the Secretary.”.

SEC. 3513. ELIGIBILITY OF SHORE POWER PROJECTS UNDER PORT INFRASTRUCTURE DEVELOPMENT PROGRAM.

(a) In general.—In making port infrastructure development grants under section 54301 of title 46, United States Code, for fiscal years 2024 through 2028, the Secretary of Transportation shall treat a project described in subsection (b) as—

(1) having met the requirements of paragraphs (1) and (6)(A)(i) of section 54301(a) of such title; and

(2) being an eligible project under section 54301(a)(3) of such title.

(b) Project described.—A project described in this paragraph is a project to provide shore power at a port that services both of the following:

(1) Passenger vessels described in section 3507(k) of title 46, United States Code.

(2) Vessels that move goods or freight.

SEC. 3514. CODIFICATION OF EXISTING LANGUAGE; TECHNICAL AMENDMENTS.

(a) Port infrastructure development program.—
(1) Strategic seaports.—

(A) In general.—Section 3505(a)(1) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 46 U.S.C. 50302 note) is—

(i) transferred to appear after section 54301(a)(6)(B) of title 46, United States Code;

(ii) redesignated as subparagraph (C); and

(iii) amended by striking “Under the port infrastructure development grant program established under section 50302(c) of title 46, United States Code” and inserting “In selecting projects described in paragraph (3)”.

(B) Strategic seaport defined.—Section 3505(a)(2) of such Act is transferred to appear after section 54301(a)(12)(D) of title 46, United States Code, and redesignated as subparagraph (E).

(C) Repeal.—Section 3505(a) of such Act is repealed.

(2) Determination of effectiveness.—Section 54301(b)(5)(B) of title 46, United States Code, is
amended by striking “subsection (c)(6)(A)” and inserting “subsection (a)(6)(A)”.

(b) Transfer of Improvements to Process for Waiving Navigation and Inspection Laws.—Section 3502(b) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 is—

(1) amended—

(A) by striking “For fiscal year 2020 and each subsequent fiscal year, the” and inserting “The”; and

(B) by striking “section 56101 of title 46, United States Code,” and inserting “this section”;  

(2) transferred to appear after section 56101(e) of title 46, United States Code; and

(3) redesignated as subsection (f).

(c) Amendment to Deepwater Port Act of 1974.—The Deepwater Port Act of 1974 (33 U.S.C. 1501 et seq.) is amended—

(1) in section 8 by striking “8.” and inserting “8. OPERATION AS A COMMON CARRIER”; and

(2) by repealing section 25.

(d) Chapter Analysis.—The analysis for chapter 503 of title 46, United States Code, is amended in the item relating to section 50308 by striking “Port develop-
ment; maritime transportation system emergency relief program” and inserting “Maritime transportation system emergency relief program”.

(e) VESSEL OPERATIONS REVOLVING FUND.—Section 50301(b) of title 46, United States Code, is amended by striking “(50 App. U.S.C. 1291(a), (c), 1293(c), 1294)” and inserting “(50 U.S.C. 4701(a), (c), 4703(c), 4704)”.

(f) MARITIME TRANSPORTATION SYSTEM EMERGENCY RELIEF PROGRAM.—Section 50308 of title 46, United States Code, is amended—

(1) in subsection (a)(2)(B) by striking “Federal Emergency Management Administration” and inserting “Federal Emergency Management Agency”; and

(2) in subsection (j)(4)(A) by striking “Federal Emergency Management Administration” and inserting “Federal Emergency Management Agency”.

(g) MERCHANT MARINE.—The analysis for subtitle V of title 46, United States Code, is amended in the item relating to chapter 556 by striking “SHORT SEA TRANSPORTATION” and inserting “MARINE HIGHWAYS”.

(h) CHAPTER 537.—The analysis for chapter 537 of title 46, United States Code, is amended by striking the item relating to section 53703 and inserting the following:

“53703. Application and administration.”.
CHAPTER 541.—The analysis for chapter 541 of title 46, United States Code, is amended to read as follows:

"CHAPTER 541—MISCELLANEOUS

"Sec.

"54101. Assistance for small shipyards.").

SEC. 3515. UPDATE TO CATEGORICAL EXCLUSIONS USED BY MARITIME ADMINISTRATION IN REVIEWING ENVIRONMENTAL IMPACTS OF TRANSPORTATION PROJECTS.

(a) IDENTIFICATION OF ADDITIONAL CATEGORICAL EXCLUSIONS.—Not later than six months after the date of the enactment of this Act, the Secretary of Transportation shall—

(1) survey the use by the Maritime Administration of categorical exclusions in reviewing the environmental impacts of transportation projects since 2013; and

(2) publish in the Federal Register for notice and public comment a review of the survey under paragraph (1) that includes a description of—

(A) the type of actions categorically excluded;

(B) categorical exclusions used by other modal administrations, including such exclusions currently in place for the Federal Highway Administration, the Federal Railroad Adminis-
tration, and the Federal Transit Administration;
and

(C) any actions the Secretary is considering
for new categorical exclusions, including the
adoption of categorical exclusions relevant to
maritime projects and projects sponsored by the
Maritime Administration that would conform to
categorical exclusions of other modal administra-
tions listed in subparagraph (B).

(b) UPDATE TO CATEGORICAL EXCLUSIONS.—Not
later than one year after the date of the enactment of this
Act, the Secretary shall—

(1) publish a notice of proposed rulemaking to
propose new and existing categorical exclusions for
maritime projects that require the approval of the
Secretary under the National Environmental Policy
Act of 1969 (42 U.S.C. 4321 et seq.), including such
exclusions identified under subsection (a) and such
exclusions of other modal administrations that are
relevant to maritime projects and projects sponsored
by the Maritime Administration; and

(2) develop a process for considering new cat-
egorical exclusions to the extent that such exclusions
meet the criteria for a categorical exclusion, as such
term is defined under section 1508.4 of title 40, Code
of Federal Regulations, as in effect on the date of the enactment of this Act.

Subtitle C—Reports

SEC. 3521. REPORT ON ADMINISTRATION OF PROGRAMS.

(a) In General.—Chapter 553 of title 46, United States Code, is amended by inserting before section 55302 the following:

“§ 55301. Report on administration of programs

“(a) In General.—The Administrator of the Maritime Administration shall annually submit to Congress a report on the administration by other Federal departments and agencies of programs subject to section 2631 of title 10, United States Code, and that the Administrator determines are subject to section 55305 of title 46, United States Code.

“(b) Contents.—The report under paragraph (1) shall include—

“(1) gross tonnage by department or agency of cargo (equipment, materials, or agricultural products) and by cargo type transported on United States flag vessels versus foreign vessels; and

“(2) the total number of United States flag vessels versus foreign vessels contracted by each department or agency.”.
(b) Clerical Amendment.—The analysis for chapter 553 of title 46, United States Code, is amended by inserting before the item relating to section 55302 the following new item:

“55301. Report on administration of programs.”.

SEC. 3522. REPORT ON AVAILABILITY OF USED SEALIFT VESSELS.

(a) In General.—The Commander of the United States Transportation Command, in consultation with the Administrator of the Maritime Administration, shall conduct a market analysis to determine the availability of used sealift vessels that—

(1) meet military requirements; and

(2) may be purchased using the authority provided under section 2218 of title 10, United States Code, within the period of five years following the date of the enactment of this Act.

(b) Report.—Not later than 180 days after the date of the enactment of this Act, the Commander of the United States Transportation Command shall submit to the congressional defense committees a report on the results of the market analysis conducted under subsection (a).

SEC. 3523. REPORT ON PORT PREFERENCES FOR US-FLAG VESSELS.

Not later than 1 year after the date of enactment of this Act, the Administrator of the Maritime Administration...
shall submit to Congress a report on the preference, if any,
afforded by each port authority or marine terminal oper-
ator, as applicable, to vessels documented under the laws
of the United States, including such vessels—

(1) operated by an armed force (as such term is
defined in section 101(4) of title 10, United States
Code);

(2) participating in the Maritime Security Pro-
gram or the Emergency Preparedness Program under
chapter 531 of title 46, United States Code, the Cable
Security Fleet under chapter 532 of such title, the
Tanker Security Fleet under chapter 534 of such title,
or the National Defense Reserve Fleet under section
57100 of such title; and

(3) with a coastwise endorsement under chapter
121 of title 46, United States Code.

SEC. 3524. REPORTS TO CONGRESS.

Not later than 180 days after the date of enactment
of this Act, the Secretary of Defense shall submit to Congress
a report on the implementation by the Department of De-
fense of the amendments to section 2631 of title 10, United
States Code, made by section 1024 of the William M. (Mac)
Year 2021 (Public Law 116–283).
Subtitle D—Other Matters

SEC. 3531. CARGOES PROCURED, FURNISHED, OR FINANCED BY THE UNITED STATES GOVERNMENT.

Section 55305 of title 46, United States Code, is amended by striking subsection (c) and inserting the following:

“(c) Waivers.—

“(1) In general.—Notwithstanding any other provision of law, when the President, the Secretary of Defense, or the Secretary of Transportation declares the existence of an emergency justifying a temporary waiver of this section or section 55314, the President, the Secretary of Defense, or the Secretary of Transportation, following a determination by the Maritime Administrator, acting in the Administrator’s capacity as Director, National Shipping Authority, of the non-availability of qualified United States flag capacity at fair and reasonable rates for commercial vessels of the United States to meet the requirements of this section or section 55314, may waive compliance with such section to the extent, in the manner, and on the terms the Maritime Administrator, acting in such capacity, prescribes, and no other waivers of the re-
quirements of this section or section 55314 shall be authorized.

“(2) DURATION OF WAIVER.—

“(A) IN GENERAL.—Subject to subparagraphs (B) and (C), a waiver issued under this subsection shall be for a period of not more than 60 days.

“(B) WAIVER EXTENSION.—Upon termination of the period of a waiver issued under this subsection, the Maritime Administrator may extend the waiver for an additional period of not more than 30 days, if the Maritime Administrator makes the determinations described in paragraph (1).

“(C) AGGREGATE DURATION.—The aggregate duration of the period of all waivers and extensions of waivers under this subsection with respect to any one set of events shall not exceed 3 months in a fiscal year.

“(3) DETERMINATIONS.—The Maritime Administrator shall—

“(A) for each determination referred to in paragraph (1), identify any actions that could be taken to enable qualified United States flag capacity to meet the requirements of this section or
section 55314 at fair and reasonable rates for commercial vessels of the United States;

“(B) provide notice of each determination referred to in paragraph (1) to the Secretary of Transportation and, as applicable, the President or the Secretary of Defense; and

“(C) publish each determination referred to in paragraph (1)—

“(i) on the website of the Maritime Administration not later than 24 hours after notice of the determination is provided to the Secretary of Transportation; and

“(ii) in the Federal Register.

“(4) NOTICE TO CONGRESS.—The Maritime Administrator shall notify—

“(A) the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives of—

“(i) any request for a waiver (or an extension thereof) made by the Secretary of Transportation of this section or section 55314(a) not later than 72 hours after receiving such a request; and
“(ii) the issuance of any such waiver (or an extension thereof), and why such waiver or extension was necessary, not later than 72 hours after such issuance; and

“(B) the Committee on Commerce, Science, and Transportation and the Committee on Armed Services of the Senate and the Committee on Transportation and Infrastructure and the Committee on Armed Services of the House of Representatives of—

“(i) any request for a waiver (or an extension thereof) made by the Secretary of Defense of this section or section 55314(a) not later than 72 hours after receiving such a request; and

“(ii) the issuance of any such waiver (or an extension thereof), and why such waiver or extension was necessary, not later than 72 hours after such issuance.”.

SEC. 3532. RECAPITALIZATION OF NATIONAL DEFENSE RESERVE FLEET.

(a) IN GENERAL.—Section 3546 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 46 U.S.C. 57100 note) is amended—
(1) in subsection (a)—

(A) in the matter preceding paragraph (1)—

(i) by striking “Subject to the availability of appropriations, the” and inserting “The”; and

(ii) by striking “of Transportation” and inserting “of the Navy”; and

(B) in paragraph (1)—

(i) by striking “roll-on, roll-off cargo” and inserting “sealift”; and

(ii) by striking “2024” and inserting “2025”;

(2) in subsection (d), by striking “The Secretary of Transportation shall consult and coordinate with the Secretary of the Navy” and inserting “The Secretary of the Navy shall consult and coordinate with the Secretary of Transportation”; and

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

“(f) LIMITATION.—Of the amounts authorized to be appropriated by this Act or otherwise made available for fiscal year 2024 for the Office of the Secretary of the Navy for travel expenses, not more than 50 percent may be obligated or expended until the Secretary of the Navy submits to the
congressional defense committees a report that includes a
detailed description of the acquisition strategy for the execu-
tion of the authority under subsection (a).”.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is
authorized to be appropriated for expenses necessary for the
design of a vessel for the National Defense Reserve Fleet,
as required by section 3546 of the James M. Inhofe National
Defense Authorization Act for Fiscal Year 2023 (Public
Law 117–263; 46 U.S.C. 57100 note), as amended by sub-
section (a), $6,000,000, to remain available until expended.

SEC. 3533. LIMITATION ON USE OF FUNDS PENDING SUB-
MISSION OF REPORTS ON MERCHANT MA-
RINE ACADEMY.

(a) IN GENERAL.—Except as provided in subsection
(b), none of the funds authorized to be appropriated by this
Act or otherwise made available for fiscal year 2024 for the
Maritime Administration may be used for travel expenses
for the Office of the Maritime Administrator until the date
on which the Secretary of Transportation submits the re-
ports required by section 3515(a) of the James M. Inhofe
National Defense Authorization Act for Fiscal Year 2023
(Public Law 117–263).

(b) EXCEPTION.—Nothing in this section shall prohibit
the expenditure of funds for any travel directly related to
the administration of grants under the Port Infrastructure
Development Program, Small Shipyards Grant program, Maritime Environmental and Technical Assistance Program, or the Marine Highways Transportation program.

SEC. 3534. MARITIME WORKFORCE WORKING GROUP.

(a) In General.—Not later than 120 days after the date of the enactment of this Act, the Maritime Administrator, in consultation with the National Merchant Marine Personnel Advisory Committee, the National Offshore Safety Advisory Committee, the National Towing Safety Advisory Committee, and the Committee on the Marine Transportation System, shall convene a working group to examine and assess the size of the pool of mariners with covered credentials necessary to support the United States flag fleet.

(b) Membership.—The Maritime Administrator shall designate individuals to serve as members of the working group convened under subsection (a). The working group shall include at least one representative from each of—

(1) the Maritime Administrator, who shall serve as chairperson of the working group;

(2) the United States Merchant Marine Academy;

(3) the Coast Guard;

(4) the Military Sealift Command;

(5) the Navy;

(6) the State maritime academies;
(7) the owners and operators of United States-flagged vessels engaged in offshore oil and gas exploration, development, and production;

(8) the owners and operators of United States-flagged vessels engaged in offshore wind exploration, development, and production;

(9) the owners and operators of United States-flagged vessels engaged in inland river transportation;

(10) a nonprofit labor organization representing a class of licensed or unlicensed engine department mariners who are employed on vessels operating in the United States flag fleet;

(11) a nonprofit labor organization representing a class of licensed or unlicensed mariners who are employed on vessels operating in the United States flag fleet;

(12) the owners of vessels operating in the United States flag fleet, or their private contracting parties, that are primarily operating in international transportation;

(13) Centers of Excellence for Maritime Training designated under section 51706 of title 46, United States Code; and

(14) private maritime training providers.
(c) **NO QUORUM REQUIREMENT.**—The Maritime Administrator may convene the working group virtually and without all members present.

(d) **RESPONSIBILITIES.**—The working group shall carry out the following responsibilities:

1. Review the report required by section 3525(b), and the study required by section 3545(a), of the James Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263), if available.

2. Identify the number of mariners with covered credentials in each of the following categories:

   (A) All such mariners.

   (B) Such mariners who have a valid Coast Guard merchant mariner credential with the necessary endorsements for service on unlimited tonnage vessels that are subject to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended.

   (C) Such mariners who are participating in a Federal program that supports the United States merchant marine and the United States flag fleet.
(D) Such mariners who are available to crew the United States flag fleet and the surge sealift fleet in times of a national emergency.

(E) Such mariners who are full-time.

(F) Such mariners who are merchant mariner credentialed officers in the United States Navy Reserve.

(3) Assess the effect on the United States merchant marine and United States Merchant Marine Academy if graduates from State maritime academies and the United States Merchant Marine Academy were assigned to, or required to fulfill, certain maritime positions based on the overall needs of the United States merchant marine.

(4) Assess the accessibility of Coast Guard Merchant Mariner Licensing and Documentation System data for mariners with covered credentials, the maritime industry, and the Maritime Administration for the purposes of evaluating the pool of mariners with covered credentials.

(5) Make recommendations to enhance the availability and quality of interagency data, including data from the United States Transportation Command, the Coast Guard, the Navy, and the Bureau of Transportation Statistics, for use by the Maritime
Administration in evaluating the pool of mariners with covered credentials.

(e) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Transportation shall submit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Armed Services of the House of Representatives, and the Committee on Transportation and Infrastructure of the House of Representatives a report that contains the findings and conclusions of the working group gathered in the course of performing the responsibilities under subsection (d). Such report shall include each of the following:

(1) The number of mariners with covered credentials identified for each category described in subparagraphs (A) through (F) of subsection (d)(2).

(2) The results of the assessments conducted under paragraphs (3) and (4) of subsection (d).

(3) The recommendations made under subsection (d)(5).

(4) Such other information as the working group determines appropriate.

(f) COVERED CREDENTIAL DEFINED.—In this section, the term “covered credential” means any credential issued under part E of subtitle II of title 46, United States Code.
(g) **SUNSET.**—The Maritime Administrator shall disband the working group upon the submission of the report required under subsection (e).

**SEC. 3535. CONSIDERATION OF LIFE-CYCLE COST ESTIMATES FOR ACQUISITION AND PROCUREMENT OF VESSELS.**

In carrying out the acquisition and procurement of vessels in the National Defense Reserve Fleet, the Secretary of Transportation, acting through the Administrator of the Maritime Administration, shall consider the life-cycle cost estimates of vessels during the design and evaluation processes.

**SEC. 3536. SOURCE RESTRICTIONS ON AUXILIARY SHIP COMPONENTS.**

Not later than 90 days after the date of enactment of this Act, the Secretary of Defense shall finalize the rule published in the Federal Register on September 29, 2020, titled “Source Restrictions on Auxiliary Ship Components (DFARS Case 2020-D017)” (85 Fed. Reg. 60943).

**SEC. 3537. AUTHORIZATION OF APPROPRIATIONS FOR NATIONAL MARITIME STRATEGY.**

There is authorized to be appropriated for expenses necessary to implement the development of a national maritime strategy, as required by section 3542 of the James M. Inhofe National Defense Authorization Act for Fiscal Year
DIVISION D—FUNDING TABLES

SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TABLES.

(a) In General.—Whenever a funding table in this division specifies a dollar amount authorized for a project, program, or activity, the obligation and expenditure of the specified dollar amount for the project, program, or activity is hereby authorized, subject to the availability of appropriations.

(b) Merit-Based Decisions.—A decision to commit, obligate, or expend funds with or to a specific entity on the basis of a dollar amount authorized pursuant to subsection (a) shall—

(1) except as provided in paragraph (2), be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

(c) Relationship to Transfer and Programming Authority.—An amount specified in the funding tables in this division may be transferred or reprogrammed under...
a transfer or reprogramming authority provided by another provision of this Act or by other law. The transfer or reprogramming of an amount specified in such funding tables shall not count against a ceiling on such transfers or reprogrammings under section 1001 of this Act or any other provision of law, unless such transfer or reprogramming would move funds between appropriation accounts.

(d) **APPLICABILITY TO CLASSIFIED ANNEX.**—This section applies to any classified annex that accompanies this Act.

(e) **ORAL AND WRITTEN COMMUNICATIONS.**—No oral or written communication concerning any amount specified in the funding tables in this division shall supersede the requirements of this section.

**TITLE XLI—PROCUREMENT**

**SEC. 4101. PROCUREMENT.**

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## SEC. 4101. PROCUREMENT

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TOTAL MISSILE PROCUREMENT, ARMY

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<td>WEAPONS &amp; OTHER COMBAT VEHICLES</td>
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<td>M16A4 MEDIUM MACHINE GUN (7.62MM)</td>
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<td>MACHINE GUN, 50-cal. MK 19 MOD</td>
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<td>MARTIAL SYSTEMS</td>
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**HR 2670 RH18**
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#### MOD OF WEAPONS AND OTHER COMBAT VEH

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#### SUPPORT EQUIPMENT & FACILITIES

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**TOTAL PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY**

3,765,321 4,386,021

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#### PROCUREMENT OF AMMUNITION, ARMY

**SMALL/MEDIUM CAL AMMUNITION**

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<td>CTG, 120MM, ALL TYPES</td>
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<td>CTG, 30 CAL, ALL TYPES</td>
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**MORTAR AMMUNITION**

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<td>120MM MORTAR, ALL TYPES</td>
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**TANK AMMUNITION**

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#### ARTILLERY AMMUNITION

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<td>ARTILLERY PROJECTILE, 155MM, ALL TYPES</td>
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<td>PRECISION ARTILLERY MUNITIONS</td>
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<td>ARTILLERY PROPELLANTS, FUSES AND PRIMERS, ALL</td>
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**MINES**

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<td>CLOSE TERRAIN SHAPING OBSTACLE</td>
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#### ROCKETS

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<td>ROCKETS, HYDRA 70, ALL TYPES</td>
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#### OTHER AMMUNITION

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<td>DEMOLITION MUNITIONS, ALL TYPES</td>
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<td>026</td>
<td>GRENADES, ALL TYPES</td>
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<td>027</td>
<td>SMOKE, ALL TYPES</td>
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<td>028</td>
<td>SIMULATORS, ALL TYPES</td>
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#### MISCELLANEOUS

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<td>NON-LETHAL AMMUNITION, ALL TYPES</td>
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<td>ITEMS LESS THAN $5 MILLION (AMMO)</td>
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<td>AMMUNITION PROFESSIONAL EQUIPMENT</td>
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<td>FIRST DESTINATION TRANSPORTATION (AMMO)</td>
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<td>CLOSEOUT LIABILITIES</td>
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#### PRODUCTION BASE SUPPORT

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<td>CONVENTIONAL MUNITIONS DEMILITARIZATION</td>
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**TOTAL PROCUREMENT OF AMMUNITION, ARMY**

2,967,578 2,951,388

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#### OTHER PROCUREMENT, ARMY

**TACTICAL VEHICLES**

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<td>SEMITRAILERS, TANKERS</td>
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<td>HUMVEE MULTIPURPOSE WILDERNESS VEHICLES (HMMWV)</td>
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<td>004</td>
<td>GROUND MOBILITY VEHICLES (GMV)</td>
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Program increase | 11,000 | 11,000

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*HR 2670 RH18*
## SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

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<td>JOINT LIGHT TACTICAL VEHICLE FAMILY OF VEHICLE</td>
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<td>FAMILY OF MEDIUM TACTICAL VEH (FMTV)</td>
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**HR 2670 RH18**
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**HR 2670 RH18**
### SEC. 4101. PROCUREMENT

#### (In Thousands of Dollars)

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### SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

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**MARINE CORPS AMMUNITION**

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**TOTAL PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS**

- SHIPBUILDING AND CONVERSION, NAVY
- FLEET BALLISTIC MISSILE SHIPS
- OTHER WARSIPS
- CARRIER REPLACEMENT PROGRAM
- Navy CVA—CVN 75 and CVN 80 SEWIP BLK III
- CVN-82
- VIRGINIA CLASS SUBMARINE
- VIRGINIA CLASS SUBMARINE AP
- Early to mid
- CVN RPFLUKING OVERHAULS AP
- DDG 1000
- DDG-51
- DDG-51 AP
- EXPLOSION WELDING
- Program increase
- FFP-PEDRAYE
- Unclassified justification

**AMPHIBIOUS SHIPS**

- LPD-17
- LPD-48

**AUXILIARIES, CRAFT AND PRIOR YEAR PROGRAM COST**

- AS SUBMARINE TENDER
- Late contract award
- TAO FLEET OILER
- LCU 1700
- OUTFITTING
- SERVICE CRAFT
- Yard, Repair, Berthing, and Mooring Barge
- AUXILIARY PERSONNEL LIGHTER
- Auxiliary Personnel Lighter
- LCP, S/LCP
- AUXILIARY VESSELS (USKID SEALIFT)
- COMPLETION OF FY SHIPBUILDING PROGRAMS

**TOTAL SHIPBUILDING AND CONVERSION, NAVY**

- 32,848,950
- 32,886,616

**OTHER PROCUREMENT, NAVY**

- SHIP PROPULSION EQUIPMENT
- SURFACE POWER EQUIPMENT
- GENERATORS
- SURFACE COMBATANT HM&E

**NAVIGATION EQUIPMENT**

- OTHER NAVIGATION EQUIPMENT
- OTHER SHIPBOARD EQUIPMENT

- SUB PERISCOPE, IMAGING AND SUPT EQUIP PROGRAM
- DDG MOD

**HR 2670 RH1S**
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**SHIPBOARD COMMUNICATIONS**

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075  | SHIPBOARD TACTICAL COMMUNICATIONS | 29,278 | 29,278 |
076  | SHIP COMMUNICATIONS AUTOMATION | 96,916 | 96,916 |
077  | COMMUNICATIONS ITEMS UNDER $5M | 14,107 | 14,107 |

**SUBMARINE COMMUNICATIONS**

078  | SUBMARINE BROADCAST SUPPORT | 73,293 | 73,293 |
079  | SUBMARINE COMMUNICATION EQUIPMENT | 83,178 | 83,178 |

**SATELLITE COMMUNICATIONS**

080  | SATELLITE COMMUNICATIONS SYSTEMS | 72,871 | 72,871 |
081  | NAVY MULTIBAND TERMINAL (MBT) | 37,371 | 37,371 |

**SHORE COMMUNICATIONS**

082  | JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE) | 5,065 | 5,065 |

**CRYPTOGRAPHIC EQUIPMENT**

083  | INFSYS SYSTEM SECURITY PROGRAM (ISSP) | 154,890 | 154,890 |
084  | MDI INTEL EXPLOITATION TEAM | 3,059 | 3,059 |

**CRYPTOLOGIC EQUIPMENT**

085  | CRYPTOLOGIC COMMUNICATIONS EQUIP | 17,483 | 17,483 |

**OTHER ELECTRONIC SUPPORT**

086  | COAST GUARD EQUIPMENT | 77,158 | 77,158 |

**SONOBOWS**

088  | SONOBOWS—ALL TYPES | 311,177 | 311,177 |

**SHIP GUN SYSTEM EQUIPMENT**

100  | SHIP GUN SYSTEMS EQUIPMENT | 6,140 | 6,140 |

**SHIP MISSILE SYSTEMS EQUIPMENT**

103  | HARRISON SUPPORT EQUIPMENT | 223 | 223 |
104  | SHELL SUPPORT EQUIPMENT | 294,511 | 294,511 |
105  | TOMAHAWK SUPPORT EQUIPMENT | 92,132 | 92,132 |

**FIM SUPPORT EQUIPMENT**

104  | STEALTH MISSILE SYSTEMS EQUIP | 325,188 | 325,188 |

**ASW SUPPORT EQUIPMENT**

105  | SSN COMBAT CONTROL SYSTEMS | 133,091 | 133,091 |
106  | ASW SUPPORT EQUIPMENT | 27,169 | 27,169 |

**OTHER ORDANANCE SUPPORT EQUIPMENT**

107  | EXPLOSIVE ORDNANCE DISPOSAL EQUIP | 27,964 | 27,964 |
108  | ITEMS LESS THAN $5 MILLION | 6,171 | 6,171 |

**OTHER EXPENDABLE ORDANANCE**

109  | ANTI-SHIP MISSLE DEFENSE SYSTEM | 56,825 | 56,825 |
110  | CUSN-Based Repair, Refit, Modernization and Production of NULKA Deep Consider | 14,496 | 14,496 |
111  | SUBMARINE TRAINING DEVICE MRS | 75,354 | 75,354 |
112  | SURFACE TRAINING EQUIPMENT | 209,097 | 209,097 |

**CIVIL ENGINEERING SUPPORT EQUIPMENT**

113  | PASSENGER CARRYING VEHICLES | 3,921 | 3,921 |
114  | GENERAL PURPOSE TRUCKS | 4,570 | 4,570 |
115  | CONSTRUCTION & MAINTENANCE EQUIP | 56,929 | 56,929 |
116  | FIRE FIGHTING EQUIPMENT | 16,583 | 16,583 |
117  | TACTICAL VEHICLES | 24,326 | 24,326 |
118  | AMMUNITION SUPPORT EQUIPMENT | 4,304 | 4,304 |
119  | ITEMS LESS THAN $5 MILLION | 67,386 | 67,386 |
120  | PHYSICAL SECURITY VEHICLES | 1,286 | 1,286 |

**SUPPLY SUPPORT EQUIPMENT**

*HR 2670 RH18*
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### AIRCRAFT PROCUREMENT, AIR FORCE

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#### Aircraft Spares and Repair Parts

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#### Common Support Equipment

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#### War Consumables

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#### Total Aircraft Procurement, Air Force

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#### Missiles Procurement, Air Force

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#### Ballistic Missiles

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#### Tactical

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#### Joint Air-Surface standoff missile

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#### Joint Strike missile

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#### Small Diameter Bomb

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#### HR 2670 RH18
### PROCUREMENT OF AMMUNITION, AIR FORCE

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<td>CARTRIDGES</td>
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<td>BOMBS</td>
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<td>SUU-4A</td>
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<td>SMALL ARMS</td>
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<td>TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE</td>
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**ROCKETS**

- **PROCUREMENT OF SPACE FORCE**
  - **SPACE PROCUREMENT, SF**
    - **AF SATELLITE COMM SYSTEM** | 64,345 | 64,345 |
    - **COUNTERSPACE SYSTEMS** | 52,665 | 52,665 |

**SMALL ARMS**

- **UNJUSTIFIED GROWTH**
  - 03-10 production | [–18,100] |

**OTHER ITEMS**

- **GSP III SPACE SEGMENT** | 103,670 |
- **GLOBAL POSTIONING (SPACE)** | 809 |
- **HERITAGE TRANSITION** | 6,310 |
- **JOINT TACTICAL GROUND STATIONS** | 85,186 |
- **SPACE/DEFENSE (CORSK)** | 44,672 |
- **SPACE MODS** | 109,562 |
- **SPACE/DEFENSE SYSTEM SPACE** | 118,305 |
- **SUPPORT EQUIPMENT**
  - **POWER CONDITIONING EQUIPMENT** | 3,100 |

**SPARES**

- **Spare and Repair Parts** | 936 |

**TOTAL PROCUREMENT, SPACE FORCE** | 4,714,294 | 3,752,194 |
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**TOTAL OTHER PROCUREMENT, AIR FORCE** 30,417,892 30,731,901

**PROCUREMENT, DEFENSE-WIDE**

**MAJOR EQUIPMENT, SDA**

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**MAJOR EQUIPMENT, DISA**

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**ADDITIONAL SPENDING**

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**AVIATION PROGRAMS**

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**NON-STANDARD AVIATION**

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<td>MH-47 CHINOOK</td>
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**HR 2670 RH1S**
## SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

### TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

### SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

#### SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION (In Thousands of Dollars)

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<td>COUNTER IMPROVED-THREAT ADVANCED STUDIES</td>
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### House Appropriations

The House of Representatives has approved the following amounts for FY 2024:

- **TOTAL PROCUREMENT, DEFENSE-WIDE:** $168,566,752
- **TOTAL NATIONAL GUARD AND RESERVE EQUIPMENT:** $167,988,341
- **TOTAL PROCUREMENT:** $336,555,093

The House Appropriations Committee has recommended increases for certain programs, such as:

- **Deep Submergence Collective Propulsion**
- **USSOCOM UPL—Counter Uncrewed Aerial Systems (CUAS) Group 3 Defeat**

The committee has also noted decreases for programs such as:

- **Combat Craft Assault for Naval Special Warfare**

The House Appropriations Committee recommends a decrease of $2,500 for Combat Craft Assault for Naval Special Warfare.
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<td>Armsmens technology for unmanned systems</td>
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<td>Counterespionage Manufacturing for Extreme Environments</td>
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<td>Cerebral escape and avoidance characteristics</td>
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<td></td>
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<td>Overcoming the Speed of Battle</td>
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<td>Universal Nanogranular Alloy Lethality</td>
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<td>Digital sight systems technology</td>
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<td>WRAIR Mitochondria TBI program</td>
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### ADVANCED TECHNOLOGY DEVELOPMENT

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•HR 2670 RH1S

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION (In Thousands of Dollars)
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Slow expenditure rate—SITE Live ...........................................[–25,931]
Slow expenditure rate—SIT ................................................[–2,053]
082 0604154A COUNTER IMPROVISED-THREAT DEMONSTRATION, PROTOTYPE DEVELOPMENT, AND TESTING .......................16,426 16,426
083 0604155A STRATEGIC MID-RANGE FIRES .................................................31,559 31,559
084 0604156A HYPERSONIC .................................................................43,455 43,455
085 0604157A FUTURE INTERCEPTOR ..........................................................9,040 9,040
086 0604158A COUNTER—SMALL UXMANNED AIRCRAFT SYSTEMS ADVANCED DEVELOPMENT .........................64,142 64,142
087 0604159A UNIFIED NETWORK TRANSPORT .........................................40,915 40,915
099A 99999999 FLEXIBLE TRANSITION PATHWAY ..................................10,000 10,000
099A 99999999 CLASSIFIED PROGRAMS .....................................................19,200 16,700

Program decrease ................................................................[–2,500]

SUBTOTAL ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES 4,420,315 4,306,770

SYSTEM DEVELOPMENT AND DEMONSTRATION

091 0604262A AIRCRAFT AVIONS ........................................................................13,673 13,673
092 0604263A ELECTRONIC WARFARE DEVELOPMENT ..................................13,799 13,799
093 0604602A INFANTRY SUPPORT WEAPONS ...........................................62,732 62,732
094 0604603A MEDIUM TACTICAL VEHICLES .............................................3,226 3,226
Incomplete development goals ...........................................[–25,000]
095 0604611A JAVELIN ..........................................................7,827 7,827
096 0604612A FAMILY OF HEAVY TACTICAL VEHICLES ..................44,197 44,197
097 0604613A AIR TRAFFIC CONTROL ...........................................................11,134 11,134
Integrated Mission Planning & יעקב Control Tools (IMPACT) [10,000]
098 0604614A TACTICAL UNMANNED GROUND VEHICLE (TUG) ....142,125 142,125
099 0604614A LIGHT TACTICAL WHEELED VEHICLES ..........................................9,671 9,671
Incomplete development goals ...........................................[–43,895]
100 0604615A ARMOURED SYSTEMS MODERNIZATION (ASM)—ENG DEV 102,201 102,201
101 0604704A NIGHT VISION SYSTEMS—ENG DEV ..................................133,143 133,143
Rephase from Procurement for IVAS 1.2 development [80,451]
Slow expenditure—Joint Effects Targeting System (JETS) [–3,029]
102 0604712A COMBAT PREPARATION CLOTHING AND EQUIPMENT 2,222 2,222
103 0604713A NON-SYSTEM TRAINING DEVICES—ENG DEV .......31,441 31,441
104 0604714A AIR DEFENSE COMMAND CONTROL AND INTELLIGENCE—ENG DEV 84,738 84,738
Software sophistication Digital Ecosystem [10,000]
105 0604716A CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT ....30,985 30,985
106 0604741A AUTOMATIC TEST EQUIPMENT DEVELOPMENT ..............13,626 13,626
107 0604741A DISTRIBUTIVE INTERACTIVE SIMULATION (DIS)—ENG DEV ...9,802 9,802
108 0604742A BRIDGE ANALYSIS, INTEGRATION AND EVALUATION ....20,828 20,828
109 0604901A WEAPONS AND MUNITIONS—ENG DEV ................................258,851 258,851
Long Range Precision Ordnance Kit [15,000]
110 0604904A LOGISTICS AND ENGINEER EQUIPMENT—ENG DEV .................................................................37,420 37,420
111 0604905A COMMAND CONTROL COMMUNICATIONS SYSTEMS—ENG DEV 34,213 34,213
112 0604905A MEDICAL MATERIALS/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—ENG DEV 6,496 6,496
113 0604906A LAND BASED WEAPON SYSTEMS—ENG DEV 13,584 13,584
114 0604906A LAND/NAVY WEAPONS/MISSILES—ENG DEV 166,721 166,721
115 0604906A COMBAT SUPPORT—SPECIAL FORCES—ENG DEV 106,721 106,721

Slow expenditure rate—Expeditionary Army Command Post [–5,049]
Slow expenditure—Enhanced Transport System [–2,172]
115 0604906A BAGH DEVELOPMENT ..........................................................94,944 94,944
116 0604924A GENERAL PUD ENTERPRISE BUSINESS SYSTEM (OPEDS) 2,965 2,965
117 0604924A SOLDIER SYSTEMS—WARLOCK DMU .....................................11,333 11,333
118 0604924A SUITE OF SUSTAINABILITY ENHANCEMENT SYSTEMS—ENG DEV 79,250 79,250
119 0604925A ARTILLERY SYSTEMS—ENG .................................................32,189 32,189
120 0604925A INFORMATION TECHNOLOGY DEVELOPMENT ................104,024 104,024
121 0604925A INTEGRATED PERSONNEL AND PAY SYSTEM—ARMY (IPPS-A) 102,084 102,084
122 0604925A JOINT TACTICAL NETWORK CENTER (JTN) 18,662 18,662
123 0604925A JOINT TACTICAL NETWORK (JTN) ..............................................30,328 30,328
125 0604925A COMMON INFRARED COUNTERMEASURES (CICM) 11,309 11,309
126 0604925A CORRECTING WEAPONS OF MASS DESTRUCTION (CWMD) 3,050 3,050
128 0604925A DEPLOYMENT CYBER TOOL DEVELOPMENT .........................27,714 27,714
129 0604925A TACTICAL NETWORK RADIO SYSTEMS (LOW-IER) 4,156 4,156
130 0604925A CONTRACT WIRING SYSTEM .................................................16,355 16,355
131 0604925A MISSILE WARNING SYSTEM MODERNIZATION (MWS) ....27,571 27,571
132 0604925A AIRCRAFT SURVIVABILITY DEVELOPMENT ......................24,900 24,900
133 0604925A INHIBIT FIRE PROTECTION CAPABILITY INC 2—BLOCK 1 ........196,248 196,248
134 0604925A GROUND ROBOTICS .................................................................35,119 35,119
135 0604925A EMERGING TECHNOLOGY INITIATIVES ..................................149,824 149,824
Program decrease ................................................................[–2,500]
Prototype delay ................................................................[–4,800]
137 0604925A NEXT GENERATION LOAD DEVICE—MEDIUM 36,950 25,559
Unspecified cost growth ......................................................[–11,414]
### SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

#### (In Thousands of Dollars)

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### MANAGEMENT SUPPORT

| 160  | 060415A         | THREAT SIMULATOR DEVELOPMENT | 35,992 | 35,992 |
| 161  | 060415A         | TACTICAL SYSTEMS DEVELOPMENT | 11,912 | 11,912 |
|      |                 | Program increase | 5,000 |
| 162  | 060415A         | U.S. REPLACEMENT FOR FOREIGN ENGINES FOR AERIAL TARGETS | 10,400 |
| 163  | 060415A         | RAND ARMY CENTER | 37,978 | 37,978 |
| 164  | 060415A         | ARMY ELECTRONICS COMMAND | 341,972 | 341,972 |
| 165  | 060415A         | CONCEPTS EXPERIMENTATION PROGRAM | 95,551 | 95,551 |
| 166  | 060415A         | ARMY TEST RANGES AND FACILITIES | 439,118 | 439,118 |
| 167  | 060415A         | ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS | 62,520 | 72,220 |
|      |                 | Royal Armed Forces Modernization Program | 10,000 |
| 168  | 060415A         | SURVIVABILITY/LETHALITY ANALYSIS | 37,518 | 37,518 |
| 169  | 060415A         | AIRCRAFT CERTIFICATION | 2,718 | 2,718 |
| 170  | 060415A         | MATERIAL SYSTEMS ANALYSIS | 26,902 | 26,902 |
| 171  | 060415A         | EXPLOITATION OF FOREIGN ITEMS | 7,985 | 7,985 |
| 172  | 060415A         | SUPPORT OF OPERATIONAL TESTING | 75,431 | 75,431 |
| 173  | 060415A         | ARMY EVALUATION CENTER | 71,118 | 71,118 |
| 174  | 060415A         | ARMY WORKING & SIM V/CMD COLLABORATION & INTEIR | 11,249 | 11,249 |
| 175  | 060415A         | PROGRAMWIDE ACTIVITIES | 92,905 | 93,855 |
| 176  | 060415A         | TECHNICAL INSTRUCTION ACTIVITIES | 31,327 | 32,227 |
|      |                 | Modeling & Simulation—Infrastructures | 4,100 |
| 177  | 060415A         | MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY | 50,809 | 30,409 |
| 178  | 060415A         | ENVIRONMENTAL QUALITY TECHNOLOGY MNT SUPPORT | 1,629 | 1,629 |
| 179  | 060415A         | ARMY DIRECT REPORT HEADQUARTERS—R&D - MIL | 55,841 | 55,841 |
| 180  | 060415A         | NMOS BALLISTIC MISSILE DEFENSE TEST SITE | 91,340 | 95,340 |
| 181  | 060415A         | COUNTERINTEL AND HUMAN INTEL MODERNIZATION | 6,348 | 6,348 |
| 182  | 060415A         | ASSESSMENTS AND EVALUATIONS CYBER VULNERABILITIES | 6,025 | 6,025 |
| 183  | 060415A         | SUBTOTAL MANAGEMENT SUPPORT | 1,624,585 | 1,678,885 |

### OPERATIONAL SYSTEM DEVELOPMENT

| 184  | 060515A         | MILS PRODUCT IMPROVEMENT PROGRAM | 14,845 | 14,845 |
| 185  | 060526L         | ANTI-TAMPER TECHNOLOGY SUPPORT | 7,472 | 7,472 |
| 186  | 060515A         | WEAPONS AND MUNITIONS PRODUCT IMPROVEMENT PROGRAMS | 8,425 | 8,425 |
| 187  | 060515A         | BLACKHAWK PRODUCT IMPROVEMENT PROGRAM | 1,507 | 1,507 |
| 188  | 060515A         | CHINOOK PRODUCT IMPROVEMENT PROGRAM | 9,365 | 9,365 |
| 189  | 060515A         | 7149 ENGINE ENHANCEMENT | 32,425 | 32,425 |
| 190  | 060515A         | IMPROVED TURBINE ENGINE PROGRAM | 202,247 | 191,062 |
|      |                 | Excess Growth—Government Funding | –1,700 |
|      |                 | Short expenditures | –8,443 |
| 191  | 060515A         | AVIATION ROCKET SYSTEM PRODUCT IMPROVEMENT AND DEVELOPMENT | 3,841 | 3,014 |
| 192  | 060515A         | UNMANNED AERIAL SYSTEM UNIVERAL PRODUCTS | 25,291 | 25,291 |
| 193  | 060515A         | APOCnicos FUTURE DEVELOPMENT | 10,547 | 9,547 |
| 194  | 060515A         | ANTIT-51 COUNTERFIRE TARGET ACQUISITION RADAR SYSTEM | 54,167 | 54,167 |

•HR 2670 RH1S
SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

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ADVANCED TECHNOLOGY DEVELOPMENT

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TOTAL RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

15,775,381 | 15,849,922

TOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS

83,570 | 83,570

SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS

83,570 | 83,570

SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS

TOTAL RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

15,775,381 | 15,849,922

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

BASIC RESEARCH

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SUBTOTAL BASIC RESEARCH

637,263 | 645,263

APPLIED RESEARCH

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SUBTOTAL APPLIED RESEARCH

1,026,339 | 1,051,339

HR 2670 RH18
### Line Number | Program Element | Item | FY 2024 Request | House Authorized
---|---|---|---|---
016 | 0603121N | FORCE PROTECTION ADVANCED TECHNOLOGY | 29,312 | 29,572
017 | 0603212N | ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY | 8,418 | 8,418
018 | 0603223N | SCIENCE & TECHNOLOGY FOR NUCLEAR RE-ENTRY SYSTEMS | 112,329 | 112,329
019 | 0603600N | USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD) | 308,217 | 308,217
- | - | Early to seed | -5,000 |
020 | 0603521N | JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT | 15,356 | 15,356
021 | 0603623N | FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT | 264,700 | 267,200
- | - | Advanced acoustic signal classifiers | -17,800 |
022 | 0603620N | MANUFACTURING TECHNOLOGY PROGRAM | 61,943 | 61,943
023 | 0603578N | WARFARE PROTECTION ADVANCED TECHNOLOGY | 10,809 | 10,809
024 | 0603566N | NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS | 75,988 | 75,888
025 | 0603564N | MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY | 2,688 | 2,688
026 | 0603801N | INNOVATIVE NAVAL PROTOTYPES (INP) ADVANCED TECHNOLOGY DEVELOPMENT | 132,931 | 142,934
- | - | Total ADVANCED TECHNOLOGY DEVELOPMENT | 1,015,552 | 1,041,552

### ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES

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027 | 0603123N | UNMANNED AERIAL SYSTEM | 108,225 | 108,225
028 | 0603178N | LARGE UNMANNED SURFACE VESICLES (LUSV) | 117,400 | 117,400
029 | 0603229N | ARO OCEAN TACTICAL APPLICATIONS | 40,653 | 40,653
030 | 0603216N | NAVIGATION SUSTAINABILITY | 20,974 | 20,974
031 | 0603238N | NAVAL CONSTRUCTION FORCES | 7,821 | 7,821
032 | 0603254N | ASW SYSTEMS DEVELOPMENT | 7,020 | 7,020
033 | 0603256N | TACTICAL AIRCRAFT RECONNAISSANCE | 7,621 | 7,621
034 | 0603257N | ADVANCED COMBAT SYSTEMS TECHNOLOGY | 6,516 | 6,516
035 | 0603260N | SURFACE AND SHALLOW WATER MINE COUNTERMEASURES | 34,690 | 34,690
036 | 0603264N | SURFACE SHIP TOPOGRAPHIC DEFENSE | 730 | 730
037 | 0603271N | CADDIER SYSTEMS DEVELOPMENT | 6,095 | 6,095
038 | 0603232N | PILOT FISH | 956,308 | 956,308
039 | 0603257N | RETRACT LANCER | 7,545 | 7,545
040 | 0603258N | RETRACT LANCER | 271,109 | 271,109
041 | 0603261N | RADIOACTIVE CONTROL | 811 | 811
042 | 0603255N | SURFACE ASW | 1,189 | 1,189
043 | 0603561N | ADVANCED SUBMARINE SYSTEM DEVELOPMENT | 88,415 | 88,415
044 | 0603560N | SUBMARINE TACTICAL WARFARE SYSTEMS | 15,119 | 15,119
045 | 0603559N | SHIP CONCEPT ADVANCED DESIGN | 88,593 | 88,593
046 | 0603546N | SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES | 121,402 | 121,402
047 | 0603530N | ADVANCED NUCLEAR POWER SYSTEMS | 319,656 | 319,656
048 | 0603578N | ADVANCED SURFACE MACHINERY SYSTEMS | 123,931 | 123,931
049 | 0603574N | CHLORINE EAGLE | 116,078 | 116,078
050 | 0603541N | LITTORAL CORVETTE SHIP (UCS) | 32,615 | 32,615
051 | 0603582N | CORVETTE SYSTEM INTEGRATION | 38,610 | 38,610
052 | 0603585N | OHIO REPLACEMENT | 257,076 | 257,076
053 | 0603586N | Royal culinary | 80,000 | 80,000
054 | 0603590N | LOS MISSILE MODULES | 31,164 | 31,164
055 | 0603592N | Insignificant justification | -13,000 |
056 | 0603591N | PORTABLE TEST AND RE-TEST (ATRT) | 10,909 | 10,909
057 | 0603596N | PRIVATE DEVELOPMENT | 112,972 | 112,972
058 | 0603601N | CONVENTIONAL MUNITIONS | 70,751 | 70,751
059 | 0603525N | MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM | 128,782 | 128,782
060 | 0603635N | JOINT SERVICE EXPANSIVE ORDNANCE DEVELOPMENT | 44,766 | 44,766
061 | 0603622N | NUCLEAR ENGINEERING TECHNOLOGY DEVELOPMENT | 10,751 | 10,751
062 | 0603621N | ENVIRONMENTAL PROTECTION | 24,457 | 24,457
063 | 0603624N | NAVY ENERGY PROGRAM | 72,214 | 72,214
064 | 0603625N | FACILITIES IMPROVEMENT | 20,149 | 20,149
065 | 0603626N | CHLOR CERAL | 487,841 | 487,841
066 | 0603627N | NAVY LOGISTIC PRODUCTIVITY | 4,712 | 4,712
067 | 0603628N | NAVY LOGISTIC PRODUCTIVITY | 420,459 | 420,459
068 | 0603629N | NAVY LOGISTIC PRODUCTIVITY | 2,104,474 | 2,104,474
069 | 0603630N | NAVY LOGISTIC PRODUCTIVITY | -1,960,800 |
070 | 0603631N | NAVY LOGISTIC PRODUCTIVITY | -80,300 |
071 | 0603632N | NAVY LOGISTIC PRODUCTIVITY | 547,065 | 547,065
072 | 0603633N | NAVY LOGISTIC PRODUCTIVITY | 6,265 | 6,265

- HR 2670 RH18
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SUBTOTAL ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES | 9,734,483 | 8,705,783 |

SYSTEM DEVELOPMENT AND DEMONSTRATION

101  | 0603818N       | TRAUMA SYSTEM AIRCRAFT | 44,120 | 44,120 |
102  | 0603818N       | MARITIME TARGETING CELL | 30,922 | 30,922 |
103  | 0603819N       | OTHER HELO DEVELOPMENT | 101,209 | 101,209 |
104  | 0603820N       | OTHER HELO DEVELOPMENT | 2,094 | 2,094 |
105  | 0603821N       | AV–8B AIRCRAFT—ENG DEP | 8,263 | 8,263 |
106  | 0603822N       | STANDARDS DEVELOPMENT | 4,019 | 4,019 |
107  | 0603823N       | MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT | 62,350 | 62,350 |
108  | 0603824N       | P–5 MODERNIZATION PROGRAM | 771 | 771 |
109  | 0603825N       | WARFARE SUPPORT SYSTEM | 208,685 | 208,685 |
110  | 0603826N       | COMBINED AND CONTROL SYSTEMS | 87,517 | 87,517 |
111  | 0603827N       | ADVANCED HAWKEYE | 399,919 | 449,219 |
112  | 0603828N       | Navey UPL—E–2B Theater Combat ID and HECR | 29,766 | 29,766 |
113  | 0603829N       | I–2 AIRPLACES | 17,311 | 17,311 |
114  | 0603830N       | ACOUSTIC SEARCH SENSORS | 15,231 | 15,231 |
115  | 0603831N       | NAVY ELECTRONIC SYSTEMS | 1,024 | 1,024 |
116  | 0603832N       | ELECTRONIC WARFARE DEVELOPMENT | 172,507 | 172,507 |
117  | 0603833N       | ELECTRONIC WARFARE DEVELOPMENT | 35,176 | 35,176 |
118  | 0603834N       | ELECTRONIC WARFARE DEVELOPMENT | 35,176 | 35,176 |
119  | 0603835N       | NAVY ELECTRONIC SYSTEMS—NAVY (JTRS–NAVY) | 491,397 | 491,397 |
120  | 0603836N       | NAVY MULTIBAND TERMINAL | 452,149 | 452,149 |
121  | 0603837N       | SATELLITE TERMINAL (transportable) Non-Governmental | [10,000] | [10,000] |
122  | 0603838N       | SMALL DIAMETER BOMBS (SDB) | 52,311 | 52,311 |
123  | 0603839N       | STANDARDS MODIFICATION | 416,657 | 416,657 |
124  | 0603840N       | PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM | 11,388 | 11,388 |
125  | 0603841N       | NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING | 64,445 | 64,945 |

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**SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**

**(In Thousands of Dollars)**

**MANAGEMENT SUPPORT**

**SUBTOTAL MANAGEMENT SUPPORT**

**TOTAL SYSTEM DEVELOPMENT AND DEMONSTRATION**

**OPERATIONAL SYSTEM DEVELOPMENT**

**HR 2670 RH18**
## SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

(In Thousands of Dollars)

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TR-3/B1 Unplanned cost growth

MARINE CORPS AIR DEFENSE WEAPONS SYSTEMS

COOPERATIVE ENGAGEMENT CAPABILITY (CEC)

STRATEGIC SUB & WEAPONS SYSTEM SUPPORT

SSN SECURITY TECHNOLOGY PROGRAM

SUBMARINE ACOUSTIC WARFARE DEVELOPMENT

NAVY STRATEGIC COMMUNICATIONS

FA-18 SQUADRONS

SURFACE SUPPORT

TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC)

F/A-18 SQUADRONS

SURFACE SUPPORT

TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC)

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**SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT**

|         |         | 1,433,220 |

**ADDED TECHNOLOGY DEVELOPMENT**

|         |         |

**SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT**

|         | 891,376 |

**ADDED COMPONENT DEVELOPMENT AND PROTOTYPES**

|         | 105,338 |

**ADDED COMPONENT DEVELOPMENT AND PROTOTYPES**
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### SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

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**SUBTOTAL SYSTEM DEVELOPMENT AND DEMONSTRATION**

3,486,758

3,519,571

### MANAGEMENT SUPPORT

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**SUBTOTAL MANAGEMENT SUPPORT**

3,486,758

3,519,571

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**SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**

(Incurred obligations as of 9/30/2022, and cumulatively for the period beginning 10/1/2022 through 9/30/2023, in thousands; signed FY 2024 request, do not include approved addendums)
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SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

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SYSTEM DEVELOPMENT AND DEMONSTRATION

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OPERATIONAL SYSTEM DEVELOPMENT

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SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS

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**HR 2670 RH1S**
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**SYSTEM DEVELOPMENT AND DEMONSTRATION**

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### MANAGEMENT SUPPORT

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### OPERATIONAL SYSTEM DEVELOPMENT

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**SUBTOTAL MANAGEMENT SUPPORT** | 1,998,717 | 2,003,717 |

**SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT** | 1,998,717 | 2,003,717 |
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## TITLE XLIII—OPERATION AND MAINTENANCE

### SEC. 4301. OPERATION AND MAINTENANCE.

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**HR 2670 RH18**
### SEC. 4301. OPERATION AND MAINTENANCE

#### (In Thousands of Dollars)

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**TOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES**

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### OPERATION AND MAINTENANCE, ARMY, EXPANDED

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**SUBTOTAL OPERATING FORCES**

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### ADMINISTRATION AND SERVICEWIDE ACTIVITIES

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**SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES**

160,044 160,044

**TOTAL OPERATION AND MAINTENANCE, ARMY RESERVE**

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### OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD OPERATING FORCES

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**TOTAL OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD**

3,630,948 3,630,948

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**HR 2670 RH18**
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*HR 2670 RH1S*
### Mobilization

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### Training and Recruiting

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### Administration and Service-Wide Activities

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### Total Operation and Maintenance, Navy

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### Operation and Maintenance, Marine Corps Operating Forces

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### Training and Recruiting

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### Administration and Service-Wide Activities

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### SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)

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**SUBTOTAL OPERATING FORCES**  
|  | 50,061,323 | 49,441,800 |

**MOBILIZATION**

| 240  | AILFOT OPERATIONS                      | 3,012,297        | 3,012,297        |
| 249  | MOBILIZATION PREPAREDNESS              | 241,918          | 241,918          |

**SUBTOTAL MOBILIZATION**  
|  | 3,254,205 | 3,254,205 |

**TRAINING AND RECRUITING**

| 280  | OFFICER ACQUISITION                    | 202,769          | 202,769          |
| 290  | RECRUIT TRAINING                       | 28,892           | 28,892           |
| 300  | RESERVE OFFICERS TRAINING CORPS (ROTC)| 137,647          | 132,647          |
| 310  | SPECIALIZED SKILL TRAINING             | 588,131          | 588,131          |
| 320  | FLIGHT TRAINING                        | 875,230          | 850,230          |
|      | Underexecution                         | [–25,000]        |
| 330  | PROFESSIONAL DEVELOPMENT EDUCATION     | 301,262          | 301,262          |
| 340  | TRAINING SUPPORT                       | 194,669          | 193,669          |
|      | Training Exercise Support              | [–12,000]        |
| 350  | RECRUITING AND ADVERTISING             | 204,318          | 204,318          |
| 360  | EXAMINING                              | 7,775            | 7,775            |
| 370  | OFF-DUTY AND VOLUNTARY EDUCATION       | 263,421          | 263,421          |
| 390  | CIVILIAN EDUCATION AND TRAINING        | 343,039          | 343,039          |
| 396  | JUNIOR ROTC                            | 75,666           | 75,666           |

**SUBTOTAL TRAINING AND RECRUITING**  
|  | 3,222,759 | 3,198,759 |

**ADMINISTRATION AND SERVICE-WIDE ACTIVITIES**

| 400  | LOGISTICS OPERATIONS                   | 1,062,199        | 1,062,199        |
| 410  | TECHNICAL SUPPORT ACTIVITIES           | 162,919          | 162,919          |
| 420  | ADMINISTRATION                         | 1,409,015        | 1,409,015        |
| 430  | SERVICEWIDE COMMUNICATIONS             | 202,769          | 202,769          |
| 440  | OTHER SERVICEWIDE ACTIVITIES           | 1,551,856        | 1,511,356        |
|      | Technical realignment                  | [4,520]          |
| 450  | CIVIL AIR PATROL                       | 30,901           | 30,901           |
| 460  | DEF. ACQUISITION WORKFORCE DEVELOPMENT ACCOUNT | 42,769        | 42,769          |
| 480  | INTERNATIONAL SUPPORT                  | 115,267          | 90,267           |
|      | Underexecution                         | [–20,000]        |
| 480A | CLASSIFIED PROGRAMS                    | 1,506,624        | 1,506,624        |

**SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES**  
|  | 6,211,808 | 6,151,328 |

**TOTAL OPERATION AND MAINTENANCE, AIR FORCE**  
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ADMINISTRATION AND SERVICE-WIDE ACTIVITIES

| 100  | LOGISTICS OPERATIONS | 34,046 | 34,046 |
| 110  | ADMINISTRATION | 149,908 | 130,936 |
|      | Technical realignment | [–18,172] |                  |
|      | SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES | 183,154 | 164,982 |

TOTAL OPERATION AND MAINTENANCE, SPACE FORCE

| 5,017,468 | 5,033,541 |

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

OPERATING FORCES

| 010  | PRIMARY COMBAT FORCES | 2,088,949 | 2,088,949 |
| 020  | MISSION SUPPORT OPERATIONS | 198,213 | 198,213 |
| 030  | DEPOT PURCHASE EQUIPMENT MAINTENANCE | 647,758 | 647,758 |
| 040  | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION | 122,314 | 122,314 |
| 050  | CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT | 374,442 | 374,442 |
| 060  | BASE SUPPORT | 543,962 | 543,962 |
| 070  | CYBERSPACE ACTIVITIES | 1,742 | 1,742 |
|      | SUBTOTAL OPERATING FORCES | 3,977,380 | 3,977,380 |

ADMINISTRATION AND SERVICE-WIDE ACTIVITIES

| 090  | RECRUITING AND ADVERTISING | 9,373 | 9,373 |
|      | MILITARY MANPOWER AND PERS MGMT (ARPC) | 15,563 | 15,563 |
| 110  | OTHER PERS SUPPORT (DISABILITY COMP) | 6,174 | 6,174 |
|      | AUDIOVISUAL | 485 | 485 |
|      | SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES | 138,876 | 138,876 |

TOTAL OPERATION AND MAINTENANCE, AIR FORCE RESERVE

| 4,116,256 | 4,116,256 |

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

OPERATING FORCES

| 010  | AIRCRAFT OPERATIONS | 2,498,675 | 2,498,675 |
| 020  | MISSION SUPPORT OPERATIONS | 656,714 | 656,714 |
| 030  | DEPOT PURCHASE EQUIPMENT MAINTENANCE | 1,171,901 | 1,171,901 |
| 040  | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION | 370,188 | 370,188 |
| 050  | CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT | 1,280,063 | 1,280,063 |
| 060  | BASE SUPPORT | 1,089,579 | 1,089,579 |
| 070  | CYBERSPACE SUSTAINMENT | 19,708 | 19,708 |
| 080  | CYBERSPACE ACTIVITIES | 49,476 | 29,976 |
|      | Insufficient justification | [–22,000] |                  |
|      | SUBTOTAL OPERATING FORCES | 7,136,244 | 7,116,744 |

ADMINISTRATION AND SERVICE-WIDE ACTIVITIES

| 090  | ADMINISTRATION | 68,417 | 68,417 |
|      | RECRUITING AND ADVERTISING | 49,033 | 49,033 |
|      | SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES | 117,450 | 117,450 |

TOTAL OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

| 7,253,694 | 7,234,194 |

OPERATION AND MAINTENANCE, DEFENSE-WIDE OPERATING FORCES
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**HR 2670 RH18**
## SEC. 4301. OPERATION AND MAINTENANCE
### (In Thousands of Dollars)

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<td>Program increase</td>
<td>[10,000]</td>
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<td>SUBTOTAL COOPERATIVE THREAT REDUCTION</td>
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<td></td>
<td>ENVIRONMENTAL RESTORATION, ARMY DEPARTMENT OF THE ARMY</td>
<td></td>
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<tr>
<td>050</td>
<td>ENVIRONMENTAL RESTORATION, ARMY</td>
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<td></td>
<td>SUBTOTAL DEPARTMENT OF THE ARMY</td>
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<td></td>
<td>ENVIRONMENTAL RESTORATION, NAVY DEPARTMENT OF THE NAVY</td>
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<tr>
<td>060</td>
<td>ENVIRONMENTAL RESTORATION, NAVY</td>
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<tr>
<td></td>
<td>SUBTOTAL DEPARTMENT OF THE NAVY</td>
<td>335,240</td>
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<td></td>
<td>TOTAL ENVIRONMENTAL RESTORATION, NAVY</td>
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<td></td>
<td>ENVIRONMENTAL RESTORATION, AIR FORCE DEPARTMENT OF THE AIR FORCE</td>
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<td>070</td>
<td>ENVIRONMENTAL RESTORATION, AIR FORCE</td>
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<td>SUBTOTAL DEPARTMENT OF THE AIR FORCE</td>
<td>349,744</td>
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<tr>
<td>080</td>
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<td>SUBTOTAL DEFENSE WIDE</td>
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<tr>
<td></td>
<td>TOTAL ENVIRONMENTAL RESTORATION, DEFENSE WIDE</td>
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<td>ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES DEPARTMENT OF THE NAVY</td>
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<tr>
<td>090</td>
<td>ENVIRONMENTAL RESTORATION FORMERLY USED SITES DEPARTMENT OF THE NAVY</td>
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<td>SUBTOTAL FORMERLY USED DEFENSE SITES DEPARTMENT OF THE NAVY</td>
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<td>TOTAL ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES DEPARTMENT OF THE NAVY</td>
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<td>TOTAL OPERATION &amp; MAINTENANCE</td>
<td>290,071,293</td>
<td>289,171,059</td>
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---

### TITLE XLIV—MILITARY PERSONNEL

### SEC. 4401. MILITARY PERSONNEL

### SEC. 4401. MILITARY PERSONNEL
#### (In Thousands of Dollars)

<table>
<thead>
<tr>
<th>Item</th>
<th>FY 2024 Request</th>
<th>House Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>Military Personnel</td>
<td>168,320,510</td>
<td>168,078,310</td>
</tr>
<tr>
<td>BAH Absorption Restoration (1%)</td>
<td></td>
<td>[244,000]</td>
</tr>
<tr>
<td>Remove BAH from BNA Calculation (150%)</td>
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<td>[115,806]</td>
</tr>
<tr>
<td>Military personnel historical underexecution</td>
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<td>[−600,000]</td>
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</tbody>
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•HR 2670 RH1S
### SEC. 4401. MILITARY PERSONNEL

(In Thousands of Dollars)

<table>
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<tr>
<th>Item</th>
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<td>MERHCF</td>
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### TITLE XLV—OTHER AUTHORIZATIONS

### SEC. 4501. OTHER AUTHORIZATIONS.

(In Thousands of Dollars)

<table>
<thead>
<tr>
<th>Item</th>
<th>FY 2024 Request</th>
<th>House Authorized</th>
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</thead>
<tbody>
<tr>
<td>NATIONAL DEFENSE STOCKPILE TRANSACTION FUND</td>
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<tr>
<td>DEFENSE STOCKPILE</td>
<td>7,629</td>
<td>7,629</td>
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<tr>
<td>TOTAL NATIONAL DEFENSE STOCKPILE TRANSACTION FUND</td>
<td>7,629</td>
<td>7,629</td>
</tr>
</tbody>
</table>

| WORKING CAPITAL FUND, ARMY | | |
| ARMY ARSENALS INITIATIVE | 27,551 | 27,551 |
| ARMY SUPPLY MANAGEMENT | 1,662 | 1,662 |
| TOTAL WORKING CAPITAL FUND, ARMY | 29,213 | 29,213 |

| WORKING CAPITAL FUND, AIR FORCE | | |
| SUPPLIES AND MATERIALS | 83,587 | 83,587 |
| TOTAL WORKING CAPITAL FUND, AIR FORCE | 83,587 | 83,587 |

| WORKING CAPITAL FUND, DEFENSE-WIDE | | |
| DEFENSE AUTOMATION & PRODUCTION SERVICES | 4 | 4 |
| ENERGY MANAGEMENT—DEFENSE | 114,663 | 114,663 |
| TOTAL WORKING CAPITAL FUND, DEFENSE-WIDE | 114,667 | 114,667 |

| WORKING CAPITAL FUND, DEFENSE COMMISSARY AGENCY | | |
| WORKING CAPITAL FUND—DECA | 1,447,612 | 1,447,612 |
| TOTAL WORKING CAPITAL FUND, DEFENSE COMMISSARY AGENCY | 1,447,612 | 1,447,612 |

| CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE | | |
| OPERATION AND MAINTENANCE | 89,284 | 89,284 |
| RESEARCH, DEVELOPMENT, TEST, AND EVALUATION | 1,002,560 | 1,002,560 |
| TOTAL CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE | 1,091,844 | 1,091,844 |

| DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE | | |
| COUNTER-NARCOTICS SUPPORT | 643,848 | 658,848 |
| Counter Strategic Competitors in the Western Hemisphere | [15,000] | |
| DRUG DEMAND REDUCTION PROGRAM | 134,313 | 136,813 |
| Young Marines Program | [2,500] | |
| NATIONAL GUARD COUNTER-DRUG PROGRAM | 102,272 | 122,272 |
| Program increase | [20,000] | |
| NATIONAL GUARD COUNTER-DRUG SCHOOLS | 5,993 | 10,993 |
| Program increase | [5,000] | |
| TOTAL DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE | 886,426 | 928,926 |
### SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

<table>
<thead>
<tr>
<th>Item</th>
<th>FY 2024 Request</th>
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<tbody>
<tr>
<td><strong>OFFICE OF THE INSPECTOR GENERAL</strong></td>
<td></td>
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<tr>
<td>OFFICE OF THE INSPECTOR GENERAL—O&amp;M</td>
<td>518,919</td>
<td>518,919</td>
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<tr>
<td>OFFICE OF THE INSPECTOR GENERAL—CYBER</td>
<td>1,948</td>
<td>1,948</td>
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<tr>
<td>OFFICE OF THE INSPECTOR GENERAL—RDT&amp;E</td>
<td>3,400</td>
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<tr>
<td>OFFICE OF THE INSPECTOR GENERAL—PROCUREMENT</td>
<td>1,098</td>
<td>1,098</td>
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<tr>
<td><strong>TOTAL OFFICE OF THE INSPECTOR GENERAL</strong></td>
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<tr>
<td><strong>DEFENSE HEALTH PROGRAM</strong></td>
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<tr>
<td>IN-HOUSE CARE</td>
<td>10,044,342</td>
<td>10,049,342</td>
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<tr>
<td>TRICARE Reserve Select Extension</td>
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<td>[5,000]</td>
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<tr>
<td>PRIVATE SECTOR CARE</td>
<td>19,893,028</td>
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<td>CONSOLIDATED HEALTH SUPPORT</td>
<td>2,007,012</td>
<td>1,818,512</td>
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<tr>
<td>Historical underexecution</td>
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<td>[-186,000]</td>
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<tr>
<td>Program decrease</td>
<td></td>
<td>[-2,500]</td>
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<tr>
<td>INFORMATION MANAGEMENT</td>
<td>2,327,816</td>
<td>2,327,816</td>
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<td>347,446</td>
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<tr>
<td>Historical underexecution</td>
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<tr>
<td>EDUCATION AND TRAINING</td>
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<td>Historical underexecution</td>
<td></td>
<td>[-20,000]</td>
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<tr>
<td>TriService Nursing Research Program</td>
<td></td>
<td>[7,000]</td>
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<tr>
<td>BASE OPERATIONS/COMMUNICATIONS</td>
<td>2,144,551</td>
<td>2,142,051</td>
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<tr>
<td>Historical underexecution</td>
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<td>[-2,500]</td>
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<td>R&amp;D RESEARCH</td>
<td>40,311</td>
<td>40,311</td>
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<td>R&amp;D EXPLORATORY DEVELOPMENT</td>
<td>178,892</td>
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<td>R&amp;D ADVANCED DEVELOPMENT</td>
<td>327,040</td>
<td>344,540</td>
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<tr>
<td>Antibiotic Susceptibility Test Development</td>
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<td>[2,500]</td>
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<tr>
<td>Platelet Development and Platelet Hemostatic Products</td>
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<td>[10,000]</td>
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<tr>
<td>R&amp;D DEMONSTRATION/VALIDATION</td>
<td>172,351</td>
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<td>R&amp;D ENGINEERING DEVELOPMENT</td>
<td>107,753</td>
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<td>R&amp;D MANAGEMENT AND SUPPORT</td>
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<td>R&amp;D CAPABILITIES ENHANCEMENT</td>
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<td>PROC INITIAL OUTFITTING</td>
<td>22,344</td>
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<td>PROC REPLACEMENT &amp; MODERNIZATION</td>
<td>238,435</td>
<td>238,435</td>
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<td>PROC JOINT OPERATIONAL MEDICINE INFORMATION SYSTEM</td>
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<td>PROCUREMENT—DESKTOP TO DATACENTER</td>
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<td>PROCUREMENT—DESKTOP TO DATACENTER MODERNIZATION</td>
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<td><strong>TOTAL DEFENSE HEALTH PROGRAM</strong></td>
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<td><strong>TOTAL OTHER AUTHORIZATIONS</strong></td>
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<td>42,457,303</td>
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### TITLE XLVI—MILITARY CONSTRUCTION

### SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

<table>
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<tr>
<th>Account</th>
<th>State/Country and Installation</th>
<th>Project Title</th>
<th>FY 2024 Request</th>
<th>House Agreement</th>
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<tbody>
<tr>
<td>Alabama</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Army</td>
<td>Adjunct Army Depot</td>
<td>Access Control Point (P&amp;D)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Army</td>
<td>Adjunct Army Depot</td>
<td>Component Rebuild Shop (P&amp;D)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Army</td>
<td>Adjunct Army Depot</td>
<td>Vehicle Point Shop (P&amp;D)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Army</td>
<td>Boblono Airfield</td>
<td>Substation</td>
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<tr>
<td>Alaska</td>
<td></td>
<td></td>
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<td>Army</td>
<td>Post Waterfront</td>
<td>East to Complete Existing Unaccompanied Pers Hwy</td>
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•HR 2670 RH18
### SEC. 4601. MILITARY CONSTRUCTION

(In Thousands of Dollars)

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<tbody>
<tr>
<td><strong>Army</strong></td>
<td>Florida Camp Bull Simons</td>
<td>Camp Bull Simons 7th Special Forces Group Child Development Center</td>
<td>0</td>
<td>17,000</td>
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<tr>
<td><strong>Georgia</strong></td>
<td>Fort Gordon</td>
<td>Cyber Instructional Facility (Classrooms)</td>
<td>163,000</td>
<td>80,000</td>
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<tr>
<td><strong>Germany</strong></td>
<td>Hohenfels</td>
<td>Unmanned Multi-purpose Machine Gun Range</td>
<td>30,000</td>
<td>10,400</td>
</tr>
<tr>
<td><strong>Hawaii</strong></td>
<td>Aliamanu Military Reservation</td>
<td>Water Storage Tank</td>
<td>20,000</td>
<td>20,000</td>
</tr>
<tr>
<td><strong>Kansas</strong></td>
<td>Fort Riley Fort Campbell</td>
<td>Multi-purpose Training Range</td>
<td>38,000</td>
<td>38,000</td>
</tr>
<tr>
<td><strong>Louisiana</strong></td>
<td>Fort Polk</td>
<td>Multi-purpose Athletic Field</td>
<td>0</td>
<td>13,400</td>
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<tr>
<td><strong>Massachusetts</strong></td>
<td>Soldier Systems Center Natick</td>
<td>Barracks Addition</td>
<td>18,500</td>
<td>18,500</td>
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<tr>
<td><strong>Michigan</strong></td>
<td>Detroit Arsenal</td>
<td>General Transport Equipped Building</td>
<td>72,000</td>
<td>72,000</td>
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<tr>
<td><strong>North Carolina</strong></td>
<td>Fort Bragg</td>
<td>Aircraft Maintenance Hangar</td>
<td>105,000</td>
<td>105,000</td>
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<tr>
<td><strong>Kentucky</strong></td>
<td>Fort Campbell</td>
<td>Multi-purpose Training Range</td>
<td>38,000</td>
<td>38,000</td>
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<td><strong>Pennsylvania</strong></td>
<td>Letterkenny Army Depot</td>
<td>Guided Missile Maintenance Building</td>
<td>89,000</td>
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<td><strong>Texas</strong></td>
<td>Fort Bliss</td>
<td>Collective Training Barracks (P&amp;D)</td>
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<td><strong>Connecticut</strong></td>
<td>Naval Submarine Base New London</td>
<td>Submarine Pier 21 Extension</td>
<td>112,518</td>
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<tr>
<td><strong>California</strong></td>
<td>Camp Pendleton</td>
<td>Submarine Pier 21 Extension</td>
<td>0</td>
<td>2,683</td>
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<tr>
<td><strong>Connecticut</strong></td>
<td>Marine Corps Air Ground Combat Center Twentynine Palms</td>
<td>Communication Towers</td>
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<td><strong>Washington</strong></td>
<td>Joint Base Lewis-McChord</td>
<td>Guided Missile Maintenance Building</td>
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<td>CDC Planning and Design</td>
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<td><strong>Worldwide Unspecified</strong></td>
<td>Lab Infrastructure Planning &amp; Design</td>
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<tr>
<td><strong>Worldwide Unspecified</strong></td>
<td>Marine Construction</td>
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<td>76,280</td>
<td>86,280</td>
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<td><strong>Worldwide Unspecified</strong></td>
<td>Organic Industrial Base Planning &amp; Design</td>
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<tr>
<td><strong>Worldwide Unspecified</strong></td>
<td>Planning &amp; Design</td>
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<td>270,175</td>
<td>300,175</td>
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<tr>
<td><strong>Worldwide Unspecified</strong></td>
<td>Unspecified Minor Military Construction Demolition</td>
<td></td>
<td>0</td>
<td>15,000</td>
</tr>
</tbody>
</table>

**Military Construction, Army Total**: 1,470,555 1,803,165

**Australia** | Royal Australian Air Force Base Darwin | ADE Aircraft Parking Apron (INC) | 134,624 | 134,624 |

**California** | Camp Pendleton | Five Station Replacemen | 0 | 2,683 |

**Connecticut** | Naval Submarine Base New London | Submarine Pier 21 Extension | 112,518 | 42,518 |

**Connecticut** | Naval Submarine Base New London | Weapons Magazine & Ordnance Operations Park | 219,200 | 29,200 |

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<table>
<thead>
<tr>
<th>Account</th>
<th>State/Country and Installation</th>
<th>Project Title</th>
<th>FY 2024 Request</th>
<th>House Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Navy</td>
<td>District of Columbia</td>
<td>Naval Support Activity</td>
<td>0</td>
<td>100,000</td>
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<tr>
<td></td>
<td></td>
<td>Electro Magnetic &amp; Cyber Countermeasures Lab (P&amp;D)</td>
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<tr>
<td>Navy</td>
<td>Florida</td>
<td>Whiting Field</td>
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<td>100,000</td>
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<tr>
<td></td>
<td>Georgia</td>
<td>Marine Corps Logistics</td>
<td>0</td>
<td>62,950</td>
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<tr>
<td>Navy</td>
<td>Guam</td>
<td>Andersen Air Force Base</td>
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<td>50,000</td>
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<tr>
<td>Navy</td>
<td>Hawaii</td>
<td>Joint Base Pearl Harbor-Hickam</td>
<td>1,338,711</td>
<td>1,398,035</td>
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<tr>
<td>Navy</td>
<td>Massachusetts</td>
<td>Fort Meade Cybersecurity Operations Facility</td>
<td>186,480</td>
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<tr>
<td>Navy</td>
<td>Washington</td>
<td>Naval Station Norfolk Child Development Center</td>
<td>43,600</td>
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<td>Navy</td>
<td>Virginia</td>
<td>Naval Weapons Station Yorktown Weapons Magazines</td>
<td>222,920</td>
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<tr>
<td>Navy</td>
<td>Virginia</td>
<td>Naval Station Norfolk Child Development Center</td>
<td>44,600</td>
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<td>Navy</td>
<td>Virginia</td>
<td>Newport News Annex Surveillance System Facility</td>
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<tr>
<td>Navy</td>
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### SEC. 4601. MILITARY CONSTRUCTION

#### (In Thousands of Dollars)

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**Military Construction, Defense-Wide Total** .......................................................... 2,864,682 2,925,147

**Worldwide Unspecified NATO Security Investment Program Total** ........................................... 234,344 234,344

**NATO Security Investment Program Total** ........................................................................... 2,938,026 2,959,481
### Military Construction, Army National Guard Total

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### Military Construction, Army Reserve Total

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### SEC. 4601. MILITARY CONSTRUCTION

**In Thousands of Dollars**

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**Military Construction, Air National Guard Total** .............................................. 178,722 331,064

**Military Construction, Air Force Reserve Total** ............................................... 291,572 344,072
### Military Construction

#### Military Construction (In Thousands of Dollars)

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**HR 2670 RH1S**
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Family Housing Operation and Maintenance, Air Force Total .......................... 314,386 314,386

Family Housing Operation and Maintenance, Defense-Wide Total ......................... 50,785 50,785

DOD Family Housing Improvement Fund Total ....................................................... 6,611 6,611

Unaccompanied Housing Improvement Fund Total ..................................................... 496 496

Base Realignment and Closure—Army Total ............................................................ 150,640 200,640

Base Realignment and Closure—Navy Total ............................................................. 108,818 158,818

Base Realignment and Closure—Air Force Total ..................................................... 123,990 173,990

Base Realignment and Closure—Defense-wide Total ............................................... 5,726 5,726

Total, Military Construction .............................................................................. 16,674,944 17,474,944
## TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

### SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

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<th>FY 2024 Request</th>
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<td>160,000</td>
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### Atomic Energy Defense Activities

#### National nuclear security administration:

- Weapons activities | 18,832,947 | 18,952,676 |
- Defense nuclear nonproliferation | 2,508,959 | 2,427,959 |
- Naval reactors | 1,964,100 | 1,949,100 |
- Federal salaries and expenses | 538,994 | 538,994 |

**Total, National Nuclear Security Administration** | 23,845,000 | 23,868,729 |

#### Environmental and other defense activities:

- Defense environmental cleanup | 7,500,587 | 7,108,587 |
- Other defense activities | 1,075,197 | 1,075,197 |

**Total, Environmental & other defense activities** | 8,575,784 | 8,183,784 |

**Total, Atomic Energy Defense Activities** | 32,420,784 | 32,052,513 |

**Total, Discretionary Funding** | 32,598,517 | 32,212,513 |

#### Nuclear Energy

- Idaho sitewide safeguards and security | 177,733 | 160,000 |

**Total, Nuclear Energy** | 177,733 | 160,000 |

#### Stockpile Management

**Stockpile Major Modernization**

- B61–13 Life Extension Program | 449,850 | 449,850 |
- W88 Alteration Program | 178,823 | 178,823 |
- W56–4 Life Extension Program | 1,066,809 | 1,066,809 |
- W80–4 ALT SLCM | 389,656 | 389,656 |

**Total, Stockpile Major Modernization** | 3,097,167 | 3,167,167 |

**Stockpile Services**

- Stockpile Sustainment | 1,276,578 | 1,264,678 |
- Weapons Dismantlement and Disposition | 53,718 | 36,718 |
- Production Operations | 710,822 | 710,822 |
- Nuclear Enterprise Assurance | 66,614 | 66,614 |

**Subtotal, Stockpile Services** | 2,107,732 | 2,078,232 |

**Total, Stockpile Management** | 5,204,899 | 5,245,399 |

### Weapons Activities

**Production Modernization**

**Primary Capability Modernization**

**Plutonium Modernization**

- Los Alamos Plutonium Operations | 833,100 | 833,100 |
- 21–D–512 Plutonium Pili Production Project, LANL | 670,000 | 670,000 |
- 15–D–502 TA–55 Reinvest manageable project, Phase 3, LANL | 30,000 | 30,000 |
- 67–D–220-04 Transuranic Liquid Waste Facility, LANL | 0 | 0 |

**HR 2670 RH1S**
<table>
<thead>
<tr>
<th>Program</th>
<th>FY 2024 Request</th>
<th>House Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>04–D–125 Chemistry and Metallurgy Research Replacement Project, LANL</td>
<td>227,122</td>
<td>227,122</td>
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<tr>
<td><strong>Subtotal, Los Alamos Plutonium Modernization</strong></td>
<td><strong>1,760,222</strong></td>
<td><strong>1,760,222</strong></td>
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<tr>
<td>Savannah River Plutonium Modernization</td>
<td></td>
<td></td>
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<tr>
<td>Savannah River Plutonium Operations</td>
<td>62,764</td>
<td>62,764</td>
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<tr>
<td>21–D–911 Savannah River Plutonium Processing Facility, SNL</td>
<td>858,235</td>
<td>1,060,235</td>
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<td>Program increase</td>
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<td>[142,000]</td>
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<td><strong>Subtotal, Savannah River Plutonium Modernization</strong></td>
<td><strong>920,999</strong></td>
<td><strong>1,062,999</strong></td>
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<td>Enterprise Plutonium Support</td>
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<td>87,779</td>
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<td><strong>Total, Plutonium Modernization</strong></td>
<td><strong>2,769,000</strong></td>
<td><strong>2,911,000</strong></td>
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<tr>
<td><strong>High Explosives and Energetics</strong></td>
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<tr>
<td>High Explosives &amp; Energetics</td>
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<td>93,358</td>
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<td>23–D–916 Energetic Materials Characterization Facility, LANL</td>
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<td>0</td>
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<tr>
<td>21–D–910 HE Synthesis, Fabrication, and Production, PX</td>
<td>83,000</td>
<td>83,000</td>
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<td>[83,000]</td>
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<tr>
<td>15–D–301 HE Science &amp; Engineering Facility, PX</td>
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<td>101,256</td>
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<td><strong>Total, High Explosives and Energetics</strong></td>
<td><strong>194,914</strong></td>
<td><strong>277,914</strong></td>
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<td><strong>Total</strong></td>
<td><strong>2,963,914</strong></td>
<td><strong>3,188,914</strong></td>
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<td><strong>Secondary Capability Modernization</strong></td>
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<tr>
<td>Secondary Capability Modernization</td>
<td>666,914</td>
<td>666,914</td>
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<tr>
<td>16–D–610 Lithium Processing Facility, Y-12</td>
<td>230,770</td>
<td>230,770</td>
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<tr>
<td>06–D–141 Uranium Processing Facility, Y-12</td>
<td>760,000</td>
<td>760,000</td>
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<td><strong>Total, Secondary Capability Modernization</strong></td>
<td><strong>1,637,684</strong></td>
<td><strong>1,637,684</strong></td>
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<td><strong>Tritium and Domestic Uranium Enrichment</strong></td>
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<td></td>
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<tr>
<td>Tritium and Domestic Uranium Enrichment</td>
<td>592,992</td>
<td>592,992</td>
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<tr>
<td>16–D–650 Tritium Finishing Facility, SNN</td>
<td>0</td>
<td>37,000</td>
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<td>Program increase</td>
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<td>[37,000]</td>
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<td><strong>Total, Tritium and Domestic Uranium Enrichment</strong></td>
<td><strong>592,992</strong></td>
<td><strong>629,992</strong></td>
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<tr>
<td><strong>Non-Nuclear Capability Modernization</strong></td>
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<tr>
<td>Non-Nuclear Capability Modernization</td>
<td>166,990</td>
<td>166,990</td>
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<td>23–D–916 Power Sources Capability, SNL</td>
<td>37,886</td>
<td>37,886</td>
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<td>Capability Based Investments</td>
<td>158,462</td>
<td>156,462</td>
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<tr>
<td><strong>Total, Production Modernization</strong></td>
<td><strong>5,555,928</strong></td>
<td><strong>5,817,928</strong></td>
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<tr>
<td><strong>Stockpile Research, Technology, and Engineering</strong></td>
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<tr>
<td>Assessment Science</td>
<td>1,644,321</td>
<td>1,624,321</td>
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<tr>
<td>Program decrease</td>
<td>[–20,000]</td>
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<tr>
<td>Engineering and Integrated Assessments</td>
<td>440,456</td>
<td>410,456</td>
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<td>Program decrease</td>
<td>[–30,000]</td>
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<tr>
<td>Inertial Confinement Fusion</td>
<td>601,650</td>
<td>601,650</td>
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<tr>
<td>Advanced Simulation and Computing</td>
<td>782,472</td>
<td>732,472</td>
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<td>Program decrease</td>
<td>[–50,000]</td>
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<tr>
<td>Weapon Technology and Manufacturing Maturati on</td>
<td>327,745</td>
<td>307,745</td>
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<tr>
<td>Program decrease</td>
<td>[–20,000]</td>
<td></td>
</tr>
<tr>
<td><strong>Total, Stockpile Research, Technology, and Engineering</strong></td>
<td><strong>3,196,644</strong></td>
<td><strong>3,076,644</strong></td>
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<tr>
<td>Academic Programs and Community Support</td>
<td>152,271</td>
<td>112,000</td>
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<tr>
<td>Community Capacity Building Program</td>
<td>[–30,000]</td>
<td></td>
</tr>
<tr>
<td>Program decrease</td>
<td>[–10,000]</td>
<td></td>
</tr>
<tr>
<td><strong>Total, Academic Programs and Community Support</strong></td>
<td><strong>152,271</strong></td>
<td><strong>112,000</strong></td>
</tr>
<tr>
<td><strong>Infrastructure and Operations</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operations of facilities</td>
<td>1,053,000</td>
<td>1,053,000</td>
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<tr>
<td>Safety and environmental operations</td>
<td>139,114</td>
<td>139,114</td>
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<tr>
<td>Maintenance and repair of facilities</td>
<td>718,000</td>
<td>718,000</td>
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<tr>
<td><strong>Recapitalization:</strong></td>
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<td></td>
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<tr>
<td>Infrastructure and safety</td>
<td>650,012</td>
<td>627,512</td>
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<tr>
<td>Program decrease</td>
<td>[–22,500]</td>
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<tr>
<td><strong>Total, Recapitalization</strong></td>
<td><strong>650,012</strong></td>
<td><strong>627,512</strong></td>
</tr>
<tr>
<td><strong>Construction:</strong></td>
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<tr>
<td>24–D–511 Plutonium Production Building, LANL</td>
<td>48,500</td>
<td>48,500</td>
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<td>24–D–510 Analytic Gas Laboratory, PX</td>
<td>35,000</td>
<td>35,000</td>
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<tr>
<td>25–D–515 Electrical Power Capacity Upgrade, LANL</td>
<td>75,000</td>
<td>75,000</td>
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</table>

**HR 2670 RH18**
Table: SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)

<table>
<thead>
<tr>
<th>Program</th>
<th>FY 2024 Request</th>
<th>House Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total, Construction</td>
<td>207,000</td>
<td>207,000</td>
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<tr>
<td>Total, Infrastructure and operations</td>
<td>2,767,126</td>
<td>2,744,636</td>
</tr>
</tbody>
</table>

Secure transportation asset
- Operations and equipment: 229,008
- Program direction: 118,056
- Total, Secure transportation asset: 357,064

Defense Nuclear Security
- Construction:
  - Operations and Maintenance: 988,756
  - Use of Prior Year Balances: –20,000
  - Total, Defense nuclear security: 1,016,756

Nuclear counterterrorism and incident response program: 578,379
Legacy contractor pensions: 65,452
- Total, Infrastructure and operations: 514,048

Total, Material management & minimization: 446,025
- Use of Prior Year Balances: –61,572
- Nonproliferation and arms control: 212,358
- Program decrease: –20,000
- Total, NNSA Riseassurance Program: 702,187
- Program decrease: –25,000

Program decrease—Arms control efforts: –20,000
- Program decrease—Proliferation detection: –290,388
- Program decrease—Proliferation detection: –270,388
- Nuclear decontamination: 285,603
- Forensics R&D: 44,759
- Program decrease: –101,437
- Total, Defense nuclear nonproliferation R&D: 702,187

Program decrease: –25,000

Nonproliferation Construction:
- 16–D–150 Surplus Plutonium Disposition Project, SRS: 77,211
- Total, Nonproliferation construction: 77,211

Total, Defense Nuclear Nonproliferation Programs: 2,012,829
- Legacy contractor pensions: 22,587
- Nuclear counterterrorism and incident response program: 493,543
- Use of prior-year balances: –20,000
- Total, Defense Nuclear Nonproliferation: 2,427,939

Naval Reactors
- Naval reactor development: 838,340
- Oklouran-Class reactor system development: 52,900
- Naval reactor operations and infrastructure: 712,036

Construction:
- 14–D–530 NRF Medical Science Complex: 36,584
- 22–D–531 KL Chemistry and Radiological Health Building: 10,400
- 21–D–530 KL Steam and Condensate Upgrade: 53,000
- 14–D–901 Spent Fuel Handling Recapitalization Project, NRF: 199,300

*HR 2670 RH18*
### Defense Environmental Cleanup

#### Closure sites:
- Closure site administration

#### Richland:
- River corridor and other cleanup operations
- Central plateau remediation
- Richland community and regulatory support

#### Construction:
- 22-D-401 Eastern Plateau Fire Station
- 22-D-402 L-897, 200 Area Water Treatment Facility
- 23-D-401 181D Export Water System Reconfiguration and Upgrade
- 23-D-401 181B Export Water System Reconfiguration and Upgrade
- 24-D-401 Environmental Restoration Disposal Facility Supercell 11

#### Office of River Protection:
- Waste Treatment Inamobilization Plant Commissioning
- Rad liquid tank waste stabilization and disposition

#### Construction:
- 01-D-16D High-Level Waste Facility
- 01-D-16E Pretreatment Facility
- 15-D-409 Low Activity Waste Pretreatment System
- 23-D-403, Hanford 200 West Area Tank Farms Risk Management Project

#### Total, Office of River Protection

#### Idaho National Laboratory:
- Idaho cleanup and waste disposition
- Idaho community and regulatory support

#### Construction:
- 22-D-401 Idaho Spent Nuclear Fuel Staging Facility
- 22-D-404 Additional R&D Landfill Disposal Off and Evaporation Ponds Project
- 23-D-402—Calcine Construction

#### Total, Construction

#### Total, Idaho National Laboratory

#### NNSA sites and Nevada off-sites:
- Lawrence Livermore National Laboratory
- LLNL Excess Facilities D&D
- Nuclear facility D & D
- Separations Process Research Unit
- Nevada Site
- Sandia National Laboratories
- Los Alamos National Laboratory
- Los Alamos Excess Facilities D&D

#### Total, NNSA sites and Nevada off-sites

#### Oak Ridge Reservation:
- OR Nuclear facility D & D
- U233 Disposition Program
- OR cleanup and disposition

#### Total, OR Nuclear facility D & D
<table>
<thead>
<tr>
<th>Program</th>
<th>FY 2024 Request</th>
<th>House Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction:</td>
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<tr>
<td>15–D–403 Outfall 200 Mercury Treatment Facility</td>
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<tr>
<td>17–D–401 On-site waste disposal facility</td>
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<td>24,500</td>
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<td>Total, Construction</td>
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<tr>
<td>Total, OR cleanup and waste disposition</td>
<td>161,500</td>
<td>161,500</td>
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<tr>
<td>Office of hearings and appeals</td>
<td>5,500</td>
<td>5,500</td>
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<tr>
<td>OR technology development and deployment</td>
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<tr>
<td>Total, Oak Ridge Reservation</td>
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<td>505,000</td>
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<td>Savannah River Sites:</td>
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<tr>
<td>Savannah River risk management operations</td>
<td>455,109</td>
<td>468,109</td>
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<tr>
<td>Program increase</td>
<td>[15,000]</td>
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<td>Construction:</td>
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<tr>
<td>18–D–402 Emergency Operations Center Replacement, SR</td>
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<td>34,733</td>
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<td>Total, Risk Management Operations</td>
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<td>502,842</td>
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<td>Savannah River Legacy Pensions</td>
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<td>Savannah River National Laboratory OdM</td>
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<td>SR community and regulatory support</td>
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<td>12,389</td>
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<td>Radionuclide liquid tank waste stabilization and disposal</td>
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<td>Construction:</td>
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<td>18–D–102 Saltstone disposal unit #10, 11, 12</td>
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<td>Total, Construction</td>
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<tr>
<td>Total, Savannah River site</td>
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<td>Waste Isolation Pilot Plant</td>
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<td>Waste Isolation Pilot Plant</td>
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<td>Construction:</td>
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<td>15–D–111 Safety significant confinement ventilation system, WIPP</td>
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<td>44,365</td>
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<td>15–D–112 Utility Shaft, WIPP</td>
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<td>Total, Construction</td>
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<td>Total, Waste Isolation Pilot Plant</td>
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<td>Program Direction</td>
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<td>Program Support</td>
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<td>Technology Development and Deployment</td>
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<td>Federal contribution to the Uranium Enrichment D&amp;D Fund</td>
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<td>Program decrease</td>
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<tr>
<td>Total, Defense Environmental Cleanup</td>
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</tr>
</tbody>
</table>

**Other Defense Activities**

| Environment, health, safety and security                               |                 |                  |
| Environment, health, safety and security                               | 86,558          | 86,558           |
| Program direction                                                      | 144,705         | 144,705          |
| Total, Environment, Health, safety and security                        | 231,263         | 231,263          |

**Office of Enterprise Assessments**

| Program Direction                                                      | 64,132          | 64,132           |
| Enterprise Assessments                                                 | 30,022          | 30,022           |
| Total, Office of Enterprise Assessments                                | 94,154          | 94,154           |

Specialized security activities                                          | 345,330         | 345,330          |

**Office of Legacy Management**

| Legacy management                                                      | 173,681         | 173,681          |
| Program direction                                                      | 22,621          | 22,621           |
| Total, Office of Legacy Management                                     | 196,302         | 196,302          |

Defense-related administrative support                                   | 203,649         | 203,649          |

Office of hearings and appeals                                          | 4,499           | 4,499            |

Subtotal, Other Defense Activities                                      | 1,075,197       | 1,075,197        |

Total, Other Defense Activities                                         | 1,075,197       | 1,075,197        |
A BILL

To authorize appropriations for fiscal year 2024 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.

JUNE 30, 2023

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed.