

118TH CONGRESS
1ST SESSION

H. R. 5321

To amend the John S. McCain National Defense Authorization Act for Fiscal Year 2019 to improve the John S. McCain strategic defense fellows program.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 1, 2023

Mr. BACON introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To amend the John S. McCain National Defense Authorization Act for Fiscal Year 2019 to improve the John S. McCain strategic defense fellows program.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Strategic Defense Fel-
5 lows Act of 2023”.

6 **SEC. 2. IMPROVEMENTS TO THE JOHN S. MCCAIN STRA-**
7 **TEGIC DEFENSE FELLOWS PROGRAM.**

8 (a) SELECTION OF PARTICIPANTS.—Subsection
9 (d)(2) of section 932 of the John S. McCain National De-

1 fense Authorization Act for Fiscal Year 2019 (Public Law
 2 115–232; 10 U.S.C. 1580 note prec.) is amended to read
 3 as follows:

4 “(2) GEOGRAPHICAL REPRESENTATION.—Out
 5 of the total number of individuals selected to partici-
 6 pate in the fellows program in any year, no more
 7 than 20 percent may be from any of the following
 8 geographic regions:

9 “(A) The Northeast United States.

10 “(B) The Southeast United States.

11 “(C) The Midwest United States.

12 “(D) The Southwest United States.

13 “(E) The Western United States.

14 “(F) Alaska, Hawaii, United States terri-
 15 tories, and areas outside the United States.”.

16 (b) APPOINTMENT, PLACEMENT, AND CONVER-
 17 SION.—Such section is further amended—

18 (1) in subsection (d)(3)—

19 (A) by striking “assigned” and inserting
 20 “appointed”; and

21 (B) by striking “assignment” and inserting
 22 “appointment”; and

23 (2) by amending subsections (e) and (f) to read
 24 as follows:

25 “(e) APPOINTMENT.—

1 “(1) IN GENERAL.—An individual who partici-
2 pates in the fellows program shall be appointed into
3 an excepted service position in the Department.

4 “(2) POSITION REQUIREMENTS.—Each year,
5 the head of each Department of Defense Component
6 shall submit to the Secretary of Defense placement
7 opportunities for participants in the fellows pro-
8 gram. Such placement opportunities shall provide for
9 leadership development and potential commencement
10 of a career track toward a position of senior leader-
11 ship in the Department. The Secretary of Defense,
12 in coordination with the heads of Department of De-
13 fense Components, shall establish qualification re-
14 quirements for the appointment of participants
15 under paragraph (1) and subsection (f)(2).

16 “(3) APPOINTMENT TO POSITIONS.—Each year,
17 the Secretary of Defense shall appoint participants
18 in the fellows program to positions in the Depart-
19 ment of Defense Components. In making such ap-
20 pointments, the Secretary shall seek to best match
21 the qualifications and skills of the participants with
22 the requirements for positions available for appoint-
23 ment.

24 “(4) TERM.—The term of each appointment
25 under the fellows program shall be one year with the

1 option to extend the appointment up to one addi-
2 tional year.

3 “(5) GRADE.—An individual appointed to a po-
4 sition under the fellows program shall be appointed
5 at a level between GS–10 and GS–12 of the General
6 Schedule based on the directly-related qualifications,
7 skills, and professional experience of the individual.

8 “(6) EDUCATION LOAN REPAYMENT.—To the
9 extent that funds are provided in advance in appro-
10 priations Acts, the Secretary of Defense may repay
11 a loan of a participant in the fellows program if the
12 loan is described by subparagraph (A), (B), or (C)
13 of section 16301(a)(1) of title 10, United States
14 Code. Any repayment of a loan under this paragraph
15 may require a minimum service agreement, as deter-
16 mined by the Secretary.

17 “(7) DEPARTMENT OF DEFENSE COMPONENT
18 DEFINED.—In this subsection, the term ‘Depart-
19 ment of Defense Component’ means a Department
20 of Defense Component, as set forth in section 111
21 of title 10, United States Code.

22 “(f) CAREER DEVELOPMENT.—

23 “(1) IN GENERAL.—The Secretary of Defense
24 shall ensure that participants in the fellows pro-
25 gram—

1 “(A) receive career development opportuni-
2 ties and support appropriate for the commence-
3 ment of a career track within the Department
4 leading toward a future position of senior lead-
5 ership within the Department, including ongoing
6 mentorship support through appropriate
7 personnel from entities within the Department;
8 and

9 “(B) are provided appropriate employment
10 opportunities for competitive and excepted serv-
11 ice positions in the Department upon successful
12 completion of the fellows program.

13 “(2) NONCOMPETITIVE APPOINTMENT OR CON-
14 VERSION.—Upon a participant’s successful comple-
15 tion of the fellows program, the Secretary may, with-
16 out regard to the provisions of subchapter I of chap-
17 ter 33 of title 5, United States Code, noncompeti-
18 tively appoint or convert the participant into a va-
19 cant competitive or excepted service position in the
20 Department, if the Secretary determines that such
21 appointment or conversion will contribute to the de-
22 velopment of highly qualified future senior leaders
23 for the Department. The Secretary may appoint or
24 convert the participant into a position up to the GS–
25 13 level of the General Schedule or an equivalent po-

1 sition for which the participant is qualified without
2 regard to any minimum time in grade requirements.

3 “(3) APPOINTMENT OF FORMER PARTICI-
4 PANTS.—The Secretary may utilize the authority in
5 paragraph (2) for a participant—

6 “(A) up to 2 years after the date of the
7 participant’s successful completion of the fel-
8 lows program; or

9 “(B) in the case of a participant who en-
10 tered the fellows program before the date of the
11 enactment of this subparagraph, up to 5 years
12 after the date of the participant’s successful
13 completion of the fellows program.

14 “(4) PUBLICATION OF SELECTION.—The Sec-
15 retary shall publish, on an Internet website of the
16 Department available to the public, the names of the
17 individuals selected to participate in the fellows pro-
18 gram.”.

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